

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES (PART I) OF THE MEETING HELD ON 29 MARCH 2012

Present: Councillor Lusty (Chairman) and Councillors Ash, Collins, Cox, English, Harwood, Hinder, Nelson-Gracie, Newton, Paine, Paterson, Mrs Robertson and J A Wilson

Also Present: Councillors Barned, Hogg and Ross

314. APOLOGIES FOR ABSENCE

There were no apologies for absence.

315. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

316. NOTIFICATION OF VISITING MEMBERS

Councillor Barned indicated his wish to speak on the report of the Head of Planning relating to application MA/11/2190.

Councillor Hogg indicated his wish to speak on the report of the Head of Planning relating to application MA/11/1315.

Councillor Ross indicated his wish to speak on the report of the Head of Planning relating to application MA/11/0513.

317. ITEMS WITHDRAWN FROM THE AGENDA

MA/11/1315 – RAISING OF GARDEN LAND TO CREATE TERRACED AREAS; RETROSPECTIVE CHANGE OF USE OF AN AREA OF LAND TO RESIDENTIAL GARDEN LAND AND THE ERECTION OF PLAY EQUIPMENT; THE CREATION OF WOODEN STEPS; AND THE ERECTION OF FENCING – EAST VIEW, BYDEWS GRANARY, FARLEIGH HILL, TOVIL, MAIDSTONE

The Committee considered the urgent update report of the Head of Planning recommending that this application be withdrawn from the agenda to allow further investigation of land ownership issues with the Land Registry.

RESOLVED: That agreement be given to the withdrawal of application MA/11/1315 from the agenda to allow further investigation of land ownership issues with the Land Registry.

318. URGENT ITEMS

Update Report

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

319. DISCLOSURES BY MEMBERS AND OFFICERS

Mr Rob Jarman, the Head of Planning, disclosed an interest in his report relating to application MA/11/2190. He stated that he knew one of the objectors, but this had not affected the Case Officer's conclusion/recommendation in any way. With the agreement of the Committee, Mr Jarman remained in the meeting when the application was discussed, but he did not speak.

Councillor Ash disclosed a personal interest in the report of the Head of Planning relating to application MA/12/0281. He stated that he was a Member of Bearsted Parish Council, but he had not participated in any discussions on the application and intended to speak and vote when it was considered.

Councillors Harwood and Hinder disclosed personal interests in the report of the Head of Planning relating to application MA/12/0271. They stated that they were Members of Boxley Parish Council, but they had not participated in the Parish Council's discussions on the application and intended to speak and vote when it was considered.

Councillor Paterson stated that since she had pre-determined application MA/12/0304, she would speak but not vote when it was discussed.

320. EXEMPT ITEMS

RESOLVED: That the item on Part II of the agenda be taken in private as proposed.

321. MINUTES OF THE MEETING HELD ON 8 MARCH 2012

RESOLVED: That the Minutes of the meeting held on 8 March 2012 be approved as a correct record and signed.

322. PRESENTATION OF PETITIONS

There were no petitions.

323. DEFERRED ITEMS

MA/10/0157 - CHANGE OF USE OF LAND TO MIXED USE FOR RESIDENTIAL WITH THE STATIONING OF 1 STATIC CARAVAN AND 1 TOURING CARAVAN, UTILITY BUILDING, LAYING OF HARD SURFACING, CESS POOL AND ERECTION OF CLOSE BOARDED FENCING AND CHANGE

OF USE OF LAND FOR THE KEEPING OF HORSES WITH FIELD SHELTER - LAND EAST OF MAPLEHURST LANE, FRITTENDEN ROAD, STAPLEHURST, TONBRIDGE

The Head of Planning advised the Committee that negotiations were taking place in respect of this application.

324. NATIONAL PLANNING POLICY FRAMEWORK

The Head of Planning advised the Committee that the National Planning Policy Framework had now come into force. However, none of the applications to be considered at the meeting turned on the guidance set out in the document.

325. MA/10/1477 - ERECTION OF A SINGLE STOREY REAR EXTENSION - 127 LONDON ROAD, MAIDSTONE

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

Mr Lloyd, an objector, addressed the meeting.

