

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 25 FEBRUARY 2016

Present: Councillor English (Chairman) and Councillors Ash, Butler, Clark, Harper, Harwood, Hemsley, Munford, Paterson, Perry, Round, Vizzard and J A Wilson

Also Present: Councillors Mrs Blackmore, McLoughlin, Pickett and Thick

282. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Cox, Paine and Mrs Stockell.

283. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor Butler for Councillor Mrs Stockell
Councillor Vizzard for Councillor Cox
Councillor J A Wilson for Councillor Paine

284. NOTIFICATION OF VISITING MEMBERS

Councillor McLoughlin indicated his wish to speak on the report of the Head of Planning and Development relating to application 15/505971.

Councillor Pickett indicated his wish to speak on the report of the Head of Planning and Development relating to application 15/504311.

Councillor Thick indicated his wish to speak on the reports of the Head of Planning and Development relating to applications 15/505974 and 15/507424.

It was noted that Councillor Mrs Blackmore had indicated her wish to speak on the reports of the Head of Planning and Development relating to applications 15/505971 and 15/505974.

285. ITEMS WITHDRAWN FROM THE AGENDA

The Chairman advised the Committee that, due to the receipt of a substantive intervention from a consultee that required consideration, it was recommended that agreement be given to the withdrawal of applications 11/0511 and 11/0512 relating to Wierton Place, Wierton Road, Boughton Monchelsea from the agenda.

RESOLVED: That agreement be given to the withdrawal of applications 11/0511 and 11/0512 from the agenda to enable consideration to be given to a substantive intervention received from a consultee.

The Chairman then drew the Committee's attention to a late request from Headcorn Parish Council for application 15/507424 to be withdrawn from the agenda. The Chairman advised the Committee that he had discussed the points raised by the Parish Council with the Development Manager, but they were not considered to be substantive or substantial, and it was not proposed to ask the Committee to agree to the withdrawal of the application from the agenda.

286. 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 the applications to be considered at the meeting.

287. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to the reports of the Head of Planning and Development relating to applications 11/0511, 11/0512 and 15/507259, Councillor Munford stated that he was the Chairman of Boughton Monchelsea Parish Council which had made representations. However, he had not participated in the Parish Council's discussions on the applications, and he had not pre-determined.

Noting that applications 11/0511 and 11/0512 had been withdrawn from the agenda, Councillor Munford stated that the applicant in respect of application 15/507259 was known to him, but the majority of the residents of Boughton Monchelsea were known to him, and he intended to speak and vote when the application was discussed.

288. EXEMPT ITEMS

RESOLVED: That the item on Part II of the agenda be taken in public, but the information contained therein should remain private.

289. MINUTES (PARTS I AND II) OF THE MEETING HELD ON 4 FEBRUARY 2016 ADJOURNED TO 11 FEBRUARY 2016

RESOLVED: That the Minutes (Parts I and II) of the meeting held on 4 February adjourned to 11 February 2016 be approved as a correct record and signed.

290. PRESENTATION OF PETITIONS

There were no petitions.

291. DEFERRED ITEMS

14/504109 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 2 NO. NON-ILLUMINATED METAL POLE MOUNTED SIGNS (RETROSPECTIVE APPLICATION) - HUNTON C OF E PRIMARY SCHOOL, BISHOPS LANE, HUNTON, KENT

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

15/507194 - CONSTRUCTION OF A DETACHED HOUSE AND A PAIR OF SEMI-DETACHED HOUSES WITH ASSOCIATED PARKING - LAND ADJ ULCOMBE C OF E PRIMARY SCHOOL, THE STREET, ULCOMBE, KENT

The Head of Planning and Development advised Members that he had nothing further to report in respect of these applications at present, other than he hoped to be in a position to report applications 15/504345 and 15/507194 back to the Committee in the near future.

292. 11/0511 - CHANGE OF USE OF EXISTING NIGHTCLUB AND APARTMENTS TO 1 DWELLING AND 6 APARTMENTS, INCLUDING EXTENSIONS; CONVERSION OF THE EXISTING BALLROOM TO 2 DWELLINGS, INCLUDING EXTENSIONS; DEMOLITION OF EXISTING GARAGE BLOCK AND ERECTION OF 4 TERRACED PROPERTIES; CONVERSION OF EXISTING GLASSHOUSES TO 4 DWELLINGS, INCLUDING EXTENSIONS; AND THE ERECTION OF 5 DETACHED DWELLINGS TO THE NORTH AND SOUTH OF THE ACCESS TRACK, TOGETHER WITH ASSOCIATED ACCESS AND LANDSCAPE WORKS - WIERTON PLACE, WIERTON ROAD, BOUGHTON MONCHELSEA, MAIDSTONE, KENT

See Minute 285 above.

