

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

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

Present: Councillor English (Chairman) and
6 July Councillors M Burton, Butler, Clark, Cox, Harwood,
2017: Munford, Powell, Prendergast, Round, Spooner,
Mrs Stockell and Vizzard

Also Councillors Adkinson, Brice, Daley, Ells, Fermor,
Present: Harper, Perry and Webb

66. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Boughton and Hemsley.

67. NOTIFICATION OF SUBSTITUTE MEMBERS

The following Substitute Members were noted:

Councillor M Burton for Councillor Hemsley
Councillor Butler for Councillor Boughton

68. NOTIFICATION OF VISITING MEMBERS

Councillors Adkinson, Daley and Harper indicated their wish to speak on the reports of the Head of Planning and Development relating to applications 16/506320 and 16/506322 (Jubilee Free School, Gatland House, Gatland Lane, Maidstone, Kent).

Councillors Fermor and Webb indicated their wish to speak on the report of the Head of Planning and Development relating to application 16/508659 (Land South of Redwall Lane, Linton, Kent).

Councillor Perry indicated his wish to speak on the report of the Head of Planning and Development relating to application 16/505598 (Cricket and Tennis Club, Frittenden Road, Staplehurst, Kent).

It was noted that Councillor Brice had indicated her wish to speak on the report of the Head of Planning and Development relating to application 16/505598 (Cricket and Tennis Club, Frittenden Road, Staplehurst, Kent), but would be late in arriving at the meeting.

Councillor Ells attended the meeting as an observer.

69. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

70. 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.

71. DISCLOSURES BY MEMBERS AND OFFICERS

With regard to the reports of the Head of Planning and Development relating to applications 16/506320 and 16/506322 (Jubilee Free School, Gatland House, Gatland Lane, Maidstone, Kent), Councillor Prendergast said that in her role as Deputy Cabinet Member for Education at Kent County Council, she had not taken part in any discussions regarding the School. She was approaching determination of the applications with an open mind, and would make up her mind on the basis of all of the evidence put before the Committee.

72. EXEMPT ITEMS

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

73. MINUTES OF THE MEETING HELD ON 15 JUNE 2017

RESOLVED: That the Minutes of the meeting held on 15 June 2017 be approved as a correct record and signed.

74. PRESENTATION OF PETITIONS

There were no petitions.

75. 16/506320 - ERECTION OF AN EXTENSION TO THE EXISTING SCHOOL BUILDING FOR EDUCATIONAL USE - JUBILEE FREE SCHOOL, GATLAND HOUSE, GATLAND LANE, 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. During his presentation, the Principal Planning Officer referred to correspondence which had been circulated earlier that day from the Head Teacher of Bower Grove School stating that the School would not enter into a formal agreement to share outdoor space, but there was potential for occasional use of its playing field.

Mr Skinner, for objectors, Mr Owen of the Save Fant Farm Group (against), Mr Fitzgerald, for the applicant, and Councillors Adkinson, Harper and Daley (Visiting Members) addressed the meeting.

Councillor Round read a statement on behalf of Councillor Boughton, Member of the Planning Committee and Ward Member, who was unable to be present at 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 proposed development, by virtue of the under-provision of hard outdoor PE and soft informal and social area play space as set out in BB103 (Area Guidelines for Mainstream Schools) would be harmful to the educational standards of future pupils in excess of a single form entry primary school. As such the proposals would be contrary to paragraph 73 of the NPPF which seeks to secure access to high quality open space, and sport and recreation space. The need for school places does not outweigh this harm.

Before the vote was taken, the Development Manager advised the Committee that the Guidelines referred to should be interpreted flexibly and he did not consider this reason to be defensible at appeal. The Development Manager then gave a costs warning on this basis.

RESOLVED: That permission be refused for the following reason:

The proposed development, by virtue of the under-provision of hard outdoor PE and soft informal and social area play space as set out in BB103 (Area Guidelines for Mainstream Schools) would be harmful to the educational standards of future pupils in excess of a single form entry primary school. As such the proposals would be contrary to paragraph 73 of the NPPF which seeks to secure access to high quality open space, and sport and recreation space. The need for school places does not outweigh this harm.

