

MAIDSTONE BOROUGH COUNCIL

Planning Committee

MINUTES OF THE MEETING HELD ON THURSDAY 15 JUNE 2017

Present: Councillor English (Chairman), and
Councillors Boughton, Clark, Harwood, Hastie,
Hemsley, Munford, Powell, Prendergast, Round,
Spooner, Mrs Stockell and Vizzard

Also Present: Councillor J Sams

47. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Councillor Cox.

48. **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Hastie was substituting for Councillor Cox.

49. **NOTIFICATION OF VISITING MEMBERS**

Councillor J Sams indicated her wish to speak on the report of the Head of Planning and Development relating to application 16/506490 – 37 – 39 West Street, Harrietsham, Kent.

50. **ITEMS WITHDRAWN FROM THE AGENDA**

There were none.

51. **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.

52. **DISCLOSURES BY MEMBERS AND OFFICERS**

With regard to the reports of the Head of Planning and Development relating to applications 16/506320 and 16/506322 (Jubilee Free School, Gatland House, Gatland Lane, Maidstone, Kent), Councillor Prendergast said that in her new position as Deputy Cabinet Member for Education at Kent County Council, she had not taken part in any discussions regarding the School, and intended to speak and vote when the applications were considered.

With regard to the report of the Head of Planning and Development relating to application 16/506490 (37 -39 West Street, Harrietsham,

Kent), Councillor Powell said that he was a Member of Harrietsham Parish Council, but since he was not a Member of the Parish Council when the application was first considered, he intended to speak and vote when it was discussed.

53. EXEMPT ITEMS

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

54. MINUTES OF THE MEETING HELD ON 25 MAY ADJOURNED TO 1 JUNE 2017

RESOLVED: That the Minutes of the meeting held on 25 May adjourned to 1 June 2017 be approved as a correct record and signed.

55. PRESENTATION OF PETITIONS (IF ANY)

There were none.

56. 16/507491 - 3 TONBRIDGE ROAD, MAIDSTONE, KENT

The Committee considered the report and urgent update report 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 urgent update report, with the amendment of Conditions 2 and 13, to read as follows:

Condition 2 (amended)

Development hereby permitted shall be carried out in accordance with the following drawing numbers: 15-671-001 (Location plan); 15-671-002B (Site Plan) rec 06.02.2017; 15-671-010B (Ground floor plan) rec 16.12.2016; 15-671-011B (First floor plan) rec 16.12.2016; 15-671-012B (Second floor plan) rec 16.12.2016; 15-671-013B (Third floor plan) rec 16.12.2016; 15-671-015 (Rear and side elevations) rec 06.02.2017; 15-671-016 (East elevation) rec 06.02.2017; 15-671-018A (Sections) rec 06.02.2017 and 15-671-019 Section 2 rec 06.02.2017. Transport Assessment (Journey Transport Planning); Visual impact assessment; Design and Access Statement; Noise Exposure Assessment by Clement Acoustics ref 11182-NEA-02

Reason: For the avoidance of doubt and in the interests of proper planning.

Condition 13 (amended)

Prior to first occupation of any residential unit facilities for the storage of domestic refuse shall be in place in accordance with details that have previously been submitted to and approved in writing by the local Planning Authority and shall be maintained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and a high quality of design.

Voting: 12 – For 0 – Against 1 – Abstentions

57. 16/504892 - HEADCORN HALL, BIDDENDEN ROAD, HEADCORN, KENT

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

RESOLVED: That 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, subject to the prior completion of a Section 106 legal agreement, in such terms as the Head of Legal Services may advise, to secure an affordable housing viability review mechanism based on a commuted sum of £2,075,273.

Voting: 13 – For 0 – Against 0 – Abstentions

58. 16/506320 AND 16/506322 - JUBILEE FREE SCHOOL, GATLAND HOUSE, GATLAND LANE, MAIDSTONE

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

RESOLVED: That the update report be noted.

59. 16/508382 - WARMLAKE BUSINESS ESTATE, MAIDSTONE ROAD, SUTTON VALENCE, KENT

All Councillors stated that they had been lobbied, except Councillor Harwood.

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

Mr Billingham, for the objectors, Councillor Poulter of Sutton Valence Parish Council and Mr Mickelborough, for the applicants, addressed the meeting.

RESOLVED: That 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 reports, with the amendment of Conditions 3, 4 and 7 and additional conditions concerning electric charging points and structural landscaping, to read as follows:

Condition 3 (amended)

Before development commences on the application site full details of the proposed elevational treatment (following demolition) of the western end elevation of the retained commercial units shall be submitted to and

approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity. These details are necessary before development commences as they raise fundamental issues as to the appearance of the retained units.