293. 11/0512 - AN APPLICATION FOR LISTED BUILDING CONSENT FOR INTERNAL ALTERATIONS AND EXTENSIONS TO FACILITATE THE CHANGE OF USE OF EXISTING NIGHTCLUB AND APARTMENTS TO 1 DWELLING AND 6 APARTMENTS, INCLUDING EXTENSIONS AND INTERNAL WORKS; CONVERSION AND EXTENSION OF THE EXISTING BALLROOM TO 2 DWELLINGS; DEMOLITION OF EXISTING GARAGE BLOCK AND ERECTION OF 4 TERRACED PROPERTIES; CONVERSION AND EXTENSION OF EXISTING GLASSHOUSES TO 4 DWELLINGS; AND THE ERECTION OF 5 DETACHED DWELLINGS TO THE NORTH AND SOUTH OF THE ACCESS TRACK, TOGETHER WITH ASSOCIATED ACCESS AND LANDSCAPE WORKS - WIERTON PLACE, WIERTON ROAD, BOUGHTON MONCHELSEA, MAIDSTONE, KENT

See Minute 285 above.

294. 15/505974 - CONSTRUCTION OF A SOLAR FARM TO INCLUDE THE INSTALLATION OF SOLAR PANELS TO GENERATE ELECTRICITY WITH TWO INVERTER STATIONS, SUBSTATION, CONTROL ROOM, GENERAL

STORAGE, SECURITY FENCING AND CAMERAS AND ASSOCIATED
TEMPORARY ACCESS TRACK AND SITE COMPOUND - GREAT TONG FARM,
GREAT TONG, HEADCORN, KENT

All Members stated that they had been lobbied.

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

Mrs Prendergast, an objector, Councillor Andrew of Headcorn Parish Council (against), Councillor Mrs Lovegrove of Ulcombe Parish Council (against), Councillor Ireland of East Sutton Parish Council (against), Mr Richardson, for the applicant, and Councillors Mrs Blackmore and Thick (Visiting Members) 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 considered the proposed development to be unacceptable by virtue of its adverse effect on the character of the landscape and the visual amenity of the Special Landscape Area, contrary to the aims and objectives of the National Planning Policy Framework (2012), the National Planning Practice Guidance (2014), Saved Policies ENV6, ENV28 and ENV34 of the Maidstone Borough-Wide Local Plan (2000), the Council's Planning Policy Advice Notice (2014), the Maidstone Landscape Character Assessment (2012, amended 2013) and the Maidstone Landscape Capacity Study: Sensitivity Assessment (2015). The planning harm that had been identified would not be outweighed by the planning benefits of the development.

Members also felt that the proposed development would result in harm to the setting of designated heritage assets such that the harm would outweigh the public benefits of the proposed scheme contrary to Paragraphs 126, 128-129, 131, 132 and 134 of the National Planning Policy Framework 2012 and the National Planning Practice Guidance 2014.

RESOLVED: That permission be refused for the following reasons:

1. The proposed development is considered to be unacceptable by virtue of its adverse effect on the character of the landscape and the visual amenity of the Special Landscape Area, contrary to the aims and objectives of the National Planning Policy Framework (2012), the National Planning Practice Guidance (2014), Saved Policies ENV6, ENV28 and ENV34 of the Maidstone Borough-Wide Local Plan (2000), the Council's Planning Policy Advice Notice (2014), the Maidstone Landscape Character Assessment (2012, amended 2013) and the Maidstone Landscape Capacity Study: Sensitivity Assessment (2015). The planning harm that has been identified would not be outweighed by the planning benefits of the development.
2. The proposed development would result in harm to the setting of designated heritage assets such that the harm would outweigh the public benefits of the proposed scheme contrary to Paragraphs 126,

128-129, 131, 132 and 134 of the National Planning Policy Framework 2012 and the National Planning Practice Guidance 2014.

Voting: 8 – For 3 – Against 2 – Abstentions

Note: Councillor Harwood requested that his dissent be recorded.

295. 15/507424 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 62 DWELLINGS (INCLUDING A MINIMUM OF 40% AFFORDABLE HOUSING), PLANTING AND LANDSCAPING, INFORMAL OPEN SPACE, SURFACE WATER ATTENUATION, VEHICULAR ACCESS POINT FROM MILL BANK AND ASSOCIATED ANCILLARY WORKS (WITH THE EXCEPTION OF MEANS OF ACCESS ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION) - LAND WEST OF MILL BANK, MAIDSTONE ROAD, HEADCORN, KENT

All Members except Councillors Butler and Paterson stated that they had been lobbied.

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

Mrs Lloyd-Jones, an objector, Councillor Andrews of Headcorn Parish Council (against) and Councillor Thick (Visiting Member) addressed the meeting.

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 40% affordable residential units within the application site (25 affordable units);
- A contribution of £323,809.54 towards the second phase of permanently expanding Headcorn Primary School from 1FE to 2FE;
- A contribution of £54,138.20 towards the cost of acquiring additional land to accommodate the expansion of Headcorn Primary School;
- A contribution of £141,588 towards the first phase of expanding Maidstone Grammar School in Barton Road, Maidstone;
- A contribution of £1,903.40 towards community learning to be used towards the cost of commissioning adult and community learning classes within Headcorn, including rental of space and equipment required;
- A contribution of £523.28 towards equipment to expand the range of youth focused activities able to take place at the Headcorn Village Hall, to address the demand from the development towards youth services locally and to be used by KCC's commissioned youth worker;

- A contribution of £2,977.24 towards new book stock to be supplied to Headcorn Library to address the demand from the development; and
- A contribution towards the upgrading/resurfacing of PRoW KH591 within the site (the details to be finalised by the Head of Planning and Development acting under delegated powers),

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 and the following additional informative:

A development delivery group, comprising Ward Members and representatives of the Parish Council with an invitation to the Planning Committee Chairman and Political Group Spokespersons, should be established to discuss the detailed scheme prior to submission of reserved matters.

