

## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON 6 OCTOBER 2016**

**Present:**                    **Councillor English (in the Chair) and Councillors Boughton, M Burton, Clark, Cox, Harwood, Munford, Powell, Prendergast and Wilby**

153. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from the Chairman (Councillor Perry) and Councillors Hastie, Hemsley, Round and Mrs Stockell.

154. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor M Burton for Councillor Hemsley  
Councillor Wilby for Councillor Hastie

155. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

156. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

157. 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.

158. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Clark said that since he had provided comments on application 16/504509, he would not speak or vote when the report of the Head of Planning and Development relating to the application was discussed.

With regard to the report of the Head of Planning and Development relating to application 16/505808, Councillor Powell said that he was a Member of Harrietsham Parish Council which objected to the proposed development. However, he had not pre-determined the application, and he would make his decision on the basis of all of the information put before the Committee.

Councillor Wilby said that since he had been Chairman of Tovil Parish Council's Planning Committee when it provided comments on application 16/504509, he would not speak or vote when the report of the Head of Planning and Development relating to the application was discussed.

During consideration of the report of the Head of Planning and Development relating to application 16/506114, Councillor Munford said that he was the Chairman of Boughton Monchelsea Parish Council, but he had not participated in the Parish Council's discussions on the proposed development, and intended to speak and vote.

159. EXEMPT ITEMS

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

160. MINUTES OF THE MEETING HELD ON 15 SEPTEMBER 2016

**RESOLVED:** That the Minutes of the meeting held on 15 September 2016 be approved as a correct record and signed.

161. PRESENTATION OF PETITIONS

There were no petitions.

162. 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

The Development Manager advised Members that the Case Officer had been in touch with the Chairman of the Governors of the School who was in contact with the Parish Council which had objected to the application. The issue of the signs had been discussed by the School Governors in July 2016, with representatives of the Parish Council present, and it was agreed that the sign on the West Street frontage could be relocated. The Chairman of the Governors had acknowledged the slow progress and the Case Officer was awaiting a further update on where the relocated sign might go. As soon as this information became available, the application would be reported back to the Committee.

16/503786 - OUTLINE (NO MATTERS RESERVED) - PROVISION OF A NEW ACCESS DRIVEWAY TO BARMING WATER TOWER FROM DRIVEWAY OF NO.80 REDE WOOD ROAD COMPRISING DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF A NEW DRIVE ACROSS REAR GARDEN OF NO.80; CONSTRUCTION OF NEW SINGLE GARAGE AT REAR; AND EXTENSION OF EXISTING DRIVEWAY TO WATER TOWER - BARMING WATER TOWER, NORTH POLE ROAD, BARMING, KENT

The Development Manager advised Members that he had nothing further to report in respect of this application at present.

163. 16/504014 - RETROSPECTIVE APPLICATION FOR CHANGE OF USE OF LAND FOR THE STATIONING OF 2 STATIC MOBILE HOMES FOR GYPSY/TRAVELLER OCCUPATION WITH ASSOCIATED HARD AND SOFT LANDSCAPING WORKS - HIGHLANDS FARM, YALDING HILL, YALDING, KENT

There were no disclosures of lobbying.

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: 10 – For 0 – Against 0 - Abstentions

164. 16/504509 - VARIATION OF CONDITION 15 OF 14/503167 (RESIDENTIAL DEVELOPMENT FOR 36 UNITS AND RE-ALIGNMENT OF CRIPPLE STREET) - BY AMENDING THE ACCESS ARRANGEMENT SERVING THE SITE BY WIDENING NOT REALIGNING CRIPPLE STREET - LAND AT CRIPPLE STREET, CRIPPLE STREET, MAIDSTONE, KENT

There were no disclosures of lobbying.

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

**RESOLVED:** That subject to the prior completion of a Deed of Variation and Supplemental Deed linking the Section 73 application to the previously agreed and signed Section 106 agreement, the Head of Planning and Development be given delegated powers to grant permission subject to the conditions set out in the report.

Voting: 8 – For 0 – Against 2 – Abstentions

Note: Having stated that they had provided comments on this application, Councillors Clark and Wilby abstained from voting.

165. 15/507450 - RESERVED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE PURSUANT TO OUTLINE PERMISSION MA/10/2159 FOR THE ERECTION OF A TOTAL OF 16 RESIDENTIAL UNITS, COMPRISING 14 SEMI-DETACHED AND 2 DETACHED DWELLINGS - FORMER SYNGENTA WORKS, HAMPSTEAD LANE, YALDING, KENT

There were no disclosures of lobbying.

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

**RESOLVED:** That permission be granted subject to the conditions set out in the report as amended by the second urgent update report.

Voting: 10 – For 0 – Against 0 – Abstentions

166. 16/506114 - ADDITIONAL TEMPORARY CAR SHOWROOM, AND ASSOCIATED EXTERNAL CAR DISPLAY, REMAINING FOR UP TO 5 YEARS, ON AN EXISTING CAR DEALERSHIP (SUI GENERIS) SITE - F G BARNES AND SONS LTD, SUTTON ROAD, MAIDSTONE, KENT

There were no disclosures of lobbying.

