

## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON 12 NOVEMBER 2015**

**Present:** Councillor English (Chairman) and Councillors Chittenden, Harper, Hemsley, Munford, Paine, Paterson, Perry, Round, Vizzard and J A Wilson

**Also Present:** Councillors Boughton, Cuming, Daley and Sargeant

#### 184. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Ash, Clark, Cox and Harwood.

#### 185. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Chittenden for Councillor Clark  
Councillor Vizzard for Councillor Cox  
Councillor J A Wilson for Councillor Ash

#### 186. URGENT ITEMS

The Chairman stated that, in his opinion, the update report of the Head of Planning and Development should be taken as an urgent item as it contained further information relating to the applications to be considered at the meeting.

#### 187. NOTIFICATION OF VISITING MEMBERS

Councillor Boughton indicated his wish to speak on the report of the Head of Planning and Development relating to application 14/503957.

Councillor Cuming indicated his wish to speak on the report of the Head of Planning and Development relating to application 14/506738.

It was noted that Councillor Daley had indicated his wish to speak on the report of the Head of Planning and Development relating to application 14/503957.

Councillor Sargeant attended the meeting as an observer.

188. ITEMS WITHDRAWN FROM THE AGENDA

14/506738 - OUTLINE APPLICATION FOR THE ERECTION OF 100 DWELLINGS - RESERVED MATTERS FOR WHICH APPROVAL IS BEING SOUGHT: ACCESS, INCLUDING ACCESS WIDENING COMPRISING RELOCATION OF WALL FORMING PART OF OUTER CURTILAGE OF BARTY NURSING HOME (GRADE II LISTED) - LAND AT BARTY FARM, ROUNDWELL, BEARSTED, KENT

The Committee considered the urgent update report of the Head of Planning and Development recommending that this application be withdrawn from the agenda to enable further discussions to take place. This was necessitated as a result of new issues raised by KCC Highways on 11 November 2015 following a further review undertaken by KCC of the access arrangements to the proposed development. It was noted that the previous recommendation of KCC Highways, which was to raise no objection to the application subject to the applicant entering into a S278 agreement with the County Council to secure all required off-site highway works, remained unchanged.

**RESOLVED:** That agreement be given to the withdrawal of application 14/506738 from the agenda.

15/504345 - CHANGE OF USE OF BUILDING FROM LIVE/WORK USE TO A MIXED BUSINESS (USE CLASS B1A, B OR C) AND RESIDENTIAL USE (USE CLASS C3) (RETROSPECTIVE) - AMERICAN OAST, TUTSHAM FARM, WEST FARLEIGH, KENT

The Committee considered the urgent update report of the Head of Planning and Development recommending that this application be withdrawn from the agenda as the public consultation period provided on the site and press notices did not expire until 20 November 2015 and the Officers had been informed that a further consultation response was being prepared by those objecting to the application.

**RESOLVED:** That agreement be given to the withdrawal of application 15/504345 from the agenda.

189. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to the report of the Head of Planning and Development relating to application 14/503957 (Gatland House, Gatland Lane, Maidstone), Councillor Harper said that he had spoken on this application at the meeting of the Committee held in March 2015. He had read the Committee report and he had not come to any strong views on the application. He would make his decision on the basis of all of the information put before the Committee.

Councillor Paine said that when application 14/503957 was last reported to the Committee he had been employed as a sub-contractor of the Education Funding Agency which dealt with free schools, but in a different division. He had spoken on the application, but he had not participated in

the voting. He had left that employment in March, and, in view of the time which had elapsed, he believed that he was now entitled to speak and vote when the application was discussed.

190. EXEMPT ITEMS

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

191. MINUTES OF THE MEETING HELD ON 22 OCTOBER 2015

**RESOLVED:** That the Minutes of the meeting held on 22 October 2015 be approved as a correct record and signed.

192. PRESENTATION OF PETITIONS

There were no petitions.

