

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

Wednesday, 10th December, 2014

Present: Cllr Mrs F A Kemp (Chairman), Cllr Mrs E M Holland (Vice-Chairman), Cllr Mrs J A Anderson, Cllr M A C Balfour, Cllr C Brown, Cllr M A Coffin, Cllr B J Luker, Cllr Mrs S Murray, Cllr H S Rogers, Cllr A G Sayer, Cllr Miss J L Sergison and Cllr M Taylor

Councillor O C Baldock was also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors S R J Jessel, Mrs S Luck and Miss S O Shrubsole

PART 1 - PUBLIC

AP2 14/64 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

AP2 14/65 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 29 October 2014 be approved as a correct record and signed by the Chairman.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE CONSTITUTION

AP2 14/66 DEVELOPMENT CONTROL

Decisions were taken on the following applications subject to the pre-requisites, informatives, conditions or reasons for refusal set out in the report of the Director of Planning, Housing and Environmental Health or in the variations indicated below. Any supplementary reports were tabled at the meeting.

Members of the public addressed the meeting where the required notice had been given and their comments were taken into account by the Committee when determining the application. Speakers are listed under the relevant planning application shown below.

AP2 14/67 HENRY SIMMONDS PH, 4 WROTHAM ROAD, BOROUGH GREEN

The report of the Director of Planning, Housing and Environmental Services and the Director of Central Services advised of representations received for an Article 4 Direction to be served restricting such 'permitted development' in circumstances where the Secretary of State, or the appropriate Local Planning Authority, considered it expedient that development should not be carried out unless permission was granted for it on application.

In accordance with Council Procedure Rule 11.1 of the Constitution Councillor Taylor proposed the suspension of committee procedure rules to allow public speaking, particularly a representative of Wrotham Parish Council. This proposal was seconded by Councillor Sayer and it was:

RESOLVED: That public speaking on behalf of Wrotham Parish Council and the applicant's agent for application TM/14/03560 (later on the agenda), be allowed.

Careful consideration was given to the merits of an Article 4 Direction against the tests set out in the Town and Country Planning (General Permitted Development Order) 1995 as amended (TCPGPD0) and also in the context of prevailing planning policy and other material planning considerations. Given these considerations it was the opinion of Officers that the permitted development rights should not be restricted as to do so would be against national statute as expressed in the TCPGPD0 and contrary to the prevailing policy position. There were no overriding matters that weighed significantly against those considerations.

It was also confirmed that the public house had not been added to the register of Assets of Community Value.

RESOLVED: That the Borough Council should not seek to restrict the permitted development rights granted in respect of the change of use of the existing Henry Simmonds Public House to retail use.

[Speakers: Mr P Gillin - Wrotham Parish Council and Mr G Morris – agent]

AP2 14/68 (A) TM/14/03560/FL AND (B) TM/14/03570/AT - THE HENRY SIMMONDS, 4 WROTHAM ROAD, BOROUGH GREEN

(A) Single storey side and rear extensions to existing building, installation of ATM, changes to elevations, installation of plant machinery and reconfiguration of access to the existing residential accommodation above at The Henry Simmonds, 4 Wrotham Road, Borough Green.

- (B) 3 no. internally illuminated fascia signs, store entrance sign, ATM surround, Totem sign (externally illuminated) and various car park/parking signage at The Henry Simmonds, 4 Wrotham Road, Borough Green.

RESOLVED: That application (A) TM/14/03560/FL be APPROVED in accordance with the submitted details, conditions, reasons and informatives set out in the main report of the Director of Planning, Housing and Environmental Health, subject to:

- (1) The amended plans list, as set out in the supplementary report of the Director of Planning, Housing and Environmental Health;

- (2) Amended condition:

4. Retail deliveries shall not take place outside the hours of 0700 to 2230 Monday to Friday, 0800 to 2100 on Saturdays and 0800 to 1900 on Sundays or Public and Bank Holidays.

Reason: To protect the aural environment of nearby dwellings.

- (3) Additional informatives:

5. The applicant is invited to consider:

- the provision of a yellow box junction on the A227
- submitting an informal agreement to not allow deliveries to coincide with school drop-off and pick-up times in term time (0800 to 0900 and 1500 to 1600)
- whether vehicle entry/exit swept paths might be better reversed
- re-positioning of ATM from road elevation/delivery swept path

RESOLVED: That application (B) TM/14/03570/AT be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health.