RESOLVED: That permission be granted subject to the conditions set out in the report and the following informative:-

The applicant is encouraged to discuss the proposal with the Council's Building Control Officers.

Voting: 13 – For 0 – Against 0 – Abstentions

326. MA/10/2197 - CHANGE OF USE OF LAND TO MIXED USE FOR KEEPING OF HORSES AND STATIONING OF 1 NO. MOBILE HOME AND 1 NO. TOURING CARAVAN INCLUDING UTILITY BUILDING AND ASSOCIATED WORKS FOR PERSON WITH GYPSY STATUS - THE HONEYSUCKLES, CROSS DRIVE, KINGSWOOD, MAIDSTONE

Councillor Paine stated that he had been lobbied.

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

327. MA/11/0513 - CONVERSION OF THE BUILDING TO 6 SELF-CONTAINED FLATS - PINE LODGE, SOMERFIELD ROAD, MAIDSTONE

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

Mr Best, for objectors, and Councillor Ross addressed the meeting.

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

Voting: 13 – For 0 – Against 0 – Abstentions

328. MA/11/1315 - RAISING OF GARDEN LAND TO CREATE TERRACED AREAS; RETROSPECTIVE CHANGE OF USE OF AN AREA OF LAND TO RESIDENTIAL GARDEN LAND AND THE ERECTION OF PLAY EQUIPMENT; THE CREATION OF WOODEN STEPS; AND THE ERECTION OF FENCING - EAST VIEW, BYDEWS GRANARY, FARLEIGH HILL, TOVIL, MAIDSTONE

See Minute 317 above.

329. MA/11/2190 - VARIATION OF CONDITION 2 OF PERMISSION MA/03/2343 (EXTENSION OF THE HOLIDAY PARK'S SEASON FROM 8 MONTHS TO 10 MONTHS) TO ALLOW THE USE OF TOURING CARAVANS, TENTS AND STATIC CARAVANS FOR HOLIDAY PURPOSES ALL YEAR ROUND (EXCLUDING THE 18 PERMITTED RESIDENTIAL STATIC CARAVANS) - PILGRIMS RETREAT, HOGBARN LANE, HARRIETSHAM, MAIDSTONE

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

Mr Van Diepen, an objector, Councillor Taylor of Harrietsham Parish Council (against) and Councillor Barned addressed the meeting.

RESOLVED:

1. That subject to the expiry of the site notice and advertisement publicising the application as a Departure from the Development Plan and the receipt of no representations raising new issues, the Head of Planning be given delegated powers to grant variation of condition 2 of permission MA/03/2343 as follows:-

All accommodation units (excluding the 19 caravans previously permitted for permanent residential use) permitted at the site shall be occupied for holiday purposes only. No such accommodation shall be occupied as a person's sole or main place of residence. The operators of the caravan park shall maintain an up-to-date register of the names of all owners/occupiers of individual accommodation units on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: In order to ensure proper control of the use of the holiday units and to prevent the establishment of permanent residency, which would be contrary to national and local plan policy discouraging the proliferation of new dwellings in the countryside and in accordance with policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and PPS7.

2. That the informative set out in the urgent update report be attached to the consent.

Voting: 10 – For 1 – Against 2 – Abstentions

330. MA/12/0271 - RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE OF RESIDENTIAL CARE HOME TO SINGLE DWELLING - RUBY, CHATHAM ROAD, SANDLING, MAIDSTONE

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

RESOLVED: That subject to the expiry of the site notice and advertisement publicising the application as a Departure from the Development Plan and the receipt of no representations raising new issues, the Head of Planning be given delegated powers to grant permission.

Voting: 13 – For 0 – Against 0 – Abstentions

331. MA/12/0287 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 2 NON-ILLUMINATED POSTER CASES - LOCKMEADOW CAR PARK, BARKER ROAD, MAIDSTONE

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

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

Voting: 12 – For 0 – Against 0 – Abstentions

Note: Councillor English was not present during consideration of this application.

