

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 12 DECEMBER 2013

Present: Councillor Collins (Chairman) and
Councillors Ash, Black, Cox, Harwood, Hogg, Moriarty,
Nelson-Gracie, Paine, Paterson, Mrs Robertson,
J.A. Wilson and Mrs Wilson

Also Present: Councillors Daley, Ross and Vizzard

212. **APOLOGIES FOR ABSENCE**

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

213. **NOTIFICATION OF SUBSTITUTE MEMBERS**

It was noted that Councillor Mrs Wilson was substituting for Councillor Chittenden.

214. **NOTIFICATION OF VISITING MEMBERS**

Councillor Ross indicated his wish to speak on the report of the Head of Planning and Development relating to application MA/13/1254.

Councillor Vizzard indicated his wish to speak on the report of the Head of Planning and Development relating to application MA/12/2255.

It was noted that Councillor Daley had indicated his wish to speak on the report of the Head of Planning and Development relating to application MA/13/1254.

215. **ELECTION OF CHAIRMAN**

Following the resignation of Councillor Lusty from the Committee, it was:

RESOLVED:

- (a) That Councillor Collins be elected as Chairman of the Committee for the remainder of the Municipal Year 2013/14; and
- (b) That Councillor Lusty be thanked for his Chairmanship of the Committee over the last eight – nine years.

216. ELECTION OF VICE-CHAIRMAN

The Chairman stated that, in his opinion, the election of Vice-Chairman should be taken as an urgent item in view of the length of time until the next meeting of the Committee.

RESOLVED: That Councillor Ash be elected as Vice-Chairman of the Committee for the remainder of the Municipal Year 2013/14.

217. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

218. URGENT ITEMS

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

219. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

220. EXEMPT ITEMS

RESOLVED: That the items on the agenda be taken in public as proposed with the proviso that the viability report in relation to application MA/12/2255 (circulated separately) should remain private.

221. MINUTES OF THE MEETING HELD ON 21 NOVEMBER 2013

RESOLVED: That the Minutes of the meeting held on 21 November 2013 be approved as a correct record and signed.

222. PRESENTATION OF PETITIONS

There were no petitions.

223. MA/13/1254 - CHANGE OF USE OF PART OF THE GROUND FLOOR TO A TAKE AWAY (USE CLASS A5) AND THE ERECTION OF AN EXTRACT RAISED TO THE REAR AND NEW SHOP FRONT - 99 LONDON ROAD, MAIDSTONE, KENT

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

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

Mr Cheeseman, for objectors, and Councillors Ross and Daley (Visiting Members) addressed the meeting.

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

The applicant should liaise closely with the Council's Environmental Health Officers to secure provision of appropriate waste recepticals and installation of the extraction system.

Voting: 9 – For 1 – Against 3 – Abstentions

224. MA/13/1657 - ERECTION OF 3 DWELLINGS - LAND REAR OF THE PRIDE OF KENT, HIGH STREET, STAPLEHURST, KENT

All Members except Councillors Black, Cox and Nelson-Gracie stated that they had been lobbied.

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

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

Voting: 12 – For 0 – Against 1 – Abstention

225. MA/12/2255 - OUTLINE PLANNING PERMISSION FOR THE ERECTION OF 53 RESIDENTIAL UNITS WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION - NURSES HOME, HERMITAGE LANE, MAIDSTONE, KENT

All Members stated that they had been lobbied.

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

Mr Willis, an objector, and Councillor Vizzard (Visiting Member) addressed the meeting.

RESOLVED: That subject to the prior completion of a legal agreement in such terms as the Head of Legal Services may advise to secure the following:

- The provision of a minimum of 40% affordable housing (the tenure mix to be agreed);
- A contribution for Kent County Council of £2,701.63 per applicable house and £675.41 per applicable flat to cater for the additional demand for primary school places arising from this development (the contribution to be spent within a radius of the application site to be agreed);
- A contribution for Kent County Council of £144.64 per dwelling or flat towards the provision of library book stock to meet the additional

demand arising from this development (the contribution to be spent within a radius of the application site to be agreed);

- A contribution for Kent County Council of £28.71 per dwelling or flat towards the provision of community learning and skills facilities to meet the additional demand arising from this development (the contribution to be spent within a radius of the application site to be agreed);
- A contribution for Maidstone Borough Council Parks and Leisure of £1,575 per residential unit to be used for the enhancement of open space within a one mile radius of the application site,

the Head of Planning and Development be given delegated powers to grant outline permission subject to the conditions and informatives set out in the report and the following additional informative:

If any commemorative plaque referring to the opening of the building is located, then the applicants, or successors in title, are encouraged to seek to retain this feature within any new development upon the application site.

Voting: 13 – For 0 – Against 0 – Abstentions

226. MA/12/2046 - HYBRID PLANNING APPLICATION FOR THE REDEVELOPMENT OF LEDIAN FARM TO PROVIDE A CONTINUING CARE RETIREMENT COMMUNITY SCHEME (C2 USE CLASS) - LEDIAN FARM, UPPER STREET, LEEDS, MAIDSTONE KENT

Detailed planning application for the demolition of existing buildings and erection of 16 Assisted Living Units, conversion of Ledian Oast to form 2 Assisted Living Units, erection of Village Centre building comprising 36 Care Bedrooms, 25 Close Care Units, 16 Assisted Living Units, Wellness Centre, ancillary shop (open to the public), restaurant, cafe, bar, library, craft room, laundry, kitchen and administration areas, with alteration to existing access and creation of new pedestrian and vehicular accesses to Upper Street, access roads, parking and landscaping

Outline application with access to be determined and all other matters reserved for future consideration for the erection of 38 Assisted Living Units

All Members stated that they had been lobbied.

