

## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON 27 JULY 2017**

**Present:** Councillor English (Chairman) and Councillors Boughton, Brice, Clark, Cox, Harwood, Hemsley, Munford, Powell, Round, Spooner, Mrs Stockell and Vizzard

**Also Present:** Councillors Mrs Gooch, Harvey, Perry and Springett

#### 99. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillor Prendergast, and that Councillors Boughton and Harwood would be late in arriving at the meeting.

#### 100. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Brice was substituting for Councillor Prendergast.

#### 101. NOTIFICATION OF VISITING MEMBERS

Councillor Mrs Gooch indicated her wish to speak on the report of the Head of Planning and Development relating to application 17/500888 (Gunwalloe, 59 Tonbridge Road, Teston, Kent).

Councillor Harvey indicated her wish to speak on the report of the Head of Planning and Development relating to application 17/501196 (Riverhill Apartments, 10-12 London Road, Maidstone, Kent).

Councillor Perry said that he had intended to speak on the report of the Head of Planning and Development relating to application 15/501537 (Maplehurst Lane, Frittenden Road, Staplehurst, Kent), but it was now recommended that the application be withdrawn from the agenda.

Councillor Springett indicated her wish to speak on the report of the Head of Planning and Development relating to application 17/502118 (Mount Lodge, Church Lane, Bearsted, Maidstone, Kent).

#### 102. ITEMS WITHDRAWN FROM THE AGENDA

15/501537 - CHANGE OF USE OF LAND FOR THE PERMANENT STATIONING OF A MOBILE HOME, UTILITY ROOM, STABLE BLOCK AND TOURING CARAVAN FOR GYPSY FAMILY (PART RETROSPECTIVE) - MAPLEHURST LANE, FRITTENDEN ROAD, STAPLEHURST, KENT

The Chairman sought the agreement of the Committee to the withdrawal of application 15/501537 (Maplehurst Lane, Frittenden Road, Staplehurst, Kent) from the agenda due to a procedural error which had only just come to light.

**RESOLVED:** That agreement be given to the withdrawal of application 15/501537 from the agenda.

16/506067 - STEEL FRAMED AGRICULTURAL GRAIN STORAGE BUILDING - GREAT TONG FARM, GREAT TONG, HEADCORN, KENT

The Chairman sought the agreement of the Committee to the withdrawal of application 16/506067 (Great Tong Farm, Great Tong, Headcorn, Kent) from the agenda as the consultation deadline had not expired when the report was written.

**RESOLVED:** That agreement be given to the withdrawal of application 16/506067 from the agenda.

103. URGENT ITEMS

The Chairman stated that, in his opinion, the update reports of the Head of Planning and Development should be taken as urgent items as they contained further information relating to the applications to be considered at the meeting.

Note: Councillor Boughton entered the meeting at the start of this item (6.05 p.m.).

104. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

105. EXEMPT ITEMS

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

106. MINUTES OF THE MEETING HELD ON 6 JULY ADJOURNED TO 13 JULY 2017

**RESOLVED:** That the Minutes of the meeting held on 6 July adjourned to 13 July 2017 be approved as a correct record and signed.

107. PRESENTATION OF PETITIONS

There were no petitions.

108. DEFERRED ITEMS

16/505598 - ERECTION OF A PAIR OF THREE BEDROOM SEMI-DETACHED DWELLINGS - CRICKET AND TENNIS CLUB, FRITTENDEN ROAD, STAPLEHURST, KENT

17/501093 – APPROVAL OF RESERVED MATTERS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE BEING SOUGHT) PURSUANT TO 15/507424/OUT - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 62 DWELLINGS (INCLUDING A MINIMUM OF 40% AFFORDABLE HOUSING), PLANTING AND LANDSCAPING, INFORMAL OPEN SPACE, SURFACE WATER ATTENUATION, VEHICULAR ACCESS POINT FROM MILL BANK AND ASSOCIATED ANCILLARY WORKS. (ACCESS APPROVED) - LAND WEST OF MILL BANK, MAIDSTONE ROAD, HEADCORN, KENT

The Development Manager advised the Committee that he had nothing further to report in respect of these applications at present.

109. 17/500888 - RETROSPECTIVE APPLICATION FOR CONSTRUCTION OF DECKING AT REAR AND WALKWAY LEADING TO DECKING AT SIDE OF PROPERTY - GUNWALLOE, 59 TONBRIDGE ROAD, TESTON, KENT

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

Mrs Jackson, an objector, Councillor Douglass of Teston Parish Council and Councillor Mrs Gooch (Visiting Member) addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, the Committee agreed to refuse permission. In making this decision, Members felt that the proposal would result in unacceptable overlooking of the immediate rear amenity area of the neighbouring property 'Strathmore' due to the proximity and height of the decking resulting in harm to amenity contrary to policies ENV28 and H33 of the Maidstone Borough-Wide Local Plan 2000, policy DM1 of the emerging Local Plan and provisions of the NPPF.

**RESOLVED:** That permission be refused for the following reason:

The proposal would result in unacceptable overlooking of the immediate rear amenity area of the neighbouring property 'Strathmore' due to the proximity and height of the decking resulting in harm to amenity contrary to policies ENV28 and H33 of the Maidstone Borough-Wide Local Plan 2000, policy DM1 of the emerging Local Plan and provisions of the NPPF.

Voting:        12 – For        0 – Against        0 – Abstentions

Note: Councillor Harwood entered the meeting after consideration of this application (6.40 p.m.).

110. 17/502118 - ERECTION OF DWELLING HOUSE AND ENGINEERING OPERATIONS TO CREATE OFF ROAD PARKING - MOUNT LODGE, CHURCH LANE, BEARSTED, 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.

