

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 4 APRIL 2019

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

313. APOLOGIES FOR ABSENCE

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

314. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

315. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

316. ITEMS WITHDRAWN FROM THE AGENDA

19/500082/FULL - MINOR MATERIAL AMENDMENT TO CONDITION 16 OF 18/502327/FULL (DEMOLITION OF EXISTING CAFE BUILDING AND ERECTION OF NEW MOTE PARK CENTRE WITH ASSOCIATED TERRACES, BIN STORAGE AREA AND CAR PARKING) TO ALLOW THE ADDITION OF ROOFTOP VENTILATION PLANT AND VISUAL SCREENING, WINDOWS TO LAKESIDE ELEVATIONS TO BE MADE OPAQUE, AMENDMENTS TO WC BLOCK FLOOR PLAN LAYOUT TO ACCOMMODATE INCREASED PLANT ROOM REQUIREMENTS, AND MINOR INCREASES TO THE HEIGHTS OF ROOF LINES - MOTE PARK MAIDSTONE, WILLOW WAY, MAIDSTONE, KENT

The Chairman advised the Committee that this application had been withdrawn by the applicant as there was a possibility that the scheme might need to be redesigned to bring it back within budget.

Note: Councillor Harwood entered the meeting during consideration of this item (6.05 p.m.).

317. URGENT ITEMS

There were no urgent items.

318. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Harwood said that, with regard to the report of the Head of Planning and Development relating to application 18/506658/REM (Plot 3, Maidstone Innovation Centre, Newnham Court Way, Weaving, Maidstone, Kent), he was a Member of Boxley Parish Council, but he had not participated in the Parish Council's discussions regarding the proposed development, and intended to speak and vote when it was considered.

Councillor Round disclosed an Other Significant Interest in the report of the Head of Planning and Development relating to application 18/504803/FULL by virtue of having a long association with the applicant. Councillor Round said that he would leave the room when the application was considered.

319. EXEMPT ITEMS

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

320. MINUTES OF THE MEETING HELD ON 14 MARCH 2019

RESOLVED: That the Minutes of the meeting held on 14 March 2019 be approved as a correct record and signed.

321. PRESENTATION OF PETITIONS

There were no petitions.

322. 18/504803/FULL - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 7NO. DWELLINGS WITH ASSOCIATED AMENITY SPACE, LANDSCAPING AND ACCESS - THE OLD FORGE WORKS, CHARTWAY STREET, EAST SUTTON, MAIDSTONE, KENT

Having disclosed an Other Significant Interest, Councillor Round left the meeting whilst this application was discussed.

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

Mr Edmed, an objector, and Mr Hawkins, for the applicant, addressed the meeting.

Councillor Ireland of East Sutton Parish Council was late in arriving at the meeting, but was allowed by the Committee to make representations on behalf of the Parish Council.

RESOLVED: That permission be refused for the reasons set out in the report.

Voting: 7 – For 0 – Against 4 – Abstentions

323. 18/506658/REM - RESERVED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE PURSUANT TO OUTLINE APPLICATION 16/507292/OUT (OUTLINE APPLICATION WITH ACCESS SOUGHT FOR DEVELOPMENT OF MEDICAL CAMPUS) FOR CONSTRUCTION OF PROPOSED FOUR STOREY INNOVATION CENTRE OFFICE BUILDING (CLASS B1) AND ASSOCIATED EXTERNAL WORKS - PLOT 3, MAIDSTONE INNOVATION CENTRE, NEWNHAM COURT WAY, WEAVERING, MAIDSTONE, KENT

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

Ms Lewis addressed the meeting on behalf of the applicant.

