

MAIDSTONE BOROUGH COUNCIL

Planning Committee

MINUTES OF THE MEETING HELD ON THURSDAY 9 NOVEMBER 2017 ADJOURNED TO THURSDAY 16 NOVEMBER

Present 16 November: Councillor English (Chairman), and Councillors Clark, Cox, English, Harwood, Munford, Perry, Prendergast, Round and Vizzard

Also Present: Councillors McLoughlin and Newton

268. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Boughton and Spooner.

269. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Perry was present as a substitute for Councillor Boughton.

270. NOTIFICATION OF VISITING MEMBERS

Councillor Newton was present as a Visiting Member and indicated his intention to speak on Item 23. 17/503043 – Land South of Avery Lane And Land South of Sutton Road, Otham, Kent.

Councillor McLoughlin was present as a Visiting Member and indicated his intention to speak on Item 16. 16/508660 Land South of Vicarage Road, Yalding, Kent.

271. ITEMS WITHDRAWN FROM THE AGENDA

There were no items withdrawn from the Agenda.

272. URGENT ITEMS

The Chairman stated that, in his opinion, the update reports of the Head of Planning and Development should be taken as urgent items as they contained further information relating to matters to be considered at the meeting.

273. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

274. DISCLOSURES OF LOBBYING

It was noted that Members were lobbied on the following applications:

- 16/508660 Land South of Vicarage Road, Yalding, Kent – All Councillors except Councillor Perry
- 17/503284 Church Farm, Ulcombe Hill, Ulcombe, Kent – All Councillors except Councillor Perry
- 16/505932 Land Rear of Chart View, Off Chart Hill Road, Chart Sutton, Kent – Councillors Munford and Round

275. EXEMPT ITEMS

RESOLVED: That the items on the agenda be taken in public as proposed.

276. 17/501308 - 1 BROOKLANDS, HEADCORN, KENT

The Committee considered the report and update report of the Head of Planning and Development.

Councillor Dungey, of Headcorn Parish Council, addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, Members felt that the proposed development would be an unacceptable flood risk and would fail the sequential test. The Committee were of the view that there were more suitable locations in the village to place such a property which would not be subject to the same level of flood risk.

RESOLVED:

That the proposed development by virtue of its location in Flood Zone 3a would fail the sequential test as set out in NPPF (paragraph 101) and Policy DM1 (xi) of the Adopted Maidstone Borough Local Plan (2017) and the Council considers there are alternative locations in Headcorn Village that can accommodate alternative development and as such there is no need to place housing in an area of known flood risk.

Voting: Unanimous

277. 17/500819 - BUNGALOW AT HILL VIEW, YELSTED ROAD, YELSTED, KENT

The Committee considered the report of the Head of Planning and Development.

RESOLVED:

That permission is granted, subject to planning conditions set out in the report.

Voting: For - 5 Against - 1 Abstentions - 3

278. 16/508660 - LAND SOUTH OF VICARAGE ROAD, YALDING, KENT

The Committee considered the report, and urgent update reports, of the Head of Planning and Development. The Head of Planning and Development updated the Committee on the Heads of Terms of Section 106 agreement. It was noted that the NHS Clinical Commissioning Group contribution should read £48,420 instead of £44,604 and that Kent County Council had advised that there was no requirement for a Public Right of Way contribution.

Mr Bolsin presented a petition and spoke on this item.

Councillor Brown (of Yalding Parish Council), Councillor Thomas (of Hunton Parish Council) and Mr Hawkins (for the Applicant) addressed the Committee on this item.

Councillor McLoughlin addressed the committee as a visiting member.

RESOLVED:

That subject to the prior completion of a Section 106 legal agreement as outlined in the committee report, in such terms as the Head of Legal Services advises, with the following amendments:

- Financial contribution of £48,420 towards Healthcare at Yalding Surgery; and
- An additional head of terms dealing with provision for the management of the proposed open space on site (delegated to the Head of Planning and Development to finalise);

The Head of Planning and Development be given delegated powers to grant planning permission subject to the conditions set out in the report, and amended in the urgent update, of the Head of Planning and Development.

Voting: For - 6 Against - 2 Abstentions - 1

279. 17/503284 - CHURCH FARM, ULCOMBE HILL, ULCOMBE, KENT

The Committee considered the report, and urgent updates, of the Head of Planning and Development.

Mr Rogers (objector), Councillor Kenward (of Ulcombe Parish Council), Councillor Hoy (of Broomfield and Kingswood Parish Council) and Mr Charlton (applicant) addressed the Committee on this item.