Condition 4 (amended)

Before the first occupation of the new dwellings full details of proposed ecological enhancement works (including a timetable for implementation and management) shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of ecology.

Condition 7 (amended)

Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with the approved details.

Reason: To ensure adequate sewerage is provided.

Additional Condition (Electric Charging Points)

Each individual dwelling hereby approved shall not be occupied until a minimum of one electric vehicle charging point has been installed on the given building(s) with dedicated off street parking, and shall thereafter be retained for that purpose.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with paragraph 35 of the NPPF.

Additional Condition (Structural Landscaping)

The details of landscaping submitted pursuant to Condition 1 shall provide for at least a 10metre native landscape buffer along the north and west boundaries of the site that shall be excluded from any residential gardens. Details shall include measures for its implementation and management for at least a 20 year period.

Reason: In order to mitigate the impact of the development, to ensure a satisfactory appearance to the development.

Voting: 7 – For 5 – Against 1 – Abstentions

60. 13/0226 - TUTSHAM FARM, HUNT STREET, WEST FARLEIGH, KENT

All Councillors had been lobbied except Councillors Harwood, Spooner and Vizzard.

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

Mr Scott of West Farleigh Parish Council and Ms Buckby, for the applicant, addressed the meeting.

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

Voting: 12 – For 0 – Against 1 – Abstentions

61. 16/506490 - 37 - 39 WEST STREET, HARRIETSHAM, KENT

Councillors English, Powell and Prendergast stated that they had been lobbied.

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

Mr Beale, an objector, Councillor Dean from Harrietsham Parish Council and Councillor J Sams (Visiting Member) addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission by reason of the plot sizes, the coverage of plots, lack of available space for landscaping, loss of boundary hedging, and loss of open space would result in a cramped form of over-development that would be unsympathetic, incongruous and harmful to the character and appearance of the area, and would result in the exacerbation of on-street car parking contrary to policy ENV6 of the Maidstone Borough-Wide Local Plan 2000; the National Planning Policy Framework 2012 and policies DM1, DM10, DM12 and DM27 of the Maidstone Borough Local Plan Publication May 2016 (Submitted version)

RESOLVED: That permission be refused for the following reasons:

By reason of the plot sizes, the coverage of plots, lack of available space for landscaping, loss of boundary hedging, and loss of open space would result in a cramped form of over-development that would be unsympathetic, incongruous and harmful to the character and appearance of the area, and would result in the exacerbation of on-street car parking contrary to policy ENV6 of the Maidstone Borough-Wide Local Plan 2000; the National Planning Policy Framework 2012 and policies DM1, DM10, DM12 and DM27 of the Maidstone Borough Local Plan Publication May 2016 (Submitted version).

Voting: 13 – For 0 – Against 0 – Abstentions

62. REPORT OF THE HEAD OF PLANNING AND DEVELOPMENT - PLANNING COMMITTEE MEMBER AND SUBSTITUTE MEMBER TRAINING

The Principal Planning Officer presented the item on Member Training to the Committee.

RESOLVED: That,

1. New Planning Committee members and new substitute members complete Planning Induction Training by the end of July 2017, covering the Development Plan, Planning Policies & Guidance, Legislation, Planning Conditions, Refusal of Planning Applications, and Section 106 Agreements in order to fulfil the requirements in the Constitution.
2. Existing Planning Committee members and substitute members complete training by the end of September 2017 covering annual refresher training on Planning Policies & Guidance, Legislation, Planning Conditions, Refusal of Planning Applications, and Section 106 Agreements in order to fulfil the requirements in the Constitution.
3. Planning Committee members and substitute members complete training as deemed appropriate by officers following the introduction of any new policy, guidance or legislation in order to fulfil the requirements in the Constitution.
4. Planning Committee members and substitute members are strongly recommended to complete the following optional training sessions:
 - a. Legal Training including Pre-determination of Planning Applications (General and Constitution background), and Planning Judicial Reviews (General process).
 - b. Maidstone's New Local Plan – How its policies will continue to deliver high quality development.
 - c. Between 1-3 specialised/best practice subject area sessions potentially covering design, air quality and biodiversity but to be agreed between the Head of Planning and Development and the Political Group Spokespersons. (This would be likely to be run by an external trainer/body within a budget of £2,000).

Voting: 13 – For 0 – Against 0 – Abstentions

63. APPEAL DECISIONS

The Committee considered the report of the Head of Planning and Development setting out details of appeal decisions received recently.

RESOLVED: That the report be noted.

64. CHAIRMAN'S ANNOUNCEMENTS

The Chairman stated that he had no announcements.

65. DURATION OF MEETING

6.00 p.m. to 7.57 p.m.