

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 4 NOVEMBER 2010

Present: **Councillor Lusty (Chairman) and
Councillors Burton, Butler, Chittenden, English,
Harwood, Paine, Paterson, Robertson, Mrs Robertson
and Thick**

Also Present: **Councillor Sams**

189. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Ash, Barned, Hinder, Nelson-Gracie, Mrs Wilson and J A Wilson.

190. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:-

Councillor Burton for Councillor Hinder
Councillor Butler for Councillor Barned
Councillor Robertson for Councillor Mrs Wilson
Councillor Thick for Councillor Ash

191. NOTIFICATION OF VISITING MEMBERS

Councillor Sams indicated his wish to speak on the report of the Head of Development Management relating to application MA/10/0645.

192. ITEMS WITHDRAWN FROM THE AGENDA

MA/10/1445 – Erection of part single storey part two storey extension –
The Tannery, Goddington Lane, Harrietsham, Maidstone

It was noted that this application had been withdrawn by the applicant.

193. URGENT ITEMS

Update Report

The Chairman stated that, in his opinion, the update report of the Head of Development Management should be taken as an urgent item because it contained further information relating to the applications to be considered at the meeting.

194. DISCLOSURES BY MEMBERS AND OFFICERS

Councillor Burton disclosed a personal interest in the report of the Head of Development Management relating to application MA/10/0966, as a Member of Langley Parish Council. He stated that he had not participated in the Parish Council's discussions on the application and intended to speak and vote when it was considered. He also stated that although he lived in a neighbouring property, he had no personal or prejudicial interest in the application.

With regard to application MA/10/0966, all Members stated that they knew the applicant.

195. EXEMPT ITEMS

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

196. MINUTES

RESOLVED: That the Minutes of the meeting held on 14 October 2010 be approved as a correct record and signed.

197. MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON 14 OCTOBER 2010

MINUTE 184 – MA/10/0943 – DEMOLITION OF PRE-FABRICATED GARAGES AND ERECTION OF THREE DWELLINGS (ONE SEMI-DETACHED PAIR AND ONE DETACHED) WITH ASSOCIATED GARAGES, PARKING, LANDSCAPING, NEW ENTRANCE AND ACCESS – EAST COURT, THE STREET, DETLING, MAIDSTONE

The Head of Development Management advised the Committee that at the last meeting, it had been agreed that the above application be refused on the grounds that the proposal would result in harm to the character and appearance of the Kent Downs AONB by reason of the inappropriate design, in particular the layout and scale, contrary to the provisions of policy ENV33 of the Maidstone Borough-Wide Local Plan 2000 and central government planning policy and guidance in PPS1 Delivering Sustainable Development and PPS7 Sustainable Development in Rural Areas. Members had also asked that consideration be given to whether another reason for refusal on the grounds of air quality could be added to the decision because of the site's close proximity to the A249.

Further consultation had been undertaken with the Environmental Health Manager and, on the basis that there was no evidence to show that air pollution levels from traffic on the nearby A249 were adversely affecting the site and also that air pollution was not an issue at the recent appeal, it was recommended that it should not be used as an additional reason for refusal.

RESOLVED: That no further action be taken on the suggested addition of another reason for refusal on the grounds of air quality to the decision in respect of application MA/10/0943.

198. PRESENTATION OF PETITIONS

There were no petitions.

199. DEFERRED ITEMS

- (1) MA/09/2043 – ERECTION OF A REPLACEMENT DWELLING WITH DOUBLE GARAGE AND CREATION OF A NEW DRIVEWAY (RE-SUBMISSION OF MA/09/1298) – STUBBLE HILL COTTAGE, SANDWAY ROAD, HARRIETSHAM, MAIDSTONE

The Head of Development Management advised Members that further details of landscaping and ecological mitigation measures had now been submitted. He hoped to be in a position to report the application back to the Committee in the near future.

- (2) MA/10/1322 – SINGLE STOREY SIDE INFILL EXTENSION WITH BAY WINDOW TO REPLACE CAR PORT, SINGLE STOREY REAR EXTENSION, TWO STOREY REAR EXTENSION WITH ACCOMMODATION IN ROOF, ADDITION OF TWO NO. DORMERS AND RAISING OF MAIN RIDGE HEIGHT – 110 LOOSE ROAD, MAIDSTONE

The Head of Development Management advised Members that negotiations were continuing in respect of this application.

200. MA/10/1601 - ERECTION AND USE OF AMATEUR RADIO MAST AND AERIAL - VINE COTTAGE, WILLINGTON STREET, MAIDSTONE

All Members except Councillors Butler and Paterson stated that they had been lobbied.

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

Miss Caleno, on behalf of Mr Kelsey (an objector), and Councillor Greenhead of Downswood Parish Council (against) addressed the meeting.

RESOLVED: That permission be granted subject to the conditions set out in the report, as amended by the urgent update report, and the following additional condition:-

The development shall not commence until details are submitted to the Local Planning Authority for approval showing the existing trees to be retained within the site that would offer screening to the development hereby permitted. Thereafter, upon approval of the details, no trees shown to be retained shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the

Local Planning Authority. If any retained tree is removed, uprooted, is destroyed or dies, within 5 years, then a replacement tree shall be planted and that tree shall be of such size and species, and shall be planted at such time and in a position to be agreed with the Local Planning Authority, as may be specified in writing by the Local Planning Authority.