Voting: 9 – For 3 – Against 1 – Abstention

76. ITEMS ROLLED OVER TO THE ADJOURNED MEETING TO BE HELD ON 13 JULY 2017

After consideration of the report of the Head of Planning and Development relating to application 16/506320 (Jubilee Free School, Gatland House, Gatland Lane, Maidstone, Kent), the Chairman announced that, due to the number of items still to be discussed and the time available, the reports of the Head of Planning and Development relating to the following applications would be rolled over to the adjourned meeting of the Committee scheduled to be held on 13 July 2017:

17/501093 – Land West of Mill Bank, Maidstone Road, Headcorn, Kent
17/501593 – Great Oak Farm, Friday Street, East Sutton, Maidstone, Kent

77. 16/506322 - REMOVAL OF CONDITION 2 OF 14/503957 (APPLICATION FOR PERMANENT CHANGE OF USE TO A FREE SCHOOL (CLASS D1)) - THE CONDITION RESTRICTS THE NUMBER OF PUPILS TO 240 UNTIL JULY 2022 AND THEN 210 FROM SEPTEMBER 2022 ONWARDS. THE CONDITION IS THEREFORE REQUIRED TO BE REMOVED TO ACCOMMODATE AN

INCREASE IN CAPACITY IN THE EVENT THE EXTENSION OF FLOORSPACE APPLICATION IS APPROVED AT THE SUBJECT SITE - JUBILEE FREE SCHOOL, GATLAND HOUSE, GATLAND LANE, MAIDSTONE, KENT

All Members stated that they had been lobbied.

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

Mr Owen of the Save Fant Farm Group, Mr Fitzgerald, for the applicant, and Councillors Adkinson and Harper (Visiting Members) addressed the meeting.

Contrary to the recommendation of the Head of Planning and Development, but mindful of the earlier decision to refuse application 16/506320, the Committee agreed to refuse permission. In making this decision, Members felt that by virtue of the lack of classroom floorspace to accommodate the additional pupil numbers over that of a single form entry school, Condition 2 would remain necessary to retain a good standard of accommodation. On that basis it was not considered appropriate or justified to remove Condition 2.

RESOLVED: That permission be refused for the following reason:

By virtue of the lack of classroom floorspace to accommodate the additional pupil numbers over that of a single form entry school, Condition 2 would remain necessary to retain a good standard of accommodation. On that basis it is not considered appropriate or justified to remove Condition 2.

Voting: 12 – For 0 – Against 1 - Abstention

78. 16/508659 - DEMOLITION OF EXISTING DWELLING AND ERECTION OF B8 WAREHOUSE BUILDING WITH ANCILLARY OFFICES, DOCK LEVELLERS, ACCESS, PARKING AND LANDSCAPING INCLUDING THE CREATION OF NEW WOODLAND AND ATTENUATION POND - LAND SOUTH OF REDWALL LANE, LINTON, 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.

The Principal Planning Officer advised the Committee that he wished to further amend his recommendation by the deletion of conditions 14 and 22 and sought delegated powers to add reasons to conditions 4, 5, 7, 11 and 17.

Mr Leagas, an objector, Councillor Whitmarsh of Linton Parish Council, Councillor Thomas of Hunton Parish Council, Mr Marston, for the applicant, and Councillors Fermor and Webb (Visiting Members) addressed the meeting.

RESOLVED:

1. That subject to the prior completion of a S106 legal agreement, in such terms as the Interim Head of Legal Partnership may advise, to provide the following:
 - Measures to accelerate the implementation of a scheme to improve the capacity of Linton Crossroads including the transfer of land in the south western 'quadrant' of Linton Crossroads to the County Council as Local Highways Authority in order to secure land for a left turn lane and, secondly, a financial contribution to secure relocation and construction of a bus stop on the western arm of the Heath Road (the Head of Planning and Development be given delegated powers to secure the detail and level of the contributions);
 - A Landscape and Ecology Management Plan (LEMP) and long term management of the ecology/landscape areas including details of mitigation and enhancements;
 - Monitoring and management of traffic within the vicinity of the site including that to the west of the site access on Redwall Lane;
 - A financial contribution towards suitable mitigation measures to combat any significant adverse traffic flow conditions as may be established by the monitoring exercise to be conducted (the Head of Planning and Development be given delegated powers to agree the financial contribution);
 - A requirement to enter into a HGV routing agreement to include identification of roads which are unsuitable for use by HGVs (these roads to be determined by the Head of Planning and Development acting under delegated powers in consultation with KCC Highways);
 - A Travel Plan and monitoring fee; the Travel Plan to encourage, where possible, the use of Euro standards low emissions vehicles to service the site (encompassing greener transport);
 - A Delivery and Monitoring Committee comprising Ward Members; representatives of Linton and Hunton Parish Councils, the developer and the Local Planning Authority; and the Chairman, Vice-Chairman and Political Group Spokespersons of the Planning Committee, to oversee quality of delivery and on-going management of the ecological enhancement areas; and
 - A financial contribution of £10,000 towards the setting up and running costs of the Delivery and Monitoring Committee;