[Speakers: Mr P Gillin – Wrotham Parish Council, Mr R Yeoell and Mr T Wells – members of the public and Mr G Morris – agent]

AP2 14/69 TM/14/02992/FL - A TO Z GEOGRAPHERS LTD, 173 - 199 FAIRFIELD ROAD, BOROUGH GREEN

Demolition of the existing Geographers A-Z buildings on the site and for the erection of 41 residential units with associated car parking, access,

footways, associated infrastructure works, and landscaping at A To Z Geographers Ltd, 173 - 199 Fairfield Road, Borough Green.

RESOLVED: That the application be APPROVED in accordance with the submitted details set out in the report of the Director of Planning, Housing and Environmental Health, subject to:

- (1) The applicant entering into a S106 legal obligation in respect of:
 - Open space provision
 - The provision of affordable housing
 - Contribution to Kent County Council Community facilities
- (2) The conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health
- (3) Additional condition:

18. No development shall take place until a plan showing the existing levels of the site and adjoining land, proposed slab and finished ground floor levels of all buildings hereby approved and the proposed finished ground levels of the site have been submitted to and approved by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure that the development does not harm the character of the area or visual amenity of the locality.

- (4) Addition of informative:
 1. The applicant is encouraged to contact Network Rail to discuss the impact of demolition/construction traffic on use of the bridge over the railway to the south of the Fairfield Road/Wrotham Road junction.
 2. The applicant is encouraged to contact the Environmental Protection team of the Borough Council to discuss working hours and impact of piling on nearby residential properties.

[Speakers: Mr Jerrad – member of the public and Mr J Collins – agent]

AP2 14/70 (A) TM/14/02861/FL AND (B) TM/14/02877/FL - BASTED HOUSE (REYNOLDS RETREAT), HARRISON ROAD, BOROUGH GREEN

- (A) Application to vary condition 4 of planning permission TM/11/03518/FL (Proposed change of use of buildings from offices to health and fitness spa with proposed extensions and new roofs) to allow use of the bar and dining facilities to remain open until 12.30am Monday to Friday and at weekends / Bank

Holidays at Basted House ('Reynolds Retreat'), Harrison Road, Borough Green.

- (B) Retrospective application to retain infill of rear courtyard area on two floors providing kitchen, food preparation area and cold store at Basted House ('Reynolds Retreat'), Harrison Road, Borough Green.

RESOLVED: That application (A) TM/14/02861/FL be GRANTED A TEMPORARY PERMISSION in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health; subject to:

- (1) Amended condition:

3. The premises shall be used as a health and fitness spa and for no other purpose (including any other purpose in Class D2 of the Town and Country Planning (Use Classes Order) 1987 as amended, including a wedding ceremony or reception venue or other similar functions such as conferences or dances/receptions), or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.

Reason: The proposal was determined on the basis of the information provided as part of the application, having regard to the impact of the use of the highway network.

4. Until 30 June 2016, the premises shall not be open for business outside the hours of 0630 and 0030 Monday to Sundays, including Bank and Public Holidays. Thereafter the premises shall not be open for business outside the hours of 0630 and 2300 Mondays to Fridays and the hours of 0800 and 2100 on Saturdays, Sundays and Bank and Public Holidays.

Reason: To allow regard to the impact of the use on the highway network and the residential amenities of nearby local properties.

- (2) Addition of informative:

3. The applicant is invited to:

- review the adequacy of lighting at the entrance/exit gate for ALL users of the access
- consider using a 'half-barrier' with reflective panels to deter north facing exit traffic from using the link road to Harrison Road area

- consider reinforcing as double-dotted white lines the requirement of left turns out of the site direct to the Quarry Hill Road roundabout

RESOLVED: That application (B) TM/14/02877/FL be APPROVED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health.

AP2 14/71 TM/14/02465/FL - FAIRSEAT LODGE, VIGO ROAD, FAIRSEAT

Erection of a detached single storey oak framed outbuilding and open log store following recent demolition of two outbuildings and greenhouse to rear at Fairseat Lodge, Vigo Road, Fairseat.

RESOLVED: That the application be APPROVED in accordance with the submitted details, conditions, reasons and informatives set out in the report of the Director of Planning, Housing and Environmental Health.

MATTERS SUBMITTED FOR INFORMATION

AP2 14/72 IMPLEMENTATION OF PLANNING PERMISSION FOR 171 DWELLINGS AT ISLES QUARRY WEST - UPDATE REPORT

The report of the Director of Planning, Housing and Environmental Health provided an update on the implementation and monitoring of land contamination in the development at Isles Quarry West, Borough Green.

Members were advised that the technical information provided demonstrated that the work on Phase 1 had been executed in a way that was appropriate and an approval notice would be issued in the next few days.

In addition, Members noted the position regarding Phase 2 and asked to be kept up to date if any matters of importance emerged.

AP2 14/73 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.45 pm