

MAIDSTONE BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON 1 FEBRUARY 2018 **ADJOURNED TO 8 FEBRUARY 2018**

Present: **Councillor English (Chairman) and Councillors Boughton, Clark, Cox, Harwood, B Mortimer, Perry, Powell, Prendergast, Spooner and Vizzard**
1 February
2018

Also **Councillors Adkinson, Field, Hastie, D Mortimer, Newton and J Sams**
Present:

374. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillors Munford, Round and Mrs Stockell.

375. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Perry was substituting for Councillor Mrs Stockell.

376. NOTIFICATION OF VISITING MEMBERS

Councillor Adkinson indicated his wish to speak on the report of the Head of Planning and Development relating to application 17/504279 (Land adjacent to 1 Glebe Lane, Maidstone, Kent).

Councillors Field and Hastie indicated their wish to speak on the report of the Head of Planning and Development relating to application 17/502432 (Springfield Mill, Sandling Road, Maidstone, Kent).

Councillor D Mortimer indicated his wish to speak on the report of the Head of Planning and Development relating to application 17/503237 (J B Garage Doors, Straw Mill Hill, Tovil, Maidstone, Kent).

Councillor Newton indicated his wish to speak on the report of the Head of Planning and Development relating to application 16/506349 (Bearsted Football Club, Honey Lane, Otham, Kent).

Councillor J Sams indicated her wish to speak on the reports of the Head of Planning and Development relating to applications 17/503919 (The Bow Window Hair Designers, The Square, Lenham, Kent) and 17/504435 (The Mellows, Marley Road, Harrietsham, Kent).

It was noted that Councillor Brice intended to speak on the report of the Head of Planning and Development relating to application 17/505937 (Land to the South of The Gables, Marden Road, Staplehurst, Kent), but

would be late in arriving at the meeting. In the event, Councillor Brice was not present at the meeting.

377. ITEMS WITHDRAWN FROM THE AGENDA

There were none.

378. 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.

379. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures of interest at this stage. However, during consideration of the report of the Head of Planning and Development relating to application 17/504435 (The Mellows, Marley Road, Harrietsham, Kent), Councillor Powell stated that he was a Member of Harrietsham Parish Council, but he had not participated in the Parish Council's discussions regarding the proposed development, and intended to speak and vote.

380. EXEMPT ITEMS

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

381. MINUTES OF THE MEETING HELD ON 11 JANUARY 2018

RESOLVED: That the Minutes of the meeting held on 11 January 2018 be approved as a correct record and signed.

382. PRESENTATION OF PETITIONS

There were no petitions.

383. DEFERRED ITEM

17/503291 – ERECTION OF 6 NO. LIGHTWEIGHT COMMERCIAL/INDUSTRIAL UNITS - THE PACKHOUSE, QUEEN STREET, PADDOCK WOOD, TONBRIDGE, KENT

The Development Manager said that he had nothing further to report in respect of this application at present.

384. 17/502432 - FULL PLANNING APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS AND DEVELOPMENT OF 295 RESIDENTIAL UNITS (USE CLASS C3), INCLUDING 218 X 1-2 BED APARTMENTS AND 77 X 2-4 BED HOUSES, INCLUDING ASSOCIATED CAR PARKING, PUBLIC REALM AND LANDSCAPING WORKS, GRADE II LISTED RAG ROOM TO BE

PRESERVED AND RE-USED FOR COMMUNITY (D1), OFFICE (B1) OR RESIDENTIAL (C3) USE - SPRINGFIELD MILL, SANDLING ROAD, MAIDSTONE, KENT

All Members except Councillors B Mortimer, Powell and Spooner 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 apologised to the Committee as the second page of the urgent update report had been inadvertently omitted from the pack circulated at the meeting. He explained that as set out on this page:

A minor amendment to part (j) of condition 17 (LEMP) was proposed to enhance biodiversity as follows:

- j) Enhancements including bird and bat boxes, and swift bricks ***integral to buildings***.

An additional condition was required to secure implementation/protection of the landscaping.

The last point at the 'Summary of Reasons for Recommendation' on the opening page of the report (Page 28) and paragraph 7.02 should read as follows (as per the discussion at paragraphs 6.42-6.43):

- A lower level of **affordable rental** ~~shared ownership~~ properties than targeted by policy SP20 and lower provision of public open space are not considered grounds to refuse the application.

Ms Henn-Mcrae, on behalf of the Ringlestone Community Centre Development Group and the Ringlestone Community Association, Mr Hardware, for the applicant, and Councillors Hastie and Field (Visiting Members) addressed the meeting.

