

## **MAIDSTONE BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON 27 SEPTEMBER 2018**

**Present:** Councillor English (Chairman) and Councillors Adkinson, Bartlett, Boughton, Hastie, Kimmance, Munford, Parfitt-Reid, Perry, Round, Spooner, Vizzard and Wilby

**Also Present:** Councillors Brice and Mrs Robertson

#### 142. APOLOGIES FOR ABSENCE

It was noted that apologies for absence had been received from Councillor Harwood.

#### 143. NOTIFICATION OF SUBSTITUTE MEMBERS

It was noted that Councillor Hastie was substituting for Councillor Harwood.

#### 144. NOTIFICATION OF VISITING MEMBERS

Councillor Mrs Robertson indicated her wish to speak on the report of the Head of Planning and Development relating to application 18/501745/REM (Land to the East of Hermitage Lane, Maidstone, Kent).

It was noted that Councillor Brice had indicated her wish to speak on the reports of the Head of Planning and Development relating to applications 18/501928/FULL (Holman House, Station Road, Staplehurst, Kent) and 18/502553/FULL (Land to the South of The Gables, Marden Road, Staplehurst, Kent), and was on her way to the meeting.

#### 145. ITEMS WITHDRAWN FROM THE AGENDA

17/504579/OUT - OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF 8 NO. DWELLING HOUSES WITH ACCESS, LAYOUT AND SCALE TO BE CONSIDERED AT THIS STAGE AND ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION - DURRANTS FARM, WEST STREET, HUNTON, KENT

The Chairman sought the agreement of the Committee to the withdrawal of application 17/504579/OUT from the agenda to enable issues relating to affordable housing provision to be addressed.

**RESOLVED:** That agreement be given to the withdrawal of application 17/504579/OUT from the agenda.

146. 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 because they contained further information relating to the applications to be considered at the meeting.

147. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

148. EXEMPT ITEMS

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

149. MINUTES OF THE MEETING HELD ON 6 SEPTEMBER 2018

**RESOLVED:** That the Minutes of the meeting held on 6 September 2018 be approved as a correct record and signed.

150. PRESENTATION OF PETITIONS

There were no petitions.

151. DEFERRED ITEMS

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.

18/501312 - PROVISION OF A CONTROLLED ATMOSPHERE STORE, CONCRETE HARDSTANDING, IRRIGATION LAGOON AND ASSOCIATED ENGINEERING OPERATIONS (INCLUDING LAND RAISING/EARTHWORKS) AND THE UPGRADING OF AN EXISTING TRACK AND ACCESS - SWANTON FARM, BICKNOR ROAD, BICKNOR, KENT

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

152. 17/500357 - HYBRID PLANNING APPLICATION COMPRISING: FULL APPLICATION FOR THE ERECTION OF 48 DWELLINGS AND ASSOCIATED INFRASTRUCTURE, LANDSCAPING AND OPEN SPACE; AND OUTLINE APPLICATION FOR THE ERECTION OF 102 DWELLINGS (ACCESS, LAYOUT AND LANDSCAPING SOUGHT) - LAND NORTH OF OLD ASHFORD ROAD, LENHAM, KENT

All Members except Councillors Boughton, Hastie and Spooner stated that they had been lobbied.

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

Mr McCreery addressed the meeting on behalf of Lenham Parish Council which had withdrawn its objections to the proposed development having considered the applicant's response to the reasons for deferral of the application by the Planning Committee and the Officers' revised recommendations.