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: 10 – For 0 – Against 0 – Abstentions

167. 16/501631 - EXTENSION OF LESTED FARM FARMYARD INTO AN ADJACENT AGRICULTURAL FIELD (REVISED SCHEME TO 15/506233/FULL). DEVELOPMENT OF AN ON-FARM AGRICULTURAL ANAEROBIC DIGESTION PROJECT THAT WILL GENERATE CLEAN RENEWABLE ENERGY FROM ANIMAL MANURES AND SLURRIES, AGRICULTURAL BY-PRODUCTS FROM THE GROWING AND PROCESSING OF FRUIT AND VEGETABLES, WITH THE ADDITION OF SOME ENERGY CROPS - LESTED FARM, PLOUGH WENTS ROAD, CHART SUTTON, KENT

All Members except Councillors M Burton, Harwood and Wilby 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 the second page of the urgent update report circulated at the meeting had been inadvertently omitted. The final paragraph and the amended recommendation should read:

*"I note that the red line marking the extent of the application site on the Site Location Plan (FR1003-A-06) is drawn so that the proposed gas flare (in the north west corner of the facility) and the proposed shallow depression known as a 'swale' (to the east of the facility) are omitted. These elements are clearly shown on the plans; they form a part of the development and should be included within the application site. I consider this necessitates a revised Site Location Plan which, at the time of writing, has not been submitted and therefore I recommend that Members give delegated powers to approve the application subject to the receipt of a satisfactory amended plan. I do not consider it necessary to re-consult third parties on that amended plan as the drawings already clearly show the features concerned.*

*AMENDMENT TO RECOMMENDATION: That subject to the receipt of an amended site plan correctly marking the extent of the application site, the Head of Planning and Development be given delegated powers to grant permission subject to the conditions in the committee report as amended as shown above."*

Mr Chappell, an objector, Councillor Waring of Chart Sutton Parish Council (against) and Mr Collins, for the applicant, addressed the meeting.

**RESOLVED:** That subject to the receipt of an amended site plan correctly marking the extent of the application site, the Head of Planning and Development be given delegated powers to grant permission subject to the conditions set out in the report, as amended by the urgent update report, with the amendment of condition 10 as follows:

The facility shall not exceed a combined throughput capacity of **17,000** tonnes per annum. Monitoring records of the total throughput shall be made and retained at the site and made available for inspection at any reasonable time following a request from the Local Planning Authority.

Reason: The impact of the facility on highway safety and residential amenity has been assessed on the basis of the estimates of throughput provided and the Local Planning Authority would wish to maintain control over any future increase in the capacity of the site.

Voting:        7 – For        1 – Against        2 – Abstentions

168. 16/503947 - RETENTION OF EXISTING DWELLING AT NO.3 HOCKERS LANE. CONSTRUCTION OF NEW SINGLE STOREY DWELLING AT REAR OF NO.3. DEMOLITION OF EXISTING DWELLING AND ANCILLARY BUILDINGS INCLUDING GARAGES AT NO.1 HOCKERS LANE AND CONSTRUCTION OF REPLACEMENT CHALET DWELLING AND GARAGE - 3 HOCKERS LANE, DETLING, KENT

The Chairman and Councillors Boughton, Clark, Cox, Harwood and Munford stated that they had been lobbied.

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

Councillor Bowie of Detling Parish Council (against) and Mr Collins, for the applicant, 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 development extending beyond the village boundary would be detrimental to the Area of Outstanding Natural Beauty and its design and built form was not appropriate to the character and quality of the Area of Outstanding Natural Beauty and its rural setting. This was contrary to policies ENV28 and ENV33 of the Maidstone Borough-Wide Local Plan 2000 and paragraphs 61, 64 and 115 of the National Planning Policy Framework.

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

The development extending beyond the village boundary is detrimental to the Area of Outstanding Natural Beauty and its design and built form is not appropriate to the character and quality of the Area of Outstanding Natural Beauty and its rural setting. This is contrary to policies ENV28 and ENV33 of the Maidstone Borough-Wide Local Plan 2000 and paragraphs 61, 64 and 115 of the National Planning Policy Framework.

Voting:        6 – For        3 – Against        1 – Abstention

169. 16/505808 - SUBDIVISION OF DWELLING TO CREATE 2 SEPARATE DWELLINGS (PART RETROSPECTIVE) - 12 WEST STREET, HARRIETSHAM, KENT

Councillors Powell and Wilby stated that they had been lobbied.

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

Councillor Dean of Harrietsham Parish Council (against) and Mr McCall, the applicant, addressed the meeting.

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

Voting:        9 – For        1 – Against        0 – Abstentions

**FURTHER RESOLVED:** That the Strategic Planning, Sustainability and Transportation Committee be requested to look, in consultation with the appropriate County Council Member, at traffic and parking issues in West Street, Harrietsham, and the surrounding area, and how they might be addressed by Traffic Regulation Orders.

170. 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. It was noted that the appeals against four decisions taken under delegated powers had been dismissed.

**RESOLVED:** That the report be noted and that the Officers be congratulated on their success at appeal.

171. CHAIRMAN'S ANNOUNCEMENTS

The Chairman expressed deep regret at the death of Councillor Paul Butcher of Staplehurst Parish Council who had represented the Maidstone Area Committee of the Kent Association of Local Councils on the Joint Transportation Board and the Audit, Governance and Standards Committee, and who had had a particular interest in planning matters.

172. DURATION OF MEETING

6.30 p.m. to 9.00 p.m.