

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON THURSDAY 8 MARCH 2012

Present: Councillor Lusty (Chairman), and
Councillors Ash, Chittenden, Collins, Cox, English,
Garland, Harwood, Hinder, Nelson-Gracie, Newton,
Paine and Paterson

Also Present: Councillors Hotson, D Mortimer, Naghi and
Mrs Parvin

292. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs Robertson.

293. NOTIFICATION OF SUBSTITUTE MEMBERS

The following substitutions were noted;-

Councillor Chittenden for Councillor Mrs Robertson
Councillor Garland for Councillor J A Wilson.

294. NOTIFICATION OF VISITING MEMBERS

There were no visiting members.

295. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

296. URGENT ITEMS

Update Report

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

297. DISCLOSURES BY MEMBERS AND OFFICERS

1. Councillor Ash disclosed a personal interest in the report of the Head of Planning relating to application MA/11/0679. He stated that he knew Mr Norton, who had registered to speak on behalf of the applicant, as he was a former Chairman of the Bearsted branch of the Faversham and Mid Kent Conservative Association. He would leave the meeting when the application was discussed.

2. Councillor Chittenden stated that since he had predetermined applications MA/11/1659 and MA/12/0128, he would speak but not vote when they were discussed.
3. Councillor Cox stated that he was a resident of Grecian Street but did not have an interest or had not pre-determined the application and therefore intended to speak and vote when it was considered.
4. With regard to the report of the Head of Planning relating to application MA/11/0679, Councillor Paine stated that he was working with local residents on spatial planning issues and had assisted them in their discussions on the proposed development. However, since he had prefaced his involvement by making it clear he should not predetermine or express an opinion in advance of the Planning Committee Meeting, he intended to speak and vote when the application was discussed.
5. Councillor Paine disclosed a personal interest in the report of the Head of Planning relating to application MA/11/1371. He stated that he raised money for Maidstone United Football Club and that he intended to speak and vote on the application when it was considered.
6. Councillor Paine disclosed a prejudicial interest in the report of the Head of Planning relating to application MA/12/0023 and left the meeting when the application was discussed.

298. EXEMPT ITEMS

RESOLVED: That the item on Part II of the agenda be taken in private as proposed.

299. MINUTES OF THE MEETING HELD ON 16 FEBRUARY 2012

RESOLVED: That the minutes of the meeting held on 16 February 2012 be approved as a correct record and signed.

300. PRESENTATION OF PETITIONS (IF ANY)

There were none.

301. MA 11 2001 - LAND EAST OF SOUTH STREET ROAD, STOCKBURY

All Members of the Committee stated that they had been lobbied.

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

Mr Cullen, an objector, Councillor Porter, of Stockbury Parish Council and Mrs Thompson for the applicant and Councillor Mrs Parvin addressed the meeting.

RESOLVED: (i) That subject to the prior completion of a S106 agreement in such terms as the Head of Legal Services may advise confirming:

- a) The development as 100% affordable housing;
- b) The occupation of the development by persons meeting local connections criteria;

the Head of Planning be given delegated authority to grant permission subject to the conditions and informatives set out in the report as amended by the urgent update report and that any landscaping and boundary schemes submitted as part of the conditions being considered by the Chairman and Political Group Spokesmen of the Committee.

Voting: 5 – For 5 – Against 2 – Abstentions

Permission granted on casting vote of the Chairman.

(Councillor Garland, acting as a substitute for Councillor J A Wilson, did not arrive until this item had been concluded).

302. MA 11 1659 - GARAGES REAR OF 48 GRECIAN STREET, MAIDSTONE

All Members of the Committee, with the exception of Councillor Garland, stated that they had been lobbied.

Councillor Chittenden had disclosed that he had pre-determined the application, spoke but did not vote on the application.

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

Mrs Grainger, an objector, and Mr Barnes for the applicant, and Councillor Naghi addressed the meeting.