Voting: 7 – For 6 – Against 0 – Abstentions

Note: Councillor Harwood left the meeting after consideration of this application (8.20 p.m.).

296. 15/505971 - CONSTRUCTION OF A SOLAR FARM TO INCLUDE INSTALLATION OF SOLAR PANELS TO GENERATE UP TO 5MW OF ELECTRICITY WITH SWITCH ROOM, DEER FENCING AND CAMERAS, LANDSCAPING AND ASSOCIATED WORKS, TOGETHER WITH MEASURES TO PROMOTE BIODIVERSITY - LAND AT WIDEHURST FARM, THORN ROAD, MARDEN, KENT

All Members stated that they had been lobbied.

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

Mrs Thorpe, for objectors, Mr Richardson, for the applicant, and Councillors Mrs Blackmore and McLoughlin (Visiting Members) addressed the meeting.

RESOLVED: That subject to no new material planning issues being raised in response to the advertisement of the development as a departure from the Development Plan, the Head of Planning and Development be given delegated powers to grant permission subject to the conditions and informative set out in the report with the addition of the following reason for condition 15:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions. These details are required prior to commencement because they are fundamental to the acceptability of the proposal overall.

Voting: 6 – For 5 – Against 1 - Abstention

297. 15/504311 - DEMOLITION OF EXISTING DETACHED DWELLING, ERECTION OF FOUR STOREY BLOCK OF EIGHT 2 BEDROOM FLATS WITH NEW ACCESS AND ASSOCIATED CAR PARKING - CHRISTMAS LODGE, LONDON ROAD, MAIDSTONE, KENT

The Chairman and Councillor Harper stated that they had been lobbied.

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

Mr Gittings, for the applicant, and Councillor Pickett (Visiting Member) 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 by reason of its design, bulk, massing and poor articulation fails to promote or reinforce local distinctiveness and fails to improve local character in this prominent and high profile location on the approach to Maidstone Town Centre and as a result fails to achieve good design contrary to Paragraphs 60 and 64 of the National Planning Policy Framework 2012 and Policy H21 of the Maidstone Borough-Wide Local Plan 2000.

RESOLVED: That permission be refused for the following reason:

The proposed development by reason of its design, bulk, massing and poor articulation fails to promote or reinforce local distinctiveness and fails to improve local character in this prominent and high profile location on the approach to Maidstone Town Centre and as a result fails to achieve good design contrary to Paragraphs 60 and 64 of the National Planning Policy Framework 2012 and Policy H21 of the Maidstone Borough-Wide Local Plan 2000.

Voting: 12 – For 0 – Against 0 – Abstentions

298. 15/507259 - ERECTION OF A NEW SINGLE STOREY, CONTEMPORARY RESIDENTIAL DWELLING WITH ASSOCIATED LANDSCAPING, PARKING AND ACCESS - LAND ADJACENT ROCK HOUSE, BOUGHTON LANE, BOUGHTON MONCHELSEA, KENT

All Members except Councillors Butler, Vizzard and J A Wilson stated that they had been lobbied.

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

Councillor Evans of Boughton Monchelsea Parish Council (in support) and Mr Hawkins, for the applicant, addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed that subject to no new material planning issues being raised in response to the advertisement of the

development as a departure from the Development Plan, the Head of Planning and Development be given delegated powers to grant permission subject to conditions to be finalised by the Head of Planning and Development; the conditions to include, inter alia, the retention of trees and the protection of the landscaping in perpetuity.

In making this decision, Members considered that the site was in a sustainable location and no landscape harm would result, such that the proposal would be in accordance with the sustainable principles of the NPPF as set out in Paragraphs 7 and 14 and Policies ENV28 and ENV35 of the Maidstone Borough-Wide Local Plan 2000.

RESOLVED: That subject to no new material planning issues being raised in response to the advertisement of the development as a departure from the Development Plan, the Head of Planning and Development be given delegated powers to grant permission subject to conditions to be finalised by the Head of Planning and Development; the conditions to include, inter alia, the retention of trees and the protection of the landscaping in perpetuity.

Voting: 9 – For 0 – Against 3 – Abstentions

299. APPEAL DECISIONS

The Chairman announced that the report of the Head of Planning and Development relating to appeal decisions received since the last meeting would be carried forward to the next ordinary meeting of the Committee scheduled to be held on 17 March 2016.

300. S106 CONTRIBUTIONS

The Chairman announced that the report of the Head of Planning and Development relating to S106 contributions would be carried forward to the next ordinary meeting of the Committee scheduled to be held on 17 March 2016.

301. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements on this occasion.

302. DURATION OF MEETING

6.00 p.m. to 10.28 p.m.