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

RESOLVED: That subject to the prior completion of a legal agreement in such terms as the Head of Legal Services may advise to secure the following:

- A contribution of £49,320 towards the provision/enhancement of Health Care facilities at The Orchard Surgery, Horseshoes Lane, Langley;
- The provision and operation of a Care Home and a Domiciliary Care Agency subject to the following requirements:

To ensure that all of the Care Units and Rooms are only occupied by Qualifying Persons or their surviving spouses or dependents;

“Qualifying Person” means a person who is either aged 65 years or more or is under 65 years and registered for Disability Living Allowance or in receipt of a General Practitioner certificate stating a disability or is registered with the Council as visually impaired and in each case is the subject of a Care Plan and has contracted through the obligations in the estate and services charge to receive Personal Care for a minimum of 1.5 hours per week.

To make the reception, shop, restaurant and cafe bar available to the general public, subject to standard operating conditions;

To make the Village Transport available to persons with care and personal mobility issues living in Leeds Parish as well as those on site, subject to standard operating conditions;

To give priority in occupation to local residents in accordance with a Local Marketing Plan;

To secure public access to the proposed woodland and amenity area; and

To make meeting rooms and the Wellness Centre available for public use, subject to qualifying criteria; and

- The implementation of a monitoring committee comprising the Developer, Members and Officers of the Council,

the Head of Planning and Development be given delegated powers to grant permission in respect of the detailed application for Phase 1 and the outline application for Phase 2 subject to the conditions and informatives set out in the report.

Voting: 13 – For 0 – Against 0 – Abstentions

227. MA/13/1494 - ERECTION OF SINGLE DWELLING AND CONVERSION OF PART OF EXISTING BUILDING TO B1 OFFICE USE AND PART DOMESTIC STORAGE TO CREATE A LIVE/WORK PREMISES - THE BEAST HOUSE, WEST STREET, HUNTON, MAIDSTONE, KENT

The Chairman stated that whilst he knew the late applicant, he had no interest in the application.

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

Councillor Sawtell of Hunton Parish Council, in support, and Mr Hall, for the late applicant's estate, addressed the meeting.

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

Voting: 8 – For 4 – Against 1 – Abstention

228. MA/12/2032 - AN APPLICATION FOR A NEW PLANNING PERMISSION TO REPLACE EXTANT PERMISSION MA/09/0862 (OUTLINE PLANNING APPLICATION FOR THE ERECTION OF RESIDENTIAL DEVELOPMENT COMPRISING OF 100 FLATS AND 14 HOUSES WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION) - KCC SPRINGFIELD LIBRARY HQ. SANDLING ROAD, MAIDSTONE, KENT

All Members stated that they had been lobbied.

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

RESOLVED: That subject to the prior completion of a legal agreement in such terms as the Head of Legal Services may advise to secure the following:

- A contribution of £75,456 (£360 per person for the remainder of the phases throughout the site, as shown on the submitted formula) for the local NHS Commissioning Board to support the delivery of investments highlighted within the Board's Strategic Service Development Plan. The local surgeries identified are the Brewer Street, St Lukes, Allington Park, Marsham Street, Allington and Lockmeadow surgeries and clinics;
- A contribution for Kent County Council of £2,065.40 per applicable flat and £8,261.26 per applicable house towards the acquisition and build costs of a new primary school local to the proposed development (the building of two new primary schools in south and west Maidstone);
- A contribution for Kent County Council of £589.95 per applicable flat and £2,359.80 per applicable house towards the extension of an existing secondary school local to the proposed development (within the Borough of Maidstone);
- A contribution for Kent County Council of £10,109.74 towards the provision of additional book stock in Maidstone libraries local to the development;
- A contribution for Kent County Council of £3,272.80 towards community learning through the provision of new/expanded facilities

at Maidstone Adult Education and through outreach community learning facilities in Maidstone local to the development;

- A contribution for Kent County Council of £5,279.37 towards adult social care through the provision of new/expanded facilities in Maidstone local to the development, including four projects to provide integrated dementia care, co-location with health, a changing place facility, and assistive technology;
- A contribution for Maidstone Borough Council of £179,550 (£1,575 per unit) towards the improvement, renewal, replacement and maintenance of green open spaces and play areas within a one mile radius of the development;
- A contribution of £4,000 towards the implementation of parking restrictions to prevent residents and visitors from parking along unsuitable sections of the public highway by way of an appropriate Traffic Regulation Order; and
- The provision of a 200m² community facility within the development OR an equivalent sum for the improvement, renewal, replacement and maintenance of a community facility within a one mile radius of the development,

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.

Voting: 13 – For 0 – Against 0 – Abstentions

229. 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.

RESOLVED: That the report be noted.

230. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that the site visit to assist Members in their consideration of applications for the construction of solar farms had been arranged to take place on Wednesday 8 January 2014.

231. DURATION OF MEETING

6.00 p.m. to 7.35 p.m.