RESOLVED: That subject to:

- (a) The prior completion of a legal agreement to provide for the Heads of Terms set out in the report and the additional Heads of Terms set out in the urgent update report, with the removal of Head of Terms no. 11; AND
- (b) The conditions set out in the report, as amended by the urgent update report, and the additional condition set out in the urgent update report, with the addition of a bullet point to condition 22 (Materials) to include the use of timber weatherboarding on some of the dwellings,

the Head of Planning and Development be given delegated powers to grant permission and to be able to settle or amend any necessary Heads

of Terms and conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

Voting: 5 – For 2 – Against 2 – Abstentions

Note: Councillors Powell and Spooner entered the meeting whilst this application was being introduced by the Principal Planning Officer, and did not participate in the discussion or the voting.

385. 17/505499 - APPROVAL OF RESERVED MATTERS FOLLOWING 15/503325/HYBRID (OUTLINE APPLICATION FOR DEVELOPMENT OF UP TO 220 HOUSES TOGETHER WITH AREAS OF OPEN SPACE, A NATURE CONSERVATION AREA, LANDSCAPING, NEW ACCESS ONTO ULCOMBE ROAD AND IMPROVED ACCESS TO KINGS ROAD (ACCESS BEING SOUGHT) PLUS CHANGE OF USE OF LAND TO SCHOOL PLAYING FIELD - HYBRID APPLICATION (RESUBMISSION OF APPLICATION 14/505284/OUT)) - APPEARANCE, LANDSCAPING, LAYOUT AND SCALE BEING SOUGHT - LAND BETWEEN MILL BANK, ULCOMBE ROAD & KINGS ROAD, HEADCORN, KENT

The Chairman and Councillors Perry and Prendergast 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 the reserved matters details be approved subject to the conditions set out in the report.

Voting: 9 – For 0 – Against 2 – Abstentions

386. 16/506349 - VARIATION OF CONDITION APPLICATION IN RELATION TO INSTALLATION OF 6NO. FLOODLIGHTING COLUMNS REF. MA/09/1616 (ALLOWED ON APPEAL) WITH AMENDMENT TO CONDITION 3) THE FLOODLIGHTING SHALL NOT BE USED BETWEEN 1ST MAY AND 31ST AUGUST IN ANY CALENDAR YEAR; AND CONDITION 4) THE FLOODLIGHTING SHALL NOT BE USED OUTSIDE THE HOURS OF 15:00-22:30 ON TUESDAYS, WEDNESDAYS AND THURSDAYS, 15:00-21:30 ON SATURDAYS AND NOT AT ALL ON ANY OTHER DAY OF THE WEEK - BEARSTED FOOTBALL CLUB, HONEY LANE, OTHAM, KENT

Councillor Boughton stated that he had been lobbied.

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

Councillor Hipkins of Otham Parish Council, Mr Scannell, for the applicant, and Councillor Newton (Visiting Member) addressed the meeting.

RESOLVED: That permission be granted subject to the conditions set out in the report with the amendment of condition 3 (Hours of use) as follows:

The floodlighting hereby approved shall not be used outside the hours of 15.00 – 21.30 on Tuesdays, Wednesdays, Thursdays and Saturdays and not at all on any other day of the week. For no more than four matches each year (and only in connection with competitions registered with the Football Association or Kent County Football Association, where kick off is at 19.45 or later), the floodlighting can be used for an additional hour until 22.30 on Tuesdays, Wednesdays and Thursdays only.

Reason: In the interests of neighbouring amenity.

Voting: 8 – For 2 – Against 1 – Abstention

387. 17/505937 - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF TWO DETACHED DWELLINGS AND REPLACEMENT STORAGE BUILDING - LAND TO THE SOUTH OF THE GABLES, MARDEN ROAD, STAPLEHURST, 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.

Dr Bradbury, an objector, Councillor Burnham of Staplehurst Parish Council, and Mr Hudson, for the applicant, addressed the meeting.

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

Voting: 6 – For 2 – Against 3 – Abstentions

388. 17/504279 - DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF TWO STOREY DWELLING WITH PARKING - LAND ADJACENT TO 1 GLEBE LANE, MAIDSTONE, KENT

The Chairman and Councillors Prendergast and Spooner stated that they had been lobbied.

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

Mr Barrett, an objector, and Councillor Adkinson (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, by virtue of its proximity to site boundaries and lack of boundary landscaping would result in a visually incongruous built form harmful to the character and appearance of the surrounding area contrary to policies SP1 and DM1 of the Maidstone Borough Local Plan and the NPPF 2012.