193. DEFERRED ITEM

13/1979 - OUTLINE PLANNING APPLICATION FOR UP TO 55 RESIDENTIAL DWELLINGS WITH MEANS OF ACCESS. ALL OTHER MATTERS RESERVED - LAND NORTH OF HEATH ROAD, COXHEATH, MAIDSTONE, KENT

The Development Manager advised Members that he hoped to be in a position to report this application back to the Committee very soon.

194. 15/503785 - TWO STOREY FRONT, SIDE AND REAR EXTENSIONS - OWLS OAK, LENHAM ROAD, KINGSWOOD, KENT

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

**RESOLVED:** That permission be granted subject to the conditions set out in the report.

Voting:        11 – For        0 – Against        0 – Abstentions

195. 15/501342 - OUTLINE APPLICATION FOR THE ERECTION OF 28 DWELLINGS INCLUDING AMENITY SPACE AND NATURE CONSERVATION MITIGATION CORRIDORS, APPROVAL FOR ACCESS, APPEARANCE, LAYOUT AND SCALE BEING SOUGHT WITH LANDSCAPE RESERVED FOR FUTURE CONSIDERATION. INCLUDING DEVELOPMENT AFFECTING A PUBLIC RIGHT OF WAY - LAND NORTH OF GRIGG LANE, HEADCORN, KENT

Councillor Round stated that he had been lobbied.

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

Mr Norton, for the applicant, addressed the meeting on this application and associated application 14/503960 (Land east of Thatch Barn Road and south of Lenham Road, Headcorn).

**RESOLVED:** That subject to the prior completion of a S106 legal agreement in such terms as the Head of Legal Partnership may advise to secure the following:

- The provision of 57% affordable residential units within the application site, comprising twelve affordable rent units and four shared ownership units;
- A contribution of £4,000 per applicable house (x22) = £88,000 towards the first phase of permanently expanding Headcorn Primary School;
- A Primary Land acquisition contribution of £891.69 per applicable house (x22) = £19,617.18, towards Headcorn Primary School site expansion to accommodate the extension of the School accommodation;
- A contribution of £1,344.44 to be used to address the demand from the development towards additional book stock and services at local libraries serving the development to be supplied to Headcorn Library;
- A contribution of £30,413.60 (£1,086.20 per dwelling) towards the improvement, replacement and refurbishment of areas of equipped play and outdoor sports facilities at Headcorn Recreation Ground; and
- A contribution of £185.68 towards equipment to expand the range of youth focused activities that can take place at Headcorn Village Hall,

the Head of Planning and Development be given delegated powers to grant outline permission subject to the conditions set out in the report.

Voting: 11 – For 0 – Against 0 - Abstentions

196. 14/503960 - OUTLINE APPLICATION FOR 13 DWELLING HOUSES WITH ASSOCIATED AMENITY SPACE, SHARED ACCESS ROAD AND NEW FOOTWAY WITH ACCESS, APPEARANCE, LAYOUT AND SCALE TO BE CONSIDERED AT THIS STAGE WITH ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION - LAND EAST OF THATCH BARN ROAD AND SOUTH OF LENHAM ROAD, HEADCORN, KENT

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

Mr Norton had already addressed the meeting on this application and associated application 15/501342 (Land north of Grigg Lane, Headcorn) on behalf of the applicant.

**RESOLVED:** That subject to the prior completion of a S106 legal agreement in such terms as the Head of Legal Partnership may advise to secure the following:

- A Primary Education contribution of £4,000 per applicable house towards the first phase of permanently expanding Headcorn Primary School and a Primary Land acquisition contribution of £891.69 per applicable house towards Headcorn Primary School site expansion to accommodate the extension of the School accommodation;
- A contribution of £624.21 (£48.02 per dwelling) to be used to address the demand from the development towards additional book stock and services at local libraries serving the development, to be supplied to Headcorn Library;
- A contribution of £109.75 (£8.44 per dwelling) towards equipment to expand the range of youth focused activities that can take place at Headcorn Village Hall, to be utilised by KCC's commissioned youth worker; and
- An off-site open space contribution of £20,475 towards the enhancement, maintenance, improvement and renewal of provision for children (equipped play) and outdoor sports facilities at Headcorn Recreation Ground,

the Head of Planning and Development be given delegated powers to grant outline permission subject to the conditions and informative set out in the report.