**RESOLVED:**

1. That in the event that the decision notice is issued prior to 1 October 2018:

Subject to:

- (a) The prior completion of a legal agreement in such terms as the Head of Legal Partnership may advise to secure the following:
  1. £3,324 per applicable house and £831 per applicable flat towards Phase 1 of Harrietsham Primary School expansion;
  2. £4,635.22 towards installation of conversation and adult lip reading classes in the Village Hall;
  3. £1,281.28 towards Lenham Youth Service enhancement of mobile unit and equipment;
  4. £21,844.10 towards Lenham Library enhanced library services including additional stock;
  5. £9,597.56 towards provision of automatic doors for disabled access to Lenham Community Centre;
  6. £142,560 towards reconfiguration, refurbishment/upgrade to the Len Valley Practice or towards provision of new premises;
  7. £164,100 to deliver improvements to the children's play facilities, sports pitch and infrastructure at Ham Lane and William Pitt Field, or in the event that this location is allocated for development under a Neighbourhood Plan/Local Plan, to deliver open space improvements at alternative public open space within the Parish that is provided under a Neighbourhood Plan/Local Plan; and
  8. 40% affordable housing (60/40 split in favour of affordable rent/shared ownership); and
- (b) The conditions set out in the report,

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

2. That in the event that the decision notice is not issued prior to 1 October 2018:

Subject to:

- (a) The prior completion of a legal agreement in such terms as the Head of Legal Partnership may advise to secure the following:
  1. 40% affordable housing (60/40 split in favour of affordable rent/shared ownership); and
  2. £164,100 to deliver improvements to the children's play facilities, sports pitch and infrastructure at Ham Lane and William Pitt Field, or in the event that this location is allocated for development under a Neighbourhood Plan/Local Plan, to deliver open space improvements at alternative public open space within the Parish that is provided under a Neighbourhood Plan/Local Plan; and
- (b) The conditions set out in the report,

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

Voting:        13 – For        0 – Against        0 – Abstentions

153. 18/501745/REM - APPROVAL OF RESERVED MATTERS FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR PHASE 4 COMPRISING 71 DWELLINGS WITH ASSOCIATED INFRASTRUCTURE, PURSUANT OF OUTLINE APPROVAL 13/1749 - LAND TO THE EAST OF HERMITAGE LANE, MAIDSTONE, KENT

All Members except Councillors Perry 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.

In presenting the report, the Principal Planning Officer advised the Committee that since the urgent update report was published on 25 September 2018, discussions had taken place with KCC Archaeology who had confirmed that they did not consider further information was needed at this stage and that condition 12 of the outline permission which required further archaeological work to be carried out on the Phase 4 site prior to commencement of development was sufficient.

Mr Tyman, an objector, Mrs Poletti of the New Allington Action Group, Mr Mendez, for the applicant, and Councillor Mrs Robertson (Visiting Member) addressed the meeting.

**RESOLVED:** That consideration of this application be deferred to:

- Examine in more detail the impact of vehicular access Options 2 and 5 through the woodland taking into account the visual impact of the works and any works necessary to meet health and safety requirements, including lighting; and
- Ask whether further renewable energy measures can be provided in this Phase of the development and whether tunnels can be provided under roads to facilitate the safe passage of wildlife.

Voting:        13 – For        0 – Against        0 – Abstentions

154. 18/502553/FULL - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF TWO DETACHED DWELLINGS AND REPLACEMENT STORAGE BUILDING (RE-SUBMISSION OF 17/505937/FULL) - LAND TO THE SOUTH OF THE GABLES, MARDEN ROAD, STAPLEHURST, KENT

All Members except Councillors Parfitt-Reid and Spooner stated that they had been lobbied.

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

Dr Bradbury, an objector, Councillor Buller of Staplehurst Parish Council, Mr Garrod, the applicant, and Councillor Brice (Visiting Member) addressed the meeting.

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

Voting:        12 – For        0 – Against        1 – Abstention

155. 18/501928/FULL - CONVERSION OF EXISTING COMMERCIAL/RESIDENTIAL BUILDING, TOGETHER WITH SINGLE STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION TO PROVIDE 7 NO. RESIDENTIAL APARTMENTS - HOLMAN HOUSE, STATION ROAD, STAPLEHURST, KENT

The Chairman and Councillors Perry, Round and Wilby stated that they had been lobbied.

