

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 13 DECEMBER 2018

Present: Councillor English (Chairman) and Councillors Adkinson, Bartlett, Mrs Gooch, Harwood, Kimmance, Parfitt-Reid, Perry, Round, Spooner, Vizzard and Wilby

Also Present: Councillors McLoughlin and Powell

218. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Boughton and Munford.

219. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Mrs Gooch was substituting for Councillor Munford.

220. NOTIFICATION OF VISITING MEMBERS

Councillor McLoughlin indicated his wish to speak on the report of the Head of Planning and Development relating to application 18/505509/FULL (Marden Primary School, Goudhurst Road, Marden, Kent).

Councillor Powell attended the meeting as an observer.

221. ITEMS WITHDRAWN FROM THE AGENDA

18/505289/FULL - DEMOLITION OF EXISTING DWELLING (LOXLEY HOUSE) AND ERECTION OF A REPLACEMENT DWELLING WITH AMENITY SPACE, PARKING, LANDSCAPING AND ACCESS (RESUBMISSION OF 18/503087/FULL) - LOXLEY HOUSE, GRAVELLY BOTTOM ROAD, KINGSWOOD, MAIDSTONE, KENT

The Committee was informed that this application had been withdrawn by the applicant following publication of the agenda.

222. 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.

223. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to the report of the Head of Planning and Development relating to application 18/505509/FULL (Marden Primary School, Goudhurst Road, Marden, Kent), Councillor Mrs Gooch stated that her daughter was a teacher at the School. However, this connection did not affect in any way her view of the application.

224. DISCLOSURES OF LOBBYING

All Members stated that they had been lobbied on the report of the Head of Planning and Development relating to application 17/505255/FULL (La Rochelle, Church Lane, Harrietsham, Maidstone, Kent).

Councillor Harwood stated that he had been lobbied on the report of the Head of Planning and Development relating to application 18/505509/FULL (Marden Primary School, Goudhurst Road, Marden, Kent).

225. EXEMPT ITEMS

RESOLVED: That the exempt Appendix to the report of the Head of Planning and Development relating to application 18/505491/FULL (High Winds, Gallants Lane, East Farleigh, Maidstone, Kent) be considered in public, but the information contained therein should remain private. However, if Members wish to receive further representations from the applicant or to discuss the information contained in the exempt Appendix, it will be necessary to exclude the public from the meeting because of the likely disclosure of exempt information pursuant to paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 (Information relating to an Individual), having applied the Public Interest Test.

226. MINUTES OF THE MEETING HELD ON 29 NOVEMBER 2018

RESOLVED: That the Minutes of the meeting held on 29 November 2018 be approved as a correct record and signed.

227. PRESENTATION OF PETITIONS

There were no petitions.

228. DEFERRED ITEM

18/503763/FULL - ERECTION OF TWO NEW DWELLINGS - LAND TO THE REAR OF 244 - 250 UPPER FANT ROAD, MAIDSTONE, KENT

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

229. 18/505491/FULL - VARIATION OF CONDITION 1 OF APPLICATION 15/507478/FULL (VARIATION OF CONDITION 1 OF MA/12/119) TO ALLOW THE MOBILE HOME TO BE RETAINED AT THE SITE AS THE

OCCUPIER STILL RESIDES THERE - HIGH WINDS, GALLANTS LANE, EAST FARLEIGH, MAIDSTONE, KENT

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

RESOLVED: That subject to no new matters being raised as a result of the application being advertised as a departure from the Development Plan, the Head of Planning and Development be given delegated powers to grant permission subject to the condition set out in the report.

Voting: 12 – For 0 – Against 0 – Abstentions

230. 18/505509/FULL - CREATION OF A MINI PITCH INCLUDING INSTALLATION OF ASSOCIATED PERIMETER BALL STOP BARRIER AND FENCING, ACOUSTIC BARRIER AND SITE-WIDE SECURITY FENCING, FLOODLIGHTS, HARD STANDING AREAS AND PREFABRICATED TOILET UNIT AND SOFT LANDSCAPING (RESUBMISSION OF 18/502804/FULL) - MARDEN PRIMARY SCHOOL, GOUDHURST ROAD, MARDEN, KENT

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

Mrs Tarry, an objector, Councillor Mannington of Marden Parish Council, Mr Weir, for the applicant, and Councillor McLoughlin (Visiting Member) addressed the meeting.