Voting:        11 – For        0 – Against        0 – Abstentions

197. 15/504845 - ERECTION OF DETACHED DWELLING IN REAR GARDEN. CONVERSION AND CHANGE OF USE OF EXISTING GROUND FLOOR FORMER PUBLIC HOUSE, ACCOMMODATION WING AND UPPER FLOOR FLAT TO 8 RESIDENTIAL APARTMENTS, INCLUDING INTERNAL AND EXTERNAL ALTERATIONS. SUBDIVIDE GROUND FLOOR TO RETAIN 2 RETAIL UNITS. NEW PARKING AND LANDSCAPING - THE KINGS ARMS PUBLIC HOUSE, HIGH STREET, HEADCORN, KENT

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

Councillor Pyman of Headcorn Parish Council (against) addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, and the advice of the Development Manager that the proposed reason for refusal would not be sustainable at appeal, the Committee agreed to refuse permission. In making this decision, Members felt that the proposed conversion and new retail floorspace, due to insufficient provision of off-street car parking, would place increased pressure on local on-street car parking in this area with existing high on-

street demand contrary to the requirements of the Kent Design Guide Review: Interim Guidance Note 3 (November 2008).

**RESOLVED:** That permission be refused for the following reason:

The proposed conversion and new retail floorspace, due to insufficient provision of off-street car parking, will place increased pressure on local on-street car parking in this area with existing high on-street demand contrary to the requirements of the Kent Design Guide Review: Interim Guidance Note 3 (November 2008).

Voting:        8 – For        2 – Against        1 - Abstention

198. 14/503957 - APPLICATION FOR PERMANENT CHANGE OF USE TO A FREE SCHOOL (CLASS D1) - GATLAND HOUSE, GATLAND LANE, MAIDSTONE, KENT

All Members except Councillor Hemsley stated that they had been lobbied.

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

The Development Manager advised the Committee that he wished to amend recommended condition 1 to exclude reference to the proposed two storey development area shown dashed on the proposed site layout plan.

Mr Mayatt, an objector, Mr Skinner of the Save Fant Farm Community Group (against), Mr Lea, for the applicant, and Councillors Daley and Boughton addressed the meeting.

**RESOLVED:** That permission be granted subject to the conditions set out in the report with the amendment of conditions 1 and 6 and an additional informative as follows:

Condition 1 (amended)

The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan (received 15/09/2014);  
Ground Floor Plan MD-H041G-REVA (received 15/09/2014);  
First Floor Plan MD-H0411 REV A (received 15/09/2014);  
Proposed Ground Floor Plan A200 REV A (received 15/09/2014);  
Proposed Site Layout Plan Drawing No. JPS-DMA-00-GA-A3-003 Rev.E (received 19th October, 2015), but excluding the reference to the proposed 2 storey development area shown dashed on the plan.

Reason: To ensure the quality of development is maintained and to prevent harm to amenity and for the avoidance of doubt.

Condition 6 (amended)

Within 3 months from the date of this decision a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include an 'Active Access Management Strategy' and introduce mitigation measures proposed in Robert West Transport Statement dated September 2014 and the additional report contained in JLL's letter dated 12 May 2015, including a School Crossing Patrol. It shall also include a mechanism for information to be provided to the Local Planning Authority annually as to the implementation of measures and a mechanism for review of the School Travel Plan if considered necessary. The school shall be operated/managed strictly in accordance with the approved Travel Plan.