Reason: To ensure a satisfactory setting and external appearance to the development in the interests of visual amenity, in accordance with policy ENV6 of the Maidstone Borough-Wide Local Plan 2000 and advice contained within PPS1 and PPG8.

Voting: 7 – For 3 – Against 1 – Abstention

201. MA/10/0791 - AN APPLICATION FOR LISTED BUILDING CONSENT FOR ERECTION OF SINGLE STOREY REAR EXTENSION (RE-SUBMISSION OF MA/09/0726) - 3 RANDALLS ROW, HIGH BANKS, LOOSE, MAIDSTONE

All Members stated that they had been lobbied.

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

Miss George, an objector, Councillor Andrew of Loose Parish Council (against) and Mr Bradley, the applicant, addressed the meeting.

RESOLVED: That listed building consent be granted subject to the conditions and informative set out in the report.

Voting: 8 – For 1 – Against 2 – Abstentions

202. MA/10/0903 - CONTINUED USE FOR THE STATIONING OF A MOBILE HOME, TOURING CARAVAN, DAY ROOM AND STABLES FOR A GYPSY FAMILY - MAPLEHURST PADDOCK, FRITTENDEN ROAD, STAPLEHURST, TONBRIDGE

All Members except Councillor Butler stated that they had been lobbied.

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

Mr Roestenburg, an objector, and Councillor Fairfax of Staplehurst Parish Council (against) addressed the meeting.

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

Voting: 10 – For 0 – Against 1 – Abstention

203. MA/10/0645 - CHANGE OF USE OF PART OF TRAINING CENTRE FOR USE AS TRACK TRAINING AREA AND MINOR ALTERATIONS TO SITE LAYOUT - THE STATION HOUSE, STATION APPROACH, LENHAM, MAIDSTONE

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

Mr Long, an objector, Ms Peters, for the applicant, and Councillor Sams addressed the meeting.

RESOLVED:

1. That permission be granted subject to the conditions set out in the report as amended by the urgent update report.
2. That Councillor Harwood and the Parish Council should be consulted on the details to be submitted pursuant to condition 2 (land restoration scheme).

Voting: 11 – For 0 – Against 0 – Abstentions

204. MA/10/0966 - CHANGE OF USE OF OUTBUILDING TO SINGLE DWELLING HOUSE AND ASSOCIATED ALTERATIONS - LANGLEY PARK FARM, SUTTON ROAD, LANGLEY, MAIDSTONE

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

RESOLVED: That permission be granted subject to the conditions and informatives set out in the report and the additional condition and informatives set out in the urgent update report.

Voting: 11 – For 0 – Against 0 – Abstentions

205. MA/10/1295 - ERECTION OF A REAR CONSERVATORY AND FIRST FLOOR LEAN-TO EXTENSION OVER EXISTING GARAGE - 44 PARK WAY, MAIDSTONE

The Committee considered the report of the Head of Development Management.

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

Voting: 11 – For 0 – Against 0 – Abstentions

206. MA/10/1445 - ERECTION OF PART SINGLE STOREY PART TWO STOREY EXTENSION - THE TANNERY, GODDINGTON LANE, HARRIETSHAM, MAIDSTONE

Application withdrawn by the applicant.

207. CHAIRMAN'S ANNOUNCEMENTS

There were none.

208. UPDATE ON MATTERS REFERRED TO THE CABINET MEMBERS FOR ENVIRONMENT/REGENERATION

PARKING IN HIGH STREET, STAPLEHURST

The Democratic Services Officer advised the Committee that the Cabinet Member for Environment had confirmed that the Officers would monitor the parking situation in High Street, Staplehurst following implementation of application MA/10/0960 – Application for change of use from A1 (Hair and Beauty Salon) to D1 (Day Nursery) – Wealden Saddlery, High Street, Staplehurst.

GYPSY AND TRAVELLER SITES

The Head of Development Management submitted details of the Cabinet Member for Regeneration's initial response to the Committee's reference relating to gypsy and traveller sites.

It was noted that:-

- The Core Strategy would include the target for how many additional pitches the Council expected to need to provide in the period 2006-2016 based on evidence. In September the Local Development Document Advisory Group, Overview and Scrutiny and Cabinet had considered the factors to be taken into account in setting the pitch target and Cabinet had agreed the methodology to be followed. This methodology did not take account of wider needs arising from outside the Borough, but did recognise that the need for pitches would not come to an absolute halt with the achievement of the GTAA figure. As for conventional housing, the target also had to take account of the more limited need arising from natural household growth of the existing resident population in the 2011-2016 period as well as the need arising from the expiration of temporary consents.
- The development of a policy on local needs gypsy sites was under active consideration as the Core Strategy policy for gypsy and traveller accommodation was being developed. Legal advice had been received and a fuller response would be submitted to the Committee in due course.

209. DURATION OF MEETING

6.00 p.m. to 7.50 p.m.