

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 14 MARCH 2019

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

Also Councillor D Burton
Present:

299. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Boughton and Parfitt-Reid.

300. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

301. NOTIFICATION OF VISITING MEMBERS

Councillor D Burton indicated his wish to speak on the reports of the Head of Planning and Development relating to applications 18/504086/FULL and 18/504501/FULL (Little Spitzbrook Farm, Haviker Street, Collier Street, Kent).

302. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

303. URGENT ITEMS

There were no urgent items.

304. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

305. EXEMPT ITEMS

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

306. MINUTES OF THE MEETING HELD ON 21 FEBRUARY 2019 ADJOURNED TO 28 FEBRUARY 2019

RESOLVED: That the Minutes of the meeting held on 21 February 2019 adjourned to 28 February 2019 be approved as a correct record and signed.

307. PRESENTATION OF PETITIONS

There were no petitions.

308. 18/504086/FULL - CONVERSION OF AGRICULTURAL BARN TO SINGLE DWELLING WITH RETENTION OF PART FOR USE AS AGRICULTURAL STORE, LAYING OUT OF PRIVATE GARDEN INCLUDING ERECTION OF A WOODSTORE, TWO CAR PARKING SPACES AND DRIVEWAY, THE INSTALLATION OF A SOLAR PV ARRAY (TWO ROWS) AND FLUE ON SOUTHERN ROOF SLOPE, TWO HEAT EXCHANGE UNITS AND LANDSCAPING (PART RETROSPECTIVE) AND 18/504501/FULL - CONVERSION OF AGRICULTURAL BARN TO SINGLE DWELLING WITH RETENTION OF PART FOR USE AS AGRICULTURAL STORE, LAYING OUT OF PRIVATE GARDEN, TWO CAR PARKING SPACES AND DRIVEWAY, THE INSTALLATION OF SOLAR PV ARRAY ON SOUTHERN ROOF SLOPE, LANDSCAPING (PART RETROSPECTIVE) - LITTLE SPITZBROOK FARM, HAVIKER STREET, COLLIER STREET, KENT

The Committee considered the reports of the Head of Planning and Development relating to applications 18/504086/FULL and 18/504501/FULL.

All Members stated that they had been lobbied.

The representative of the Head of Legal Partnership provided advice on the decision making process in relation to these applications. The representative of the Head of Legal Partnership explained that there were two applications before the Committee and there had previously been a grant of prior approval. The Development Manager would set out the differences between the prior approval and the two applications. The policies which were relevant to the determination of these applications were set out in the Officer's reports, and it was his advice that the Committee determine the applications as they were by reference to the relevant policies.

The Development Manager then explained the differences between the prior approval and the two applications before the Committee. The Development Manager advised the Committee that the two applications needed to be assessed in accordance with the Development Plan unless material considerations indicated otherwise. It was the Officer's conclusion that the applications did not accord with the Development Plan, the key policies being SP21 and DM31.

Mr Cox, the applicant, and Councillor D Burton (Visiting Member) addressed the meeting.

RESOLVED: That

1. Application 18/504086/FULL be refused for the reasons set out in the report.

Voting: 9 – For 1 – Against 0 – Abstentions

2. Application 18/504501/FULL be refused for the reasons set out in the report.

Voting: 7 – For 2 – Against 1 – Abstention

Note:

1. Councillor Harwood entered the meeting during the Officers' presentation on these applications (6.10 p.m.), but sat in the public gallery and did not participate in the discussion or the voting.
2. Following the determination of these applications, reference was made by the Chairman to the desire on the part of Members for further discussions to seek to achieve a solution to the situation which has arisen.

309. 18/504501/FULL - CONVERSION OF AGRICULTURAL BARN TO SINGLE DWELLING WITH RETENTION OF PART FOR USE AS AGRICULTURAL STORE, LAYING OUT OF PRIVATE GARDEN, TWO CAR PARKING SPACES AND DRIVEWAY, THE INSTALLATION OF SOLAR PV ARRAY ON SOUTHERN ROOF SLOPE, LANDSCAPING (PART RETROSPECTIVE) - LITTLE SPITZBROOK FARM, HAVIKER STREET, COLLIER STREET, KENT

See Minute 308 above.

310. 18/506028/SUB - SUBMISSION OF DETAILS TO DISCHARGE CONDITION 3 (CONSTRUCTION METHOD STATEMENT), CONDITION 16 (CONTAMINATION) AND CONDITION 23 (FOUL WATER AND SURFACE WATER DRAINAGE STRATEGY) SUBJECT TO 17/502072/OUT AND 18/506426/SUB - SUBMISSION OF DETAILS TO DISCHARGE CONDITION 15 (AIR QUALITY ASSESSMENT AND MITIGATION MEASURES) SUBJECT TO 17/502072/OUT - LAND SOUTH OF FORSTAL LANE, COXHEATH, KENT

There were no disclosures of lobbying.

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

RESOLVED: That:

1. Application 18/506028/SUB be approved with the informative set out in the report.
2. Application 18/506426/SUB be approved with the informative set out in the report.

Voting: 11 – For 0 – Against 0 – Abstentions

Note: Councillor Harwood joined the meeting for this and the remaining item on the agenda (7.05 p.m.).

311. 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.

In presenting the report, the Development Manager referred to the appeals against the decisions to refuse applications relating to development at Gipps Oast, Pilgrims Way, Lenham, Kent, and explained that two of the applications had been determined by the Planning Committee and the other six had been dealt with under delegated powers. The Inspector had dismissed the appeals.

The Committee then discussed the implications of the Inspector's decision to allow the appeal against the decision taken under delegated powers to refuse application 17/506017/FULL for the change of use of land for the provision of two mobile homes and two day rooms at Ash Gardens, Lenham Road, Headcorn, Kent and to grant a temporary planning consent.

The Committee agreed that references be sent to the relevant Committees regarding the need for affordable public Gypsy and Traveller site(s) in the Borough, the precise wording of the references to be finalised at a future meeting of the Committee.

RESOLVED: That

1. The report be noted.
2. References be sent to the relevant Committees regarding the need for affordable public Gypsy and Traveller site(s) in the Borough, the precise wording of the references to be finalised at a future meeting of the Committee.

312. DURATION OF MEETING

6.00 p.m. to 7.20 p.m.