

## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON 4 AUGUST 2016**

**Present:** Councillor Perry (Chairman) and Councillors Boughton, M Burton, Clark, English, Fermor, Harwood, Hastie, Hemsley, Munford, Powell, Round and Mrs Stockell

**Also Present:** Councillors McLoughlin and Webb

95. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillors Cox and Prendergast.

96. **NOTIFICATION OF SUBSTITUTE MEMBERS**

The following Substitute Members were noted:

Councillor M Burton for Councillor Prendergast  
Councillor Fermor for Councillor Cox

97. **NOTIFICATION OF VISITING MEMBERS**

Councillor McLoughlin indicated his wish to speak on the report of the Head of Planning and Development relating to application 16/501263.

Councillor Webb indicated his wish to speak on the report of the Head of Planning and Development relating to application 13/1607 in his capacity as both Ward Member and Member/representative of Coxheath Parish Council.

98. **ITEMS WITHDRAWN FROM THE AGENDA**

There were none.

99. **URGENT ITEMS**

The Chairman said 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 applications to be considered at the meeting.

100. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

101. EXEMPT ITEMS

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

102. MINUTES OF THE MEETING HELD ON 14 JULY 2016

**RESOLVED:** That the Minutes of the meeting held on 14 July 2016 be approved as a correct record and signed.

103. PRESENTATION OF PETITIONS

There were no petitions.

104. 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

15/503223 - PART RETROSPECTIVE - CHANGE OF USE AND REBUILDING OF FORMER CATTLE SHED TO PROVIDE TOURIST ACCOMMODATION - BLETCHENDEN MANOR FARM, BLETCHENDEN ROAD, HEADCORN, KENT

The Development Manager advised Members that, with regard to application 14/504109, alternative locations for the signage were awaited. Further details were also awaited in respect of application 15/503223. In response to questions by Members about timescales, the Development Manager said that he would emphasise to the respective Case Officers the need to expedite the reporting back of these applications to the Committee.

105. 15/510179 - OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR REDEVELOPMENT WITH UP TO 65 DWELLINGS AND ASSOCIATED VEHICULAR AND PEDESTRIAN ACCESS, CAR AND CYCLE PARKING, STREET AND EXTERNAL LIGHTING, MAIN SERVICES, BIN STORES AND OTHER ANCILLARY DEVELOPMENT - 5 TONBRIDGE ROAD, MAIDSTONE, KENT

Councillors Boughton and English stated that they had been lobbied.

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

The Principal Planning Officer advised the Committee that, having regard to advice received from the Head of Legal Partnership, it was suggested that reference to the setting up of a management company to deal with parking enforcement and upkeep of any common areas within the site be removed from the Heads of Terms of the proposed S106 legal agreement and that the issue be dealt with by the imposition of the following condition to replace original condition 19:

*Prior to the first occupation, a plan for the management of the communal areas of the site and estate roads shall be submitted for approval by the Local Planning Authority. Such a plan should include the following:*

*The areas within the scope of the management plan and the maintenance requirements of these;*

*Method and works schedule for maintaining communal areas and estate roads;*

*Details of the parking control measures to be implemented within estate and access roads;*

*Details on the enforcement of parking control measures;*

*The setting up of an appropriate management body;*

*The legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery; and*

*Ongoing monitoring of implementation of the plan.*

*The approved plan will be implemented in full accordance with the approved details and retained in operation thereafter.*

*Reason: To ensure the amenity of residents and the character and appearance of the development.*

Mr Thurlow addressed the meeting on behalf of the applicant.