RESOLVED: That

1. The Head of Planning and Development be given delegated powers to grant permission subject to:
 - (a) Negotiations to secure the inclusion of a planted bund in the gap between the new pitch and the residential area to mitigate against noise;
 - (b) The conditions and informative set out in the report; and
 - (c) Any additional/amended conditions that may be necessary as a consequence of the negotiations pursuant to (a) above.
2. If the Head of Planning and Development is unable to secure the inclusion of the planted bund, the application is to be reported back to the Committee.

Voting: 7 – For 4 – Against 1 – Abstention

231. 18/505079/FULL - REDEVELOPMENT OF SITE TO ACCOMMODATE 2 DETACHED (4-BED) HOUSES WITH ASSOCIATED PARKING AND LANDSCAPING - GLEBE COTTAGE, DUNN STREET ROAD, BREDHURST, GILLINGHAM, KENT

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

The Chairman drew the Committee's attention to an email which he had received from Councillor B Hinder apologising for not being able to attend the meeting and expressing concern about the proposed removal of four protected trees, the modern design approach to the roof construction which would be out of keeping and incongruous in this location and the presence of a well where the proposed houses would be situated.

Ms Clay, an objector, Councillor Jones of Bredhurst Parish Council, and Mr Sahota, 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 proposed development by reasons of its form, build and relationship to the site and inability to replace the important and highly visible stand of TPO trees in the centre of the site, within a landscape setting, would be harmful to the overall character of the site and this part of the Kent Downs Area of Outstanding Natural Beauty and result in over development contrary to policies DM1, DM3, DM30 and SP17 of the Maidstone Borough Local Plan 2017.

RESOLVED: That permission be refused for the following summarised reason and that the Head of Planning and Development be given delegated powers to finalise the precise wording:

The proposed development by reasons of its form, build and relationship to the site and inability to replace the important and highly visible stand of TPO trees in the centre of the site, within a landscape setting, would be harmful to the overall character of the site and this part of the Kent Downs Area of Outstanding Natural Beauty and result in over development contrary to policies DM1, DM3, DM30 and SP17 of the Maidstone Borough Local Plan 2017.

Voting: 10 – For 1 – Against 1 – Abstention

232. 17/505255/FULL - DEMOLITION OF EXISTING DETACHED DWELLING AND ERECTION OF SIX DWELLINGS, EXTENSION TO NEW VEHICULAR ACCESS VIA CHURCH LANE AND PROVISION OF ACCESS DRIVE, LANDSCAPING AND OTHER ANCILLARY WORKS - LA ROCHELLE, CHURCH LANE, HARRIETSHAM, MAIDSTONE, KENT

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

Councillor Moore of Harrietsham Parish Council and Mr Chapman, for the applicant, addressed the meeting.

During the discussion reference was made to the nearby Kingswood woodland complex which was considered to be a suitable wildlife receptor site.

RESOLVED: That

1. Subject to a suitable wildlife receptor site being secured within the Borough of Maidstone, the Head of Planning and Development be given delegated powers to grant permission subject to the conditions and informatives set out in the report as amended by the urgent update report together with any other conditions that may be required by the Head of Planning and Development to secure, without limitation, the delivery of the wildlife receptor site.
2. The Head of Legal Partnership be given delegated powers to secure any legal agreement that may be necessary in connection with the delivery of the wildlife receptor site.
3. If an appropriate wildlife receptor site cannot be secured, the application must be reported back to the Committee for re-consideration.

Voting: 11 – For 0 – Against 0 – Abstentions

Note: Councillor Parfitt-Reid left the meeting prior to consideration of this application (8.00 p.m.).

233. 18/505289/FULL - DEMOLITION OF EXISTING DWELLING (LOXLEY HOUSE) AND ERECTION OF A REPLACEMENT DWELLING WITH AMENITY SPACE, PARKING, LANDSCAPING AND ACCESS (RESUBMISSION OF 18/503087/FULL) - LOXLEY HOUSE, GRAVELLY BOTTOM ROAD, KINGSWOOD, MAIDSTONE, KENT

See Minute 221 above

234. APPEAL DECISION

The Committee considered the report of the Head of Planning and Development setting out details of an appeal decision received since the last meeting.

RESOLVED: That the report be noted.

235. DURATION OF MEETING

6.00 p.m. to 8.30 p.m.