332. MA/12/0298 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED POSTER CASE - TOILET BUILDING, BRENCHLEY GARDENS, STATION ROAD, MAIDSTONE

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

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

Voting: 12 – For 1 – Against 0 – Abstentions

Note: Councillor English was not present during consideration of this application.

333. MA/12/0299 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED POSTER CASE - TOILET BUILDING, CLARE PARK, TONBRIDGE ROAD, MAIDSTONE

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

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

Voting: 10 – For 2 – Against 0 – Abstentions

Note: Councillor English was not present during consideration of this application.

334. MA/12/0300 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED POSTER CASE - TOILET BUILDING, FAIRMEADOW, MAIDSTONE

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

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

Voting: 12 – For 0 – Against 0 – Abstentions

Note: Councillor English was not present during consideration of this application.

335. MA/12/0301 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED POSTER CASE - TOILET BUILDING, MID-KENT SHOPPING CENTRE, CASTLE ROAD, MAIDSTONE

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

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

Voting: 12 – For 0 – Against 0 – Abstentions

Note: Councillor English was not present during consideration of this application.

336. MA/12/0302 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED POSTER CASE - LAKESIDE TOILET BUILDING, MOTE PARK, MAIDSTONE

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

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

Voting: 10 – For 2 – Against 0 – Abstentions

Note: Councillor English was not present during consideration of this application.

337. MA/12/0303 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED POSTER CASE - PAVILION TOILET BUILDING, MOTE PARK, MAIDSTONE

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

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

Voting: 10 – For 2 – Against 0 – Abstentions

Note: Councillor English was not present during consideration of this application.

338. MA/12/0305 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED POSTER CASE - PUBLIC CONVENIENCES, SOUTH PARK, ARMSTRONG ROAD, MAIDSTONE

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

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

Voting: 7 – For 5 – Against 0 – Abstentions

Note: Councillor English was not present during consideration of this application.

339. MA/12/0304 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED POSTER CASE - PUBLIC CONVENIENCES, PENENDEN HEATH, MAIDSTONE

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

RESOLVED: That advertisement consent be granted subject to the conditions set out in the report with the amendment of the reason for approval as set out in the urgent update report.

Voting: 7 – For 4 – Against 0 – Abstentions

Note:

Councillor English was not present during consideration of this application.

Having stated that she had pre-determined the application, Councillor Paterson did not participate in the voting.

340. MA/12/0306 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED POSTER CASE - TOILET BUILDING, WHATMAN PARK, JAMES WHATMAN WAY, MAIDSTONE

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

RESOLVED: That advertisement consent be granted subject to the conditions set out in the report with the amendment of the reason for approval as set out in the urgent update report.

Voting: 10 – For 1 – Against 1 – Abstention

Note: Councillor English was not present during consideration of this application.

341. MA/12/0281 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED FREE STANDING POSTER CASE - CAR PARK, YEOMAN LANE, BEARSTED

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

342. MA/12/0285 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED FREE STANDING POSTER CASE - CAR PARK, BRUNSWICK STREET, MAIDSTONE

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

343. MA/12/0282 - ADVERTISEMENT CONSENT FOR 1 NON-ILLUMINATED FREE STANDING POSTER CASE - CAR PARK, BARKER ROAD, MAIDSTONE

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

344. MA/12/0283 - ADVERTISEMENT CONSENT FOR 1 NON-ILLUMINATED FREE STANDING POSTER CASE - BREWER STREET EAST CAR PARK, BREWER STREET, MAIDSTONE

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

345. MA/12/0289 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED FREE STANDING POSTER CASE - MEDWAY STREET CAR PARK, MEDWAY STREET, MAIDSTONE

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

346. MA/12/0288 - ADVERTISEMENT CONSENT FOR 1 NON-ILLUMINATED FREE STANDING POSTER CASE - CAR PARK, LUCERNE STREET, MAIDSTONE

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

347. MA/12/0284 - ADVERTISEMENT CONSENT FOR 1 NON-ILLUMINATED FREE STANDING POSTER CASE - CAR PARK, BROOKS PLACE, MAIDSTONE

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

348. MA/12/0291 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED FREE STANDING POSTER CASE - CAR PARK, MOTE ROAD, MAIDSTONE

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

RESOLVED: That advertisement consent be granted subject to the conditions set out in the report with the amendment of the reason for approval as set out in the urgent update report.

