

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 10 APRIL 2014

Present: Councillor Collins (Chairman) and Councillors Ash, Black, Butler, Chittenden, Cox, Harwood, Hogg, Moriarty, Nelson-Gracie, Paine, Paterson and Mrs Robertson

Also Present: Councillor Mrs Blackmore

337. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillor J. A. Wilson.

338. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Butler was substituting for Councillor J. A. Wilson.

339. NOTIFICATION OF VISITING MEMBERS

Councillor Mrs Blackmore indicated her wish to speak on the report of the Head of Planning and Development relating to application MA/13/1621.

340. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

341. 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 as it contained further information relating to applications to be considered at the meeting.

342. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

343. EXEMPT ITEMS

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

344. MINUTES OF THE MEETING HELD ON 20 MARCH 2014

RESOLVED: That the Minutes of the meeting held on 20 March 2014 be approved as a correct record and signed.

345. PRESENTATION OF PETITIONS

There were no petitions.

346. DEFERRED ITEM

MA/13/1711 - AN APPLICATION FOR OUTLINE PLANNING PERMISSION FOR THE ERECTION OF 5 NO. TOWN HOUSES WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION - 97 HOLLAND ROAD, MAIDSTONE, KENT

The Committee considered the report of the Head of Planning and Development. It was noted that this application had been formally withdrawn by the applicant.

347. MA/13/2099 - ERECTION OF CLASS A1 RETAIL DEVELOPMENT (WITH ANCILLARY CAFE), SUPPORTING RETAIL (A1-A3), DOCTORS' SURGERY (CLASS D1) AND ASSOCIATED SERVICING, CAR PARKING, LANDSCAPING AND ACCESS ARRANGEMENT - SPRINGFIELD PARK, ROYAL ENGINEERS 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.

Mr Maddox, an objector, and Ms Davidson, for the applicant, addressed the meeting.

During the discussion, it was suggested that should Members be minded to grant permission, delegated powers be given to the Officers to negotiate with the applicant to seek to overcome concerns expressed by local residents about the proposed pedestrian link to Moncktons Lane as this had been closed for some time and was in close proximity to residential property, and there were concerns about possible anti-social behaviour.

Contrary to the recommendation of the Head of Planning and Development, the Committee voted against refusal of the application on the grounds as set out in the report.

Some Members having indicated a strong intention to grant and having received advice, the Committee,

RESOLVED: That consideration of this application be deferred (preferably for not more than two meeting cycles) to enable the Officers to report back with reasons for approval, heads of terms for a S106 legal

agreement and detailed conditions so that Members can be satisfied that it would be acceptable to grant permission.

Voting: 7 – For 6 – Against 0 – Abstentions

Councillors Hogg and Paine requested that their dissent be recorded.

348. MA/13/1621 - OUTLINE APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS AND HARD STANDING AT THE FORMER SCRAP YARD AND ERECTION OF 2 TWO STOREY DWELLINGS WITH GARAGES AND ACCESS. ALL OTHER MATTERS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) RESERVED FOR FUTURE CONSIDERATION - GAIN HILL YARD, CLAYGATE ROAD, YALDING, KENT

The Chairman and Councillors Black, Chittenden, Hogg, Moriarty, Nelson-Gracie and Mrs Robertson stated that they had been lobbied.

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

Councillor Bates of Collier Street Parish Council (for), Mr McKay, for the applicant, and Councillor Mrs Blackmore (Visiting Member – in support) addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to grant outline permission subject to conditions and informatives. In making this decision, Members felt that the specific characteristics pertaining to this brownfield site meant that it could be developed without causing harm to the character and appearance of the open countryside. Specifically, given the location, nature and layout of the site, its current use with intrusive security fencing and its relationship to the highway, Members felt that a well designed, high quality scheme could be delivered which would complement and not detract from this part of the Low Weald.

RESOLVED: That outline permission be granted subject to conditions and informatives to cover, inter alia, the following:

Conditions

- Good design and materials in keeping with the vernacular of the existing hamlet;
- The achievement of Level 4 of the Code for Sustainable Homes;
- A strong landscaping scheme to bolster existing boundary planting;
- Details of a surface water drainage scheme based on SUDS principles;
- Biodiversity enhancements within the fabric of the building; and
- Any other issues relevant to development in the countryside.

Informatives

- The layout should seek to limit the impact of the development on protected trees; and
- Biodiversity enhancements should include swift bricks and bat boxes etc.

Voting: 10 – For 2 – Against 1 – Abstention

Councillor Hogg left the meeting after consideration of this application.