RESOLVED:

1. That subject to:

- (a) Further negotiations to secure the incorporation of a green wall on the south facing side of the building to break up views from the south to the north;

AND

(b) The conditions and informative set out in the report with:

- The amendment of condition 5 (Landscaping) to specify the use of native species such as Bird Cherry, Wild Cherry or Silver Birch in place of Himalayan Birch in the proposed landscaping scheme; and
- The amendment of condition 8 (Installation of Bat Boxes) to specify that the bat boxes are to be installed on the south facing side of the building;

the Head of Planning and Development be given delegated powers to grant permission and to (i) finalise the wording of amended conditions 5 and 8 and to amend any other conditions as a consequence and (ii) add or amend any necessary conditions as a consequence of the negotiations referred to in resolution 1 (a) above.

2. That if the Head of Planning and Development is unable to secure the incorporation of a green wall on the south facing side of the building, the application must be reported back to the Committee.

Voting: 9 – For 0 – Against 3 – Abstentions

Note: Councillor Round re-joined the meeting for this and the remaining items on the agenda (6.30 p.m.).

324. 19/500082/FULL - MINOR MATERIAL AMENDMENT TO CONDITION 16 OF 18/502327/FULL (DEMOLITION OF EXISTING CAFE BUILDING AND ERECTION OF NEW MOTE PARK CENTRE WITH ASSOCIATED TERRACES,

BIN STORAGE AREA AND CAR PARKING) TO ALLOW THE ADDITION OF ROOFTOP VENTILATION PLANT AND VISUAL SCREENING, WINDOWS TO LAKESIDE ELEVATIONS TO BE MADE OPAQUE, AMENDMENTS TO WC BLOCK FLOOR PLAN LAYOUT TO ACCOMMODATE INCREASED PLANT ROOM REQUIREMENTS, AND MINOR INCREASES TO THE HEIGHTS OF ROOF LINES - MOTE PARK MAIDSTONE, WILLOW WAY, MAIDSTONE, KENT

See Minute 316 above.

325. ENFORCEMENT TRACKER

The Chairman welcomed Claire Cutts, the newly appointed Planning Enforcement Team Leader, to her first meeting of the Committee.

The Committee then considered the Planning Enforcement Tracker report setting out details of the current status of enforcement cases where formal notices had been served.

The Senior Planning Enforcement Officer advised the Committee that during the last quarter 133 enforcement cases had been received; 96 cases had been closed and 30 cases were still within the 10 day priority 2 Key Performance Indicator leaving 7 cases in three months which had not been closed probably because planning applications were awaited.

During the discussion, it was pointed out that the Tracker demonstrated the sheer scope and activity of the Planning Enforcement Service. Reference was made to the importance of communication between Members and the Planning Enforcement Team. It was suggested that greater emphasis should be placed on compliance with landscaping conditions, including the replacement of any trees or plants which fail within the specified period, and that there was a need to be proactive in the approach to ensuring that the paving of gardens in urban areas complies with planning regulations. Specific reference was made to the need for a two pronged strategy of education and enforcement, and the Chairman undertook to consider, in consultation with the Vice-Chairman and the Chairman and Vice-Chairman of the Strategic Planning, Sustainability and Transportation Committee, how this might be taken forward.

RESOLVED: That the report be noted.

326. 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.

Members were disappointed and concerned about the number of applications for residential development in rural areas that had been allowed by the Planning Inspector. In response to questions, the Major Projects Manager confirmed that in a number of respects these reflected

cases where Inspectors had applied a subjective assessment of the impact upon character and appearance.

Members also expressed concerns relating to the execution of quality when a number of schemes allowed on appeal had been built out. The Major Projects Manager explained that often on appeal schemes the Council was left with little control; for example, Planning Inspectors followed the six tests for planning conditions rigidly and often schemes would not have the same conditions that the Committee might apply. However, where the discharge of conditions required the approval of the Local Planning Authority, there was an opportunity to seek an appropriate level of quality and detail.

Members raised the issue of the effectiveness of certain policies and the Major Projects Manager explained that as part of the Local Plan review, the effectiveness of the suite of development management policies was being examined.

RESOLVED: That the report be noted.

327. DURATION OF MEETING

6.00 p.m. to 7.25 p.m.