the Head of Planning and Development be given delegated powers to grant permission subject to the conditions set out in the report, as amended by the urgent update report and by the Principal Planning

Officer at the meeting (the Head of Planning and Development be given delegated powers to finalise the reasons for conditions 4, 5, 7, 11 and 17).

2. That the roads identified as unsuitable pursuant to the HGV routing agreement are to be appropriately signposted as such and a mechanism, to be determined by the Head of Planning and Development acting under delegated powers in consultation with KCC Highways, should be put in place to secure delivery of the signposts within land controlled by the Highway Authority.

Voting: 9 – For 4 – Against 0 – Abstentions

Note: Councillor Munford left the meeting after consideration of this application (9.55 p.m.).

79. 17/500883 - APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE APPLICATION 15/508756/REM (APPROVAL OF RESERVED MATTERS FOR THE ERECTION OF 85 RESIDENTIAL UNITS, OPEN SPACE AND ALLOTMENTS AND ACCESS FROM PLAIN ROAD AND NAPOLEON DRIVE (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE BEING SOUGHT) PURSUANT TO OUTLINE PERMISSION MA/13/1585) (LANDSCAPING BEING SOUGHT) - LAND AT STANLEY FARM, PLAIN ROAD, MARDEN, 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 set out in the report as amended by the urgent update report.

Voting: 12 – For 0 – Against 0 - Abstentions

80. 16/507848 - DETACHED TWO-STOREY DWELLING AND PARKING AREA - GREENFIELDS, STANLEY ROAD, MARDEN, 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 set out in the report and the additional condition set out in the urgent update report.

Voting: 12 – For 0 – Against 0 - Abstentions

81. 16/506505 - CREATION OF AN ADVENTURE ZONE TO INCLUDE HIGH ROPE/WIRE CLIMBING EQUIPMENT, CLIMBING WALL, AND ADVENTURE GOLF ENCLOSED BY 2.44M HIGH FENCING WITH ASSOCIATED ANCILLARIES INCLUDING A KIOSK, FOOTPATHS, PLANTING AND OVERFLOW CAR PARKING - MOTE PARK RECREATION GROUND, MOTE PARK, MAIDSTONE, KENT

The Chairman and Councillors M Burton, Clark, Harwood, Powell and Round stated that they had been lobbied.

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

RESOLVED: That permission be granted subject to the conditions and informatives set out in the report, as amended by the urgent update reports, and the additional condition set out in the first urgent update report.

Voting: 12 – For 0 – Against 0 - Abstentions

82. 16/505598 - ERECTION OF A PAIR OF THREE BEDROOM SEMI-DETACHED DWELLINGS - CRICKET AND TENNIS CLUB, FRITTENDEN ROAD, STAPLEHURST, KENT

All Members stated that they had been lobbied.

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

Mr Sonnex, for the applicant, and Councillors Perry and Brice (Visiting Members) addressed the meeting.

RESOLVED: That consideration of this application be deferred until the next meeting to enable the Officers to obtain the viability information which the agent for the applicant maintained had been submitted, but was not included in the report.

Voting: 10 – For 2 – Against 0 - Abstentions

83. LONG MEETING

Prior to 10.30 p.m., during consideration of the report of the Head of Planning and Development relating to application 16/505598, the Committee:

RESOLVED: That the meeting should continue until 11.00 p.m. if necessary.

84. ADJOURNMENT OF MEETING

Following consideration of the report of the Head of Planning and Development relating to application 16/505598, the Committee:

RESOLVED: That the meeting be adjourned until 6.00 p.m. on 13 July 2017 when the remaining items on the agenda will be discussed.

85. DURATION OF MEETING

6.00 p.m. to 10.45 p.m.