

## **TONBRIDGE AND MALLING BOROUGH COUNCIL**

### **AREA 2 PLANNING COMMITTEE**

**Wednesday, 17th August, 2016**

**Present:** Cllr Mrs F A Kemp (Chairman), Cllr Mrs J A Anderson, Cllr Mrs S M Barker, Cllr R P Betts, Cllr Mrs S L Luck, Cllr B J Luker, Cllr P J Montague, Cllr L J O'Toole, Cllr S C Perry, Cllr H S Rogers and Cllr T B Shaw

Councillors O C Baldock, N J Heslop and M Taylor were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors S R J Jessel (Vice-Chairman), M A C Balfour, M A Coffin, Miss J L Sergison and Miss S O Shrubsole

#### **PART 1 - PUBLIC**

##### **AP2 16/44 DECLARATIONS OF INTEREST**

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

##### **AP2 16/45 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 2 Planning Committee held on 6 July 2016 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 16/46 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 16/47 TM/15/03051/FL - ST GEORGES COURT, WEST STREET, WROTHAM**

Demolition of the existing housing to be replaced with new residential flats and houses, with associated ancillary buildings, parking and amenity space: 5 apartment blocks 2-3 storeys in height consisting of 9 X 1 bed and 43 X 2 bed units; 6 X 2 bed houses and 2 X 3 bed houses with private garden amenity space at St Georges Court, West Street, Wrotham.

**RESOLVED:** That a Members' Site Inspection be arranged to fully explore and assess issues regarding the:

- Relationship with Courtyard Gardens to the East
- Relationship with Childs Way to the North
- Relationship with Goodworth Road/Mountain Close to the West
- Relationship with West Street
- Parking issues in West Street
- Context of the form and materials within the AONB and setting of the Conservation Area
- Trees
- Junction of West Street and High Street
- Location of Primary School
- Location relative to the local services

In addition, Members requested that a list of those concerns raised and highlighted by consultees and the public speakers be available at the Site Inspection for information.

[Speakers: Mr P Gillin on behalf of CPRE; Mrs C Savill, member of the public; Mr B Bell on behalf of the Courtyard Gardens Residents; and Wrotham Parish Council (Mr H Rayner)]

**AP2 16/48 TM/16/01231/FL - OAKDENE CAFE, LONDON ROAD, WROTHAM**

Demolition of existing single storey structure and associated outhouses (A3 and C3 uses) and creation of new part 2, part 3 storey mixed use complex (A3 restaurant and C1 business hotel) plus basement and surface parking spaces across 3077sqm of the site. 5360sqm to the rear of the site will be planted with native species trees as an improved nature reserve at Oakdene Café, London Road, Wrotham.

**RESOLVED:** That planning permission 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, subject to:

- (1) Referral to the National Planning Caseworker Unit as a departure from the Development Plan

(2) An updated Plans List being noted

(3) Amended Condition:

10. Prior to the first occupation of any part of the building hereby approved, the vehicular access arrangements, including changes to markings on London Road shall be fully implemented in accordance with 8120R/902 Rev B dated 17.06.16 or any approved variation thereof. Unless otherwise agreed in writing, the works shall include a ghosted right turn lane and be subject to additional signing, lining, lighting and surfacing works in accordance with Section 278 Agreement and they shall be retained as approved.

Reason: The protection of highway safety.

14. No drainage systems for the infiltration of surface water drainage into the ground are permitted from the modular attenuation tank or the underground parking drainage system, other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect pollution of controlled waters and comply with National Planning Policy Framework 2012.

(4) Additional Condition(s):

22. No development shall take place until details and results of the site specific borehole investigation have been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the underground car park does not affect ground water contamination.

23. (i) Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed without increase to on site or off site flood risk. Any discharge to the public surface water sewer shall be agreed in advance in writing with the Local Planning Authority and Southern Water.

(ii) No building hereby permitted shall be occupied until details of the implementation; maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by

the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- A timetable for its implementation
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

[Speakers: Ms J Fleming, agent]

**AP2 16/49 TM/16/01245/FL - 4 WROTHAM ROAD, BOROUGH GREEN**

Section 73 Application to vary condition 13 of TM/14/03560/FL (as varied by non-material amendment TM/16/00688/NMA) to remove the chamfer from the rear of the building, relocation of escape door, insertion of additional escape door, retention of existing covered porch, amendment to main entrance door, reduction in width and relocation of new access stairs, revised position of two car parking spaces at 4 Wrotham Road, Borough Green.

**RESOLVED:** That the application be DEFERRED to allow further negotiations with the applicant to take place.

[Speaker: Mr G Morris – applicant]

**AP2 16/50 ALLEGED UNAUTHORISED DEVELOPMENT - 16/00112/USEH - STUBBLESDOWN, LONDON ROAD, ADDINGTON**

The Director of Planning, Housing and Environmental Health reported the unauthorised change of use of land from residential to a mixed use of residential and commercial car sales at a site to the south of the A20 London Road.

It was reported that the use of the site for car sales was clearly visible from the A20 when approaching the village of Addington and was considered to have an adverse impact on the appearance of the site. Accordingly, the development was harmful to the character and visual amenity of the area and, therefore, contrary to policies CP24 of the TMBCS and policy SQ1 of the MDE DPD.

**RESOLVED:** That, following the outcome of the application seeking a Lawful Development Certificate, an Enforcement Notice BE ISSUED, to

seek the cessation of the unauthorised use, the detailed wording of which to be agreed with the Director of Central Services.

**AP2 16/51 ALLEGED UNAUTHORISED DEVELOPMENT - 15/00388/WORKM - LAND REAR OF 19-29 STATION ROAD, BOROUGH GREEN**

This item was WITHDRAWN from the agenda as the developers had made changes to the fence since the enforcement case was opened which meant it was no longer expedient to take action on visual amenity grounds.

Members were advised that Officers continued to investigate any breaches of planning control of the garden levels with regard to other amenity issues that might arise.

**AP2 16/52 ALLEGED UNAUTHORISED DEVELOPMENT - 15/00299/WORKH - THE OLD BAKERY, LONDON ROAD, ADDINGTON**

The Director of Planning, Housing and Environmental Health reported the unauthorised creation of a large area of hardstanding to the south of the property.

It was reported that the site was in the Green Belt and, therefore, Section 9 of the NPPF applied. The significant amount of engineered hard surfacing constructed and the large amounts of furniture and other products likely to be stored on this area would have a harmful effect on the openness of the site and would not preserve the openness of the Green Belt. Therefore, this was considered inappropriate development and was harmful to the character and visual amenity of the area and was contrary to policies CP2 of the TMBCS and policy SQ1 of the MDE DPD.

**RESOLVED:** That an Enforcement Notice BE ISSUED to seek the removal of the unauthorised hardstanding and the land restored to its former condition, the detailed wording of which to be agreed with the Director of Central Services.

**AP2 16/53 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.50 pm