RESOLVED:

1. That, subject to the conditions and informatives outlined in the report and amended in the urgent updates of the Head of Planning

and Development, planning permission is granted.

2. That condition is 5 amended to read (addition in bold):

The development hereby approved shall not commence until a landscape scheme designed in accordance with the principles of the Maidstone Landscape Character Assessment Supplement 2012 has been submitted to and approved in writing by **the Head of Planning and Development, in consultation with the Political Group Spokespersons of the Planning Committee**. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed and include a planting specification, a programme of implementation and maintenance and a 5 year management plan. The landscape scheme shall reflect the locations of the lines of hedges shown on the Planting Proposals Plan (LVA, Figure 3) but specify the removal of existing conifer species and their replacement with appropriate native hedgerows. The hedgerow species mix shall include a proportion of evergreen shrubs (Holly or Yew) and species which retain their leaves for a large proportion of the year (Hornbeam or Beech) to maximise the screening effect without compromising existing landscape character. The landscaping shall also include a physical barrier to provide a 15m buffer to the Ancient Woodland to the north of the site.

3. That an additional condition is added:

The development hereby permitted shall not take place until a transport plan has been submitted and approved in writing by the Head of Planning and Development, in consultation with the Political Group Spokespersons of the Planning Committee.

Voting: For - 5 Against - 3 Abstentions - 1

280. 17/503043 - LAND SOUTH OF AVERY LANE AND LAND SOUTH OF SUTTON ROAD, OTHAM, KENT

The Committee considered the report of the Head of Planning and Development.

Councillor Gray (of Otham Parish Council) and Mr Przyjemski (for the applicant) addressed the Committee. Councillor Newton addressed the Committee as a Visiting Member.

RESOLVED:

That the application is deferred until the following information has been received by the Highways Authority:

- What conditions do Kent Highways deem appropriate to manage the traffic from the proposal, particularly of larger vehicles;
- How would the Highways Authority expect Maidstone Borough Council to enforce the conditions suggested;
- What alternatives to a condition could be proposed (for example a Traffic Regulation Order); and
- If the suggested conditions are not enforceable, does their position change in terms of not objecting to the proposal.

Voting: For - 8 Against - 1 Abstentions - 0

281. 16/505932 - LAND REAR OF CHART VIEW, OFF CHART HILL ROAD, CHART SUTTON, KENT

The Committee considered the report, and urgent update, of the Head of Planning and Development.

The Committee considered the application and raised concerns about the visual impact of the development from the public right of way, and the harm to the important hedgerow that was proposed to be removed as part of the access arrangements for the site.

Ms Follett (for Objectors) and Mr Brown (for the Applicant) addressed the Committee.

RESOLVED:

That the application is refused.

Reason: The proposed development by reason of its siting, access and removal of hedgerow screening belt would result in harm to the character and appearance of the countryside designated a landscape of local value. This together with the open views of the site from the adjacent Public Right and Way and loss of biodiversity, would be contrary to the National Planning Policy Framework 2012, the National Planning Practice Guidance 2012 and Policies SP17, DM1, DM15 and DM30 of the Maidstone Borough Local Plan October 2017.

Voting: Unanimous

282. LONG MEETING

RESOLVED: That the meeting continue until 11.00 pm if necessary.

283. 17/503647 - ORCHARD FARM NURSERY, CHARTWAY STREET, SUTTON VALENCE, MAIDSTONE, KENT

The Committee considered the report, and urgent update, of the Head of Planning and Development.

Councillor Hoy (Broomfield and Kingswood Parish Council) addressed the Committee.

RESOLVED:

That planning permission is granted, subject to the conditions and informatives outlined in the report and urgent update.

Voting: For - 4 Against - 2 Abstentions - 3

284. REFERENCE FROM THE POLICY AND RESOURCES COMMITTEE - BUDGET MONITORING 2017/18 - DEVELOPMENT CONTROL APPEALS

RESOLVED: That this item be deferred to the next Committee meeting.

285. APPEAL DECISIONS

The Appeal Decisions were noted.

286. CHAIRMAN'S ANNOUNCEMENTS

The Chairman confirmed that a Section 106 Monitoring Officer post would be recruited shortly.

It was noted that a number of recommendations from the Planning Review that affected Councillors and Parish Councils were discussed at a meeting which was attended by the Chairmen of Planning Committee, Strategic Planning, Sustainability and Transport Committee as well as Councillor Munford.

RESOLVED: That the Chairman's announcements be noted.