Reason: In the interests of highway safety and amenities of the area.

Additional Informative

It is advised that Ward Members should be involved in the discussions on the details to be submitted pursuant to the conditions in order to build relationships with the school and local community.

Voting: 9 – For 2 – Against 0 – Abstentions

199. 15/501985 - DEMOLITION OF THE EXISTING PORCH AND THE ERECTION OF A SINGLE STOREY SIDE EXTENSION WITH THE INSERTION OF ROOFLIGHTS AND CHANGES TO FENESTRATION - 639 LOOSE ROAD, MAIDSTONE, KENT

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

**RESOLVED:** That permission be granted subject to the conditions set out in the report.

Voting: 10 – For 0 – Against 1 – Abstention

200. 15/505333 - VARIATION OF CONDITION 6 OF 14/0145 (APPLICATION FOR FULL PLANNING PERMISSION FOR THE ERECTION OF 7 UNITS FOR A MIXTURE OF B1, B2 AND B8 USES, INCLUDING THE RENOVATION OF THE EXISTING BUILDING, WITH APPROPRIATE PROVISION FOR ACCESS AND CAR PARKING) TO PERMIT THE RETENTION OF THE INSTALLED MEZZANINES IN UNITS F1 AND F2 - FAIRFAX UNITS F1 AND F2, PARKWOOD INDUSTRIAL ESTATE, BIRCHOLT ROAD, MAIDSTONE, KENT

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

**RESOLVED:**

1. That permission be granted subject to the conditions set out in the report.

2. That the details of this retrospective application be drawn to the attention of the Property Services Team.

Voting: 11 – For 0 – Against 0 – Abstentions

201. 15/508037 - SUBMISSION OF DETAILS PURSUANT TO CONDITION 3: LANDSCAPING DETAILS (RELATES TO ORIGINAL APPLICATION REF: 15/503647 WHICH WAS FOR THE OVER-WINTER STORAGE OF 76 SEASONAL AGRICULTURAL AND GENERAL WORKERS' CARAVANS) - RUMWOOD GREEN FARM, SUTTON ROAD, LANGLEY, KENT

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

**RESOLVED:** That the details submitted to discharge condition 3 of application 15/503647 be approved.

Voting: 11 – For 0 – Against 0 – Abstentions

202. 14/506738 - OUTLINE APPLICATION FOR THE ERECTION OF 100 DWELLINGS - RESERVED MATTERS FOR WHICH APPROVAL IS BEING SOUGHT: ACCESS, INCLUDING ACCESS WIDENING COMPRISING RELOCATION OF WALL FORMING PART OF OUTER CURTILAGE OF BARTY NURSING HOME (GRADE II LISTED) - LAND AT BARTY FARM, ROUNDWELL, BEARSTED, KENT

See Minute 188 above.

203. 15/504345 - CHANGE OF USE OF BUILDING FROM LIVE/WORK USE TO A MIXED BUSINESS (USE CLASS B1A, B OR C) AND RESIDENTIAL USE (USE CLASS C3) (RETROSPECTIVE) - AMERICAN OAST, TUTSHAM FARM, WEST FARLEIGH, KENT

See Minute 188 above.

204. APPEAL DECISIONS

The Committee considered the report of the Head of Planning and Development setting out details of appeal decisions received since the last meeting. The Development Manager undertook to circulate the appeal decision in respect of application 13/1749 (Land east of Hermitage Lane, Maidstone) to all Members and Substitute Members of the Committee.

**RESOLVED:** That the report be noted.

205. CHAIRMAN'S ANNOUNCEMENTS

The Chairman said that an updated list of secured and held S106 contributions had been sent to him and the Political Group Spokespersons together with a request for feedback to be provided by 27 November 2015. A meeting would then be set up to consider the arrangements for

drawing down and spending the contributions allocated for public open space and recreation.

206. DURATION OF MEETING

6.00 p.m. to 8.50 p.m.