RESOLVED: That permission be refused for the following reasons:-

1. The development, by virtue of its scale, length of terrace and proximity to the boundary, would have an adverse impact upon the outlook from properties in Waterlow Road and have a detrimental impact on residential amenity of the occupiers, contrary to policies BE1 and H5 of the South East Plan 2009 and the advice given in PPS1 and PPS3.
2. The design of the proposal, in particular its layout, provides substandard living conditions for future occupiers, in particular the size of the outdoor amenity space, contrary to policies BE1 and H5 of the South East Plan 2009 and the advice given in PPS1 and PPS3.

Voting: 11 – For 0 – Against 1 – Abstentions

303. MA 10 0157 - LAND EAST OF MAPLEHURST LANE, FRITTENDEN ROAD, STAPLEHURST, TONBRIDGE

All Members of the Committee stated that they had been lobbied.

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

Mr Golding, an objector, Councillor Perry, of Staplehurst Parish Council, Mr Lewis for the applicant, and Councillor Hotson addressed the meeting.

RESOLVED: That the consideration of the application be deferred to enable officers to liaise with the applicant to regularise the site in terms of receiving an application that causes the least damage to the countryside, and that Ward Councillors and one representative from Staplehurst Parish Council be involved in the discussion.

Voting: 12 – For 1 – Against 0 – Abstentions

304. MA 11 1371 - LAND AT JAMES WHATMAN WAY, MAIDSTONE

Councillor Harwood stated that he had been lobbied.

The Committee considered the report of the Head of Planning.

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

Voting: 11 – For 0 – Against 2 – Abstentions

305. MA 12 0128 - 85 BOUGHTON LANE, MAIDSTONE

All Members of the Committee stated that they had been lobbied.

Councillor Chittenden had disclosed that he had pre-determined the application and spoke but did not vote on the application.

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

Mr Clark, an objector, and Mr Moore of the North Loose Residents Association, addressed the meeting.

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

Voting: 10 – For 0 – Against 2 – Abstentions

306. MA 11 0679 - LAND REAR OF 125 TONBRIDGE ROAD, MAIDSTONE

All Members of the Committee stated that they had been lobbied.

Having disclosed a prejudicial interest, Councillor Ash left the meeting whilst this application was discussed.

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

Mr Wadey, an objector, and Mr Norton for the applicant, addressed the meeting.

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

Voting: 12 – For 0 – Against 0 – Abstentions

(Councillor English left the meeting after this item and did not return)

307. MA 11 1187 - THE OLD COACH HOUSE, SPENNY LANE, YALDING

The Committee considered the report of the Head of Planning.

Mr Chapman, the applicant, addressed the meeting.

RESOLVED: That the Head of Planning be given delegated authority to grant permission be granted subject to the conditions set out in the report with additional investigation into the length of stay stated in condition 3, including obtaining evidence from the applicant regarding the length of educational courses likely to be the reason for stay.

Voting: 11 – For 0 – Against 1 - Abstentions

308. MA 12 0023 - 34 HIGH STREET, MAIDSTONE

Having disclosed a prejudicial interest, Councillor Paine left the meeting whilst this application was discussed.

The Committee considered the report of the Head of Planning.

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

Voting: 11 – For 0 – Against 0 – Abstentions

309. MA 11 1802 - MOTE PARK, WILLOW WAY, MAIDSTONE

All Members of the Committee stated that they had been lobbied.

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

RESOLVED: That permission be granted subject to the conditions

set out in the reports as amended by the urgent update report adding an informative.

Voting: 11 – For 0 – Against 1 – Abstentions

310. REPORT OF THE HEAD OF PLANNING - APPEAL DECISIONS

The Committee considered the report of the Head of Planning setting out details of appeal decisions received since the last meeting.

RESOLVED: That the report be noted and that the Officers be congratulated on the success rate on appeals.

311. CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded the committee that there was a Members Workshop on the Core Strategy on 21 March. He also informed the Committee that the Council had received an excellent Homes Bonus Grant.

312. UPDATE ON MATTERS REFERRED TO THE LEADER OF THE COUNCIL AND CABINET MEMBERS FOR ENVIRONMENT/ECONOMIC DEVELOPMENT AND TRANSPORT

It was noted that there was nothing to report at present.

313. DURATION OF MEETING

6.00pm to 9.51pm.