Mrs Bennett, an objector, Mr Street, for the applicant, and Councillor Springett (Visiting Member) addressed the meeting.

**RESOLVED:** That consideration of this application be deferred to seek to secure (a) changes in the roof profile and bulk to reduce the mass of the development and (b) reductions in the height of the proposed slab levels, in order to mitigate the impact of the proposal on 1 Little Orchard.

Voting:        9 – For        0 – Against        4 - Abstentions

111. 17/501196 - ERECTION OF AN ADDITIONAL STOREY ON A FLAT ROOF TO ACCOMMODATE 10 UNITS OF RESIDENTIAL ACCOMMODATION TOGETHER WITH ASSOCIATED PARKING AND AN AMENDED ACCESS AT RIVERHILL APARTMENTS, LONDON ROAD, MAIDSTONE - RIVERHILL APARTMENTS, 10 - 12 LONDON ROAD, MAIDSTONE, KENT

The Committee considered the report and the urgent update report of the Head of Planning and Development. During his presentation, the Development Manager advised the Committee that he wished to amend the first sentence of the first paragraph and the first and second sentences of the second paragraph of recommended condition 5 to read:

*The development hereby approved shall not be occupied until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the Local Planning Authority.*

*The approved landscaping scheme shall be carried out in the first available planting season following occupation of the development hereby approved.*

Ms Hadden, for the applicant, and Councillor Harvey (Visiting Member) addressed the meeting.

**RESOLVED:** That permission be granted subject to the conditions set out in the report, as amended by the Development Manager at the meeting, and the additional condition set out in the urgent update report, with the further amendment of condition 5 and additional conditions as follows:

Condition 5 (Landscaping) (amended)

The development hereby approved shall not be occupied until a landscape scheme designed in accordance with the principles of the Council's

landscape character guidance has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show all existing trees, hedges and blocks of landscaping on and immediately adjacent to the site, and indicate whether they are to be retained or removed, and include a planting specification, a programme of implementation and a five year management plan. The landscape scheme shall specifically address the need to provide new planting along the frontage of the building which shall comprise a mixed native species hedgerow.

The approved landscaping scheme shall be carried out in the first available planting season following occupation of the development hereby approved. Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

#### Additional Conditions

No development shall take place until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to first occupation and maintained thereafter.

Reason: To secure an energy efficient and sustainable form of development to accord with the provisions of the NPPF.

Prior to the development hereby approved reaching eaves level details shall be submitted for prior approval in writing by the Local Planning Authority of wildlife niches sufficient to make provision for two bird boxes and two swift bricks.

The approved details shall be installed before first occupation of the development hereby approved and retained as such at all times thereafter.

Reason: To ensure that provision is made for wildlife in accordance with the provisions of the NPPF.

Voting:      12 – For      1 – Against      0 – Abstentions

Note: Councillor Mrs Stockell left the meeting after consideration of this application.

112. 16/506648 - HYBRID APPLICATION FOR DETAILED PLANNING PERMISSION FOR A RESIDENTIAL DEVELOPMENT OF 70 DWELLINGS COMPRISING OF 2, 3 AND 4 BEDROOM TWO STOREY TERRACED, SEMI-DETACHED AND DETACHED HOUSES AND 4 NO. 1 BEDROOM UNITS TOGETHER WITH OUTLINE PLANNING PERMISSION FOR A TWO STOREY MEDICAL CENTRE WITH ALL MATTERS RESERVED FOR FUTURE CONSIDERATION - LAND SOUTH OF HEATH ROAD, COXHEATH, KENT

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 S106 legal agreement in such terms as the Interim Head of Legal Partnership may advise to secure the following:

- 33% affordable housing (of which 70% is affordable rent and 30% shared ownership);
- A financial contribution of £105,000 towards the costs of highway improvements at the junction of the A229 and B2163 (Linton Crossroads);
- A financial contribution of £110,250 towards improving, maintaining, repairing and renewing the open space and play facilities at the Stockett Lane Recreation Ground;
- The 'Medical Land' for which outline permission for a 2 storey medical centre is hereby approved be transferred to the CCG (or appropriate body) at nil cost for the delivery of medical facilities (timeframe for transfer delegated to the Officers and linked to notice being received from the CCG (or appropriate body) requesting such transfer);
- In the event that the notice is not received from the CCG (or appropriate body) within a set timeframe (delegated to the Officers), the 'Medical Land' will be used for on-site public open space;
- The agreement will set out certain circumstances in which, following transfer of the 'Medical Land' to the CCG (or appropriate body), the land can be returned for use as on-site public open space (for example, if delivery of the medical facilities is not commenced or completed within a set timeframe (delegated to the Officers)). Depending on the circumstances existing at the time, it may be appropriate for the 'Medical Land' to be returned to a Council nominee. If the 'Medical Land' is returned in such circumstances, the Council will divert the off-site open space contribution referred to above to the delivery of the on-site public open space; and
- Any on-site public open space delivered in circumstances considered above is to include a Locally Equipped Area of Play (LEAP). Details of the laying out and equipping of the on-site public open space shall be submitted to and approved in writing by the Local Planning Authority,

the Head of Planning and Development be given delegated powers to grant permission subject to the conditions set out in the report with the amendment of Condition 10 (External Materials) as follows:

No development above slab level shall take place until written details and samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials. For the detailed element, materials shall include the use of ragstone on buildings and in walling as shown on the approved plans, stock bricks, and clay tiles and timber weatherboarding to the road facing elevations for houses fronting Heath Road.

Reason: To ensure a satisfactory appearance to the development.

Voting: 9 – For 3 – Against 0 – Abstentions

113. 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.

114. DURATION OF MEETING

6.00 p.m. to 8.40 p.m.