RESOLVED: That permission be refused for the following reason:

The proposal, by virtue of its proximity to site boundaries and lack of boundary landscaping would result in a visually incongruous built form harmful to the character and appearance of the surrounding area contrary to policies SP1 and DM1 of the Maidstone Borough Local Plan and the NPPF 2012.

Voting: 6 – For 2 – Against 3 – Abstentions

389. 17/504435 - ERECTION OF A DAYROOM - THE MELLOWS, MARLEY ROAD, HARRIETSHAM, KENT

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

Mr Lord, an objector, Councillor Dean of Harrietsham Parish Council, and Councillor J Sams (Visiting Member) addressed the meeting.

RESOLVED: That permission be granted subject to the conditions set out in the report with (a) the amendment of condition 2 (Materials) and (b) additional landscaping and landscaping implementation conditions as follows:

Condition 2 (Materials) (amended)

The development hereby approved shall not commence above slab level until written details and samples of the materials to be used in the construction of the external surfaces of the building 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.

Reason: To ensure a satisfactory appearance to the development.

Additional Conditions

No development shall commence 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, provide details of on-site replacement planting to mitigate any loss of amenity and biodiversity value together with the location of any habitat piles, and include a planting specification, a programme of implementation and a 5 year management plan. The landscape scheme shall specifically address the need to provide hedging (native species) to screen the boundaries and protect the surrounding AONB.

Reason: In the interests of landscape, visual impact and amenity of the area in the AONB and to ensure a satisfactory appearance to the development. In addition, previous landscaping requirements have not been adhered to and, in this instance, due to the prominent location in the

AONB the Council acknowledges the need for the day room however considers it essential that no development commences until such time as the landscaping scheme is implemented.

No development shall commence until all planting, seeding and turfing specified in the approved landscape details has been completed. All such landscaping shall be carried out during the first planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of the day room, 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 AONB, and to ensure a satisfactory appearance to the development. In addition, previous landscaping requirements have not been adhered to and, in this instance, due to the prominent location in the AONB the Council acknowledges the need for the day room however considers it essential that no development commences until such time as the landscaping scheme is implemented.

Voting: 6 – For 5 – Against 0 – Abstentions

390. 17/503237 - OUTLINE APPLICATION (SOME MATTERS RESERVED) FOR DEMOLITION OF EXISTING BUILDINGS, AND CESSATION OF COMMERCIAL USE ON SITE; ERECTION OF RESIDENTIAL DEVELOPMENT PROVIDING 18 NO UNITS, OF WHICH 12 X 1 BED AND 6 X 2 BED. PROVISION OF 16 PARKING SPACES/2 DISABLED SPACES AND 4 VISITOR SPACES. ACCESS, LAYOUT AND SCALE BEING SOUGHT - J B GARAGE DOORS, STRAW MILL HILL, TOVIL, MAIDSTONE, KENT

Councillor Clark stated that he had been lobbied.

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

Mr McKay, for the applicant, and Councillor D Mortimer (Visiting Member) addressed the meeting.

RESOLVED: That consideration of this application be deferred to:

- Investigate the scope for improved pedestrian links from the site entrance to existing footways;
- Seek the advice of Kent Highway Services on the cumulative impact of new development in the area on the highway network;
- Enable a representative of Kent Highway Services to be in attendance when the application is discussed;

- Review the density, design and layout of the scheme having regard to the topography, setting and history of the site and seek to secure the provision of structural landscaping; and
- Discuss with the Council's Parks and Open Spaces Team whether the proposed Open Space Contribution might be spent at other sites within the immediate area subject to CIL compliance checks.

Voting: 11 – For 0 – Against 0 – Abstentions

391. LONG MEETING

Prior to 10.30 p.m., during consideration of the report of the Head of Planning and Development relating to application 17/503237 (J B Garage Doors, Straw Mill Hill, Tovil, Maidstone, Kent), the Committee:

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

The Chairman announced that, due to the limited time available, the report of the Head of Planning and Development relating to application 17/503919 (The Bow Window Hair Designers, The Square, Lenham, Kent) would be rolled over to the adjourned meeting of the Committee scheduled to be held on 8 February 2018.

392. ADJOURNMENT OF MEETING

Following consideration of the report of the Head of Planning and Development relating to application 17/503237 (J B Garage Doors, Straw Mill Hill, Tovil, Maidstone, Kent), the Committee:

RESOLVED: That the meeting be adjourned until 6.00 p.m. on 8 February 2018 when the remaining items on the agenda will be discussed.

393. DURATION OF MEETING

6.00 p.m. to 10.35 p.m.