Voting: 13 – For 0 – Against 0 – Abstentions

349. MA/12/0292 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED FREE STANDING POSTER CASE - MAIDSTONE BOROUGH COUNCIL CAR PARK, PALACE AVENUE, MAIDSTONE

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

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

Voting: 12 – For 1 – Against 0 – Abstentions

350. MA/12/0290 - ADVERTISEMENT CONSENT FOR 1 NON-ILLUMINATED FREE STANDING POSTER CASE - CAR PARK, MILL STREET, MAIDSTONE

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

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

Voting: 8 – For 5 – Against 0 – Abstentions

351. MA/12/0293 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED FREE STANDING POSTER CASE - SITTINGBOURNE ROAD CAR PARK, VINTERS ROAD, MAIDSTONE

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

RESOLVED: That advertisement consent be granted subject to the conditions set out in the report with the amendment of the reason for approval as set out in the urgent update report.

Voting: 12 – For 1 – Against 0 – Abstentions

352. MA/12/0294 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED FREE STANDING POSTER CASE - UNION STREET WEST CAR PARK, UNION STREET, MAIDSTONE

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

353. MA/12/0295 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED FREE STANDING POSTER CASE - UNION STREET EAST CAR PARK, UNION STREET, MAIDSTONE

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

354. MA/12/0296 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED FREE STANDING POSTER CASE - CAR PARK, WHEELER STREET, MAIDSTONE

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

355. MA/12/0297 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 NON-ILLUMINATED FREE STANDING POSTER CASE - CAR PARK, WELL ROAD, MAIDSTONE

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

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

Voting: 13 – For 0 – Against 0 – Abstentions

356. MA/12/0286 - ADVERTISEMENT CONSENT FOR THE INSTALLATION OF FOUR NON-ILLUMINATED BANNER SIGNS AND TWO NON-ILLUMINATED POSTER CASES - APCOA PARKING, KING STREET MULTI-STOREY, CHURCH STREET, MAIDSTONE

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

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

Voting: 10 – For 3 – Against 0 – Abstentions

357. APPEAL DECISIONS

The Committee considered the report of the Head of Planning setting out details of appeal decisions received since the last meeting.

RESOLVED: That the report be noted.

358. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that:-

- He was impressed by the way in which the planning peer review had been conducted. The results were awaited.
- The National Planning Policy Framework had now come into force, and it was pleasing that the Council's response to the consultation had been taken into account.

359. UPDATE ON MATTERS REFERRED TO THE LEADER OF THE COUNCIL AND CABINET MEMBERS FOR ENVIRONMENT/ECONOMIC DEVELOPMENT AND TRANSPORT

It was noted that there was nothing to report at present.

360. EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED: That the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information for the reasons specified, having applied the Public Interest Test:-

Head of Schedule 12 A and Brief Description

Exempt Report of the Head of Planning – Variation of Tree Preservation Order No.8 of 2010 – Trees and Woodland at Great Oak Farm, Friday Street, East Sutton	3 - Financial/Business Affairs 5 - Legal Professional Privilege/Legal Proceedings
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361. EXEMPT REPORT OF THE HEAD OF PLANNING - VARIATION OF TREE PRESERVATION ORDER NO.8 OF 2010 - TREES AND WOODLAND AT GREAT OAK FARM, FRIDAY STREET, EAST SUTTON

RESOLVED: That Tree Preservation Order No.8 of 2010 be varied under Regulation 8 of the Town and Country Planning (Trees) Regulations 1999 to exclude woodland identified as W1 on the plan attached as an Appendix

to the exempt report of the Head of Planning and to continue to protect the individual Oak tree identified as T1 on the plan.

Voting: 9 – For 2 – Against 2 – Abstentions

362. DURATION OF MEETING

6.00 p.m. to 8.30 p.m.