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

In presenting the report the Development Manager corrected the description of the application since, as a result of negotiation, the terrace area above the rear projection had been removed from the scheme.

Ms Riva, an objector, Councillor Burnham of Staplehurst Parish Council, Mr Anthony, for the applicant, and Councillor Brice (Visiting Member) addressed the meeting.

**RESOLVED:**

1. That permission be granted subject to the conditions and informatives set out in the report with:
  - The amendment of conditions 6 (Parking/Turning Areas), 8 (Hard Landscape Works) and 13 (Landscaping) to accommodate a substantial landscape buffer to the northern boundary, extending into the site at least 2.5 metres, by relocating the access driveway and parking areas in order to soften and move cars away from that boundary; and
  - An additional condition requiring that prior to commencement of development an application be made to the statutory undertaker under S106 of the Water Industry Act 1991 requesting a connection to the public sewer.
2. That the Head of Planning and Development be given delegated powers to finalise the wording of the amended and additional conditions and to amend any other conditions as a consequence.

Voting:        6 – For        4 – Against        3 – Abstentions

Note: Councillor Hastie left the meeting after consideration of this application (8.50 p.m.).

156. 17/504579/OUT - OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF 8 NO. DWELLING HOUSES WITH ACCESS, LAYOUT AND SCALE TO BE CONSIDERED AT THIS STAGE AND ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION - DURRANTS FARM, WEST STREET, HUNTON, KENT

See Minute 145 above.

157. DRAFT LOCAL ENFORCEMENT PLAN

The Senior Enforcement Officer introduced her report setting out a new draft Local Enforcement Plan, including new Key Performance Indicators (KPIs) to drive enforcement activities. It was noted that:

- In May 2018 the Council instructed law firm Ivy Legal to undertake a review of the Enforcement Service and to draft a new Enforcement Plan, including the identification of new KPIs.
- The development of the new draft Local Enforcement Plan was informed by initial scope meetings with key stakeholders, including Enforcement Officers and Members; discussions with Members to understand key requirements and levels of actions required for

investigating breaches of planning control and the priorities associated with that action; discussions with key Officers to understand the levels of actions required for investigating breaches of planning control; appropriate benchmarking and research to inform the new policy; and recommendations around appropriate KPIs and the performance management of the emerging policy.

- The result of this work was the development of a new draft Local Enforcement Plan which is easy to follow and concise and which clearly sets out through targeting where the Council's priorities lie.

Members thanked the Development Manager and the Enforcement Team for their work in this area and congratulated the report author on the new document which was considered to be a considerable improvement on the current enforcement matrix. Members emphasised the need to ensure that the Enforcement Team remains fully resourced going forward to ensure that the proposed new KPIs can be met and that the Local Enforcement Plan can be implemented effectively. It was pointed out during the discussion that other Teams across the Council were very involved in the enforcement process and the Enforcement Team often took the lead in cross-agency working.

In response to comments by Members, the Officers confirmed that the table set out in the section of the new draft Local Enforcement Plan entitled "Initial Prioritisation of Case Types" would be amended to show that the target site visit in respect of Priority 1 cases would take place within one working day. Priority classification would be identified by a Senior Enforcement Officer in the first instance, but cases could be re-prioritised if necessary.

**RESOLVED:** That the new draft Local Enforcement Plan be noted and that the points raised in the discussion be included in the report to the Strategic Planning, Sustainability and Transportation Committee which will consider the Plan at its meeting on 9 October 2018.

#### 158. 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.

#### 159. STAFFING ISSUES

The Chairman informed the Committee that Mr Aaron Hill, Major Projects Manager, would be leaving the employment of the Council the next day. Mr Simon Rowberry would be working with the Planning Team as a Consultant until arrangements were made for a longer term appointment. Mr Matthew Crook, Conservation Officer, had also left the Council and arrangements had been made for a locum to start work the following week until a permanent appointment was made.

160. DURATION OF MEETING

6.00 p.m. to 9.15 p.m.