**RESOLVED:**

1. 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 financial contribution of £2,360.96 per applicable house and £590.24 per applicable flat towards an extension to South Borough Primary School to allow permanent expansion to 2 Form Entry;
  - A financial contribution of £2,359.80 per applicable house and £589.95 per applicable flat towards the first phase of expansion of Maplesden Noakes School;
  - A financial contribution of £48.02 per dwelling towards additional book stock required to mitigate the impact of the new borrowers from this development;
  - A financial contribution of £30.70 towards community learning facilities; specifically towards portable equipment for the new adult learners in Maidstone;
  - A financial contribution of £8.49 per dwelling towards additional equipment to be supplied to InfoZone Youth Centre for the new attendees;

- A financial contribution of £55,296.00 to deliver investment in The Vine Practice, Lockmeadow Clinic or The College Practice; and
- A financial contribution of £1,575.00 per dwelling towards the resurfacing of the MUGA (Multi-Use Games Area), tennis courts and pathways within Clare Park as well as improvements to the bowls green, general maintenance, improvements and refurbishments of existing equipment of sports, play and ancillary items of Cornwallis Park or the improvement of paths, signage, shrub planting, tree improvement works, bins, benches and encouragement of access to the River Medway Area within the Maidstone Town Centre,

the Head of Planning and Development be given delegated powers to grant outline permission subject to the conditions and informatives set out in the report, as amended by the urgent update reports and by the Principal Planning Officer at the meeting (including the deletion of condition 15), and the additional conditions and informatives set out in the urgent update reports, with an additional condition and additional informatives as follows:

#### Additional Condition

The details submitted pursuant to condition 1 shall show all buildings to have a minimum set back of 7m from the front (northern) boundary of the site.

Reason: To ensure a satisfactory appearance to the development in its context.

#### Additional Informatives

The reserved matters application will be reported to the Planning Committee to consider the details of access, layout, scale, landscaping and appearance, as Members of the Planning Committee consider this to be a key site due to its prominent location adjacent to the railway station. In particular, Members of the Planning Committee want to address the set back of the development from Tonbridge Road and the elevational treatments to be used in the buildings.

When submitting the reserved matters application, the applicant is strongly encouraged to implement a staggered approach to the building line proposed along the front (northern) boundary of the site.

The applicant is advised that the Members of the Planning Committee wish to see high quality elevational materials used within the scheme such as panelling and tinted glass rather than render.

2. That the Head of Planning and Development be given delegated powers to agree conditions as necessary to facilitate a phased approach to the development.

Voting: 10 – For 0 – Against 3 – Abstentions

106. 16/504639 - TWO BEDROOM DWELLING - 529 TONBRIDGE ROAD, MAIDSTONE, KENT

Councillors Boughton and English stated that they had been lobbied.

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

**RESOLVED:** That subject to no representations raising new material issues being received in response to the re-notification exercise, the Head of Planning and Development be given delegated powers to grant permission subject to the conditions set out in the report.

Voting: 13 – For 0 – Against 0 – Abstentions

107. 16/501263 - ERECTION OF 25 DWELLINGS WITH ASSOCIATED GARAGES, CAR BARN AND PARKING SPACES, LANDSCAPING, TREE PLANTING AND NEW POND, INCLUSIVE OF AMENITY AREA FOR NATURE CONSERVATION AND NEW SHARED SURFACE ACCESS ROAD OFF CLAYGATE ROAD - BENTLETTS SCRAP YARD, CLAYGATE ROAD, YALDING, KENT

Councillor Round stated that he had been lobbied.

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

Mr Norton, for the applicant, and Councillor McLoughlin (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:

- A financial contribution of £59,024.00 towards the enhancement of St Margaret's Primary School, Collier Street;
- A financial contribution of £29,232.00 to be invested in improvements within primary care by way of extension, refurbishment and/or upgrade in order to provide the required capacity at Yalding Surgery and The Pond Surgery; and
- A financial contribution of £61,744.00 towards off-site affordable housing in the Borough,

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

Voting: 13 – For 0 – Against 0 – Abstentions

108. 13/1607 - CHANGE OF USE OF LAND FROM AGRICULTURE (ORCHARD AND OPEN GRASSLAND) TO TOURISM USE FOR CAMPING AND CARAVANNING WITH ASSOCIATED UTILITY BLOCK AND OFFICE/STORE - FORSTAL FARM, STOCKETT LANE, COXHEATH, MAIDSTONE, KENT

All Members stated that they had been lobbied.

