

TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

10 August 2005

Report of the Director of Planning & Transportation

Part 1- Public

Matters For Decision

1 PLANNING APPLICATION TM/05/608 - 5 PREMIER PARADE, AYLESFORD

Unfortunately, Councillor Geoff Rowe, who is one of the local Members, will be unable to attend the Council meeting on 10 August when this matter is to be discussed. Cllr Rowe has submitted written comments on the application which are reproduced below. He has asked that Members be made aware of these views and that they be taken into account in your deliberations.

Written comments of Cllr Geoff Rowe

"I do not support this application and would urge TMBC to turn it down.

1. TMBC prides itself in being a Champion of its Community and, by being an excellent authority, must occasionally be prepared to challenge regulations that must be regarded as detrimental to the wellbeing, or wishes, of its residents.

This application, I suggest, is the catalyst for change.

If TMBC allows this application to be successful, then in effect the precedent has been set that will allow every retail unit in our neighbourhoods to be turned into fast food takeaways. Premier Parade is identified under policy P5/23e as being suitable for providing a range of local services and retail uses to meet local needs. 50% allocated to fast food takeaways, in this location does not provide the variety that is needed for a healthy retail economy. TMBC should be encouraging variety and diversity in its retail provision. The local residents have expressed in their petition, letters and representations that it will not meet their local needs. They DO NOT WANT IT.

2. The ODPM issued a circular 03/2005 which indicates its intention that local planning authorities should be enabled to secure a satisfactory balance, in an area, of provision which will help to ensure that one type of retail use does not

predominate to the detriment of local amenity or the vitality of the area. Paragraph 31 goes on to state that Local Planning Authorities will need to treat applications on their merits with regard to the potential environmental impact.

The officers report to Area 3 Planning on 23rd June 2005 did indicate that takeaways have a potential for being a gathering place for youths and anti-social behaviour. In the ODPM document referred to above, paragraph 48 identifies that takeaways raise environmental issues, such as litter, longer opening hours, extra traffic and pedestrian activity.

All these environmental aspects have been identified in earlier submissions by members and residents. The authority now has a responsibility not to encourage provision which is likely to cause Anti Social Behaviour and, in planning, should be devising strategies and regulations which protect the communities from ASB, not those that are likely to encourage [it]. The officers' report to Area 3 (paragraph 4.3, 23rd June 2005) did identify and support this premise that the prevention of crime and enhancement of community safety are material considerations in dealing with planning applications.

I personally have two other areas of concern around this application.

3. The application is retrospective, and only came about because our officer team, through the enforcement process, identified that changes had been made to the premises, making 2 units out of 1 without approval.

4. I asked the applicant at the last meeting if he had any connection with Unit number four. He indicated that he used to be involved with Unit four but didn't any longer have any connection with it. I am led to believe that he does still have connection with Unit four. The reason for my question is that Unit four is causing concern to local residents, who have identified that illegal selling of cigarettes to local school children is going on. A constant flow of children using Unit four throughout the school day is also reported and being recorded. An investigation is underway.

Geoff Rowe
(TMBC Member for Aylesford)"

Background papers:

Contact: Neil Hewett

Nil

Steve Humphrey
Director of Planning & Transportation