349. MA/13/1570 - DEMOLITION OF EXISTING FIRE DAMAGED BUILDING (CLASS A1 RETAIL USE AND B1 OFFICE USE) AND THE ERECTION OF A MIXED USED DEVELOPMENT COMPRISING CLASS A1 RETAIL USE AT GROUND FLOOR LEVEL AND 4 NO. TWO BEDROOM APARTMENTS AT FIRST FLOOR LEVEL - 8 FAVERSHAM ROAD, LENHAM, MAIDSTONE, KENT

The Chairman and Councillors Chittenden and Paine stated that they had been lobbied.

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

Mr Clark, an objector, Councillor Barr of Lenham Parish Council (against) and Mr Flisher, for the applicant, addressed the meeting.

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

Voting: 7 – For 0 – Against 5 – Abstentions

350. MA/07/2133 - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A FIVE STOREY RESIDENTIAL DEVELOPMENT COMPRISING OF 52 STUDIO APARTMENTS AND 24 ONE-BED FLATS WITH 38 UNDERCROFT PARKING SPACES AND 22 EXTERNAL PARKING SPACES WITH VEHICULAR AND PEDESTRIAN ACCESS FROM HART STREET TOGETHER WITH LANDSCAPING - LAGUNA MOTORCYCLES SITE, HART STREET, MAIDSTONE

Councillors Moriarty and Paine 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 consideration of this application be deferred for the submission of a revised viability assessment which contains up-to-date figures and which is based on current market conditions to inform Members' discussions on matters including the provision of affordable housing, the achievement of Level 4 of the Code for Sustainable Homes, the provision of landscaping to the footpath to the west of the site and possible improvements to the design.

Voting: 12 – For 0 – Against 0 – Abstentions

351. MA/13/2140 - CONVERSION OF SINGLE GARAGE TO LIVING ACCOMMODATION - 3 COURTLANDS CLOSE, TESTON, MAIDSTONE, KENT

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

Councillor Coulling of Teston Parish Council (against) addressed the meeting.

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

Voting: 12 – For 0 – Against 0 – Abstentions

352. MA/13/1474 - CHANGE OF USE OF OFFICE BUILDING TO CREATE 9 NO. RESIDENTIAL UNITS, INCLUDING ADDITION OF SINGLE AND TWO STOREY REAR EXTENSIONS - 12 TONBRIDGE ROAD, MAIDSTONE, KENT

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 informatives set out in the report.

Voting: 11 – For 1 – Against 0 – Abstentions

353. MA/13/1475 - ERECTION OF A SINGLE STOREY GARAGE AND RETROSPECTIVE CHANGE OF USE OF LAND FROM AGRICULTURAL TO RESIDENTIAL USE - POPLAR TREE, MILEBUSH LANE, MARDEN, TONBRIDGE, KENT

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

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

Voting: 8 – For 1 – Against 2 – Abstentions

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

354. MA/13/2190 - PROPOSED REFURBISHMENT OF EXISTING CAR DEALERSHIP INCLUDING PART DEMOLITION OF EXISTING SHOW ROOM, PART EXTENSION TO WORKSHOP WITH CLASS 7 MOT BAY, INSTALLATION OF NEW FIRST FLOOR OFFICES, NEW EXTERNAL VALET BAY AND ASSOCIATED WORKS - MOTORLINE MAIDSTONE, BIRCHOLT ROAD, PARKWOOD, MAIDSTONE, KENT

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

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

Voting: 11 – For 0 – Against 1 – Abstention

355. MA/14/0133 - CHANGE OF USE OF THE BUILDING TO 4 NO. FLATS - CHILLINGTON HOUSE, ST FAITHS STREET, MAIDSTONE, KENT

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

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

Voting: 12 – For 0 – Against 0 – Abstentions

356. MA/14/0134 - AN APPLICATION FOR LISTED BUILDING CONSENT FOR INTERNAL ALTERATIONS TO FACILITATE THE CHANGE OF USE OF THE BUILDING TO 4 NO. FLATS - CHILLINGTON HOUSE, ST FAITHS STREET, MAIDSTONE, KENT

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

RESOLVED: That this application be referred to the Secretary of State for determination with the recommendation that listed building consent be granted subject to the conditions set out in the report.

Voting: 12 – For 0 – Against 0 – Abstentions

357. APPEAL DECISIONS

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.

358. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised the Committee that he understood that the application for a solar farm at Great Pagehurst Farm, Staplehurst would be reported to the Committee in the near future. He urged Members to visit the site before the meeting.

359. DURATION OF MEETING

6.00 p.m. to 9.30 p.m.