Councillor Mrs Stockell stated that she was the County Councillor for Coxheath.

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

Councillor Webb (Visiting Member) addressed the meeting in his capacity as both Ward Member (representing the parishes of Coxheath and East Farleigh which had made representations on the application) and Member/representative of Coxheath Parish Council (against).

**RESOLVED:** That permission be granted subject to the conditions and informatives set out in the report, as amended by the urgent update reports, with the amendment of conditions 13 and 20 and an additional condition as follows:

Condition 13 (amended)

No development shall take place until full details of a landscaping and planting scheme **comprising native and near native cultivars** for all internal planting (excluding boundary planting) has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development. Any plants found to be dead, diseased or dying within a five year period following completion of the planting scheme shall be replaced with plants of an identical size and species.

Reason: To ensure a satisfactory appearance to the development.

Condition 20 (amended)

Prior to first use of the site approved by this permission, the 2 passing bays shown on drawing 1117.02 Rev C alongside the carriageway on

Forstal Lane shall be completed, surfaced, drained and adopted in accordance with a scheme secured through a S278 agreement with the Highways Authority.

Reason: In the interests of highway safety.

Additional Condition

The development shall not commence until details of biodiversity enhancements that shall include bat tubes within the utility building hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interest of biodiversity protection.

Voting: 8 – For 2 – Against 3 - Abstentions

**FURTHER RESOLVED:** That Maidstone Borough Council Parking Services be requested to consider the making of a Traffic Regulation Order to prevent parking in the passing bays to be provided alongside the carriageway on Forstal Lane.

Voting: 13 – For 0 – Against 0 – Abstentions

109. 15/507291 - RETROSPECTIVE APPLICATION FOR THE PROVISION OF AN ADDITIONAL MOBILE HOME AND THE RE-LOCATION OF TWO MOBILE HOMES FOR EXTENDED GYPSY FAMILY'S RESIDENTIAL USE - MEADOW VIEW, MARDEN ROAD, STAPLEHURST, KENT

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

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

Councillor Clark left the meeting after consideration of this application (8.15 p.m.).

110. 15/507487 - VARIATION OF CONDITION 23 OF MA/12/1749 (ERECTION OF 40 NO. DWELLINGS (INCLUDING 40% AFFORDABLE HOUSING) TOGETHER WITH PUBLIC OPEN SPACE AND NEW VEHICLE AND PEDESTRIAN ACCESS FROM MARIGOLD WAY) - PEDESTRIAN REFUGE - WORKS NOT REQUIRED BY KHS - LAND OFF MARIGOLD WAY, MAIDSTONE, KENT

Councillors Boughton, English and Harwood stated that they had been lobbied.

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

**RESOLVED:** That subject to the prior completion of a S106 legal agreement or deed of variation in such terms as the Head of Legal Partnership may advise to secure a financial contribution of £10,000.00 for pedestrian improvements/phasing to the traffic light signals on the crossroads of Hermitage Lane/Fountain Lane/Heath Road/St Andrews Road (in lieu of the condition requiring the provision of a pedestrian refuge), the Head of Planning and Development be given delegated powers to grant permission subject to the conditions and informatives set out in the report.

Voting:        8 – For        3 – Against        1 - Abstention

Councillor Boughton requested that his dissent be recorded.

111. 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.

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

112. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements on this occasion.

113. INVOLVEMENT OF ELECTED MEMBERS IN PRE-APPLICATION DISCUSSIONS

Reference was made to the need to involve Members in pre-application discussions and to encourage Officers and applicants/agents to ensure as far as possible that they take place.

114. DURATION OF MEETING

6.00 p.m. to 8.50 p.m.