

## TONBRIDGE AND MALLING BOROUGH COUNCIL

### AREA 2 PLANNING COMMITTEE

Wednesday, 1st March, 2017

**Present:** Cllr Mrs F A Kemp (Chairman), Cllr S R J Jessel (Vice-Chairman), Cllr Mrs J A Anderson, Cllr M A C Balfour, 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, Cllr Miss J L Sergison, Cllr T B Shaw and Cllr Miss S O Shrubsole

Councillors O C Baldock, N J Heslop, D Lettington, Mrs A S Oakley and M Taylor were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs S M Barker and M A Coffin

#### PART 1 - PUBLIC

##### **AP2 17/8 DECLARATIONS OF INTEREST**

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

However, for reasons of transparency, Councillor Mrs Luck advised the Committee that, in respect of Application TM/16/02318/FL, she owned business premises within the High Street, West Malling. As this did not represent either an Other Significant Interest or Disclosable Pecuniary Interest there was no requirement to leave the meeting.

[Subsequent to this agenda item and prior to the discussion for application TM/16/03038/FL (Rose Cottage, Bull Lane, Wrotham) Councillor Perry became aware of an Other Significant Interest (OSI) on the grounds that he knew a member of the Applicant's immediate family. He immediately withdrew from the meeting and did not participate in the debate or vote on the application.]

##### **AP2 17/9 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 2 Planning Committee held on 25 January 2017 be approved as a correct record and signed by the Chairman.

#### DECISIONS TO BE TAKEN BY THE COMMITTEE

##### **AP2 17/10 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 17/11 TM/16/01859/FL - DEVELOPMENT SITE, LONG POND WORKS, WROTHAM ROAD, BOROUGH GREEN**

Demolition of 6 industrial buildings and construction of a replacement industrial unit and a flexible change of use within Use Classes B1, B2 and B8 as well as use by Robert Body Haulage for parking and maintenance of vehicles and office use as an administrative base at Development Site, Long Pond Works, Wrotham Road Borough Green.

**RESOLVED:** That planning permission be GRANTED for the following reason:

It is considered that the overall economic benefits that would arise from the proposed development of this site amounts to a case of very special circumstances that clearly outweighs the substantial harm to the Green Belt caused by the inappropriate development and the other harm identified in accordance with the requirements set out in paragraphs 87 and 88 of the National Planning Policy Framework (2012).

Planning Permission was granted subject to the conditions set out in the report of the Director of Planning, Housing and Environmental Health and with the amendment of conditions 3, 8, 9 and 10 as follows:-

3. The premises shall be used for Class B1(b) or (c) Business use, B2, B8 or haulage (with ancillary office space for haulage in unit 1 only as hereby approved) only and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class in any statutory instrument amending, revoking and re-enacting that Order).

Reason: to protect the amenities of the neighbouring occupiers and to ensure that the development does not harm the character of the area or affect highway safety.

8. No part of the building(s) shall be occupied until the related areas shown on the submitted layout as turning and vehicle space for that part of the building have been provided, surfaced and drained. Thereafter those areas shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order

amending, revoking or re-enacting that Order) shall be carried out on the land so shown (other than the erection of a garage or garages) or in such a position as to preclude vehicular access to this reserved turning and parking space.

Reason: Development without adequate vehicle turning and parking provision is likely to lead to hazardous on-street parking.

9. There shall be no deliveries to or from the site outside the hours of 0700 to 1900 Monday to Friday or 0700 to 1300 on Saturdays. The office premises shall not be in use outside the hours of 0630 to 1930 Mondays to Fridays or 0630 to 1330 on Saturdays. There shall be no deliveries or working Sundays or Public and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity.

10. No materials, plant or other equipment of any description shall be kept or stored in the open other than in areas and to such heights as may be approved in writing beforehand by the Local Planning Authority. The access road shall be kept clear of all materials, plant or other equipment and there shall be no vehicle parking on the access road.

Reason: To avoid obstruction of vehicle parking/turning areas and to ensure the character and appearance of the development and the locality is not significantly harmed.

[Speaker: Mr J Collins – Agent]

**AP2 17/12 (A) TM/16/02318/FL AND (B) TM/16/02947/RD - BIG MOTORING WORLD, LONDON ROAD, ADDINGTON**

(A) Section 73 application to vary condition 6 (Opening hours) of Planning Permission TM/10/00938/FL (Retrospective application for the change of use of the former Venture Café building, associated land and residential land for the display and sale of motor vehicles. Demolition of the existing bungalow, garage and office building (formerly Valrosa). Erection of a two storey extension to the former Venture Café building for office use in connection with the display and sale of motor vehicles. Provision of car parking and vehicle display areas.)

(B) Details submitted in pursuant to condition 7 (Lighting) of Planning Permission TM/10/00938/FL (Retrospective application for the change of use of the former Venture Café building, associated land and residential land for the display and sale of motor vehicles. Demolition of the existing bungalow, garage and office building (formerly Valrosa). Erection of a two storey extension to the former Venture Café building for office use in connection with the display and sale of motor vehicles. Provision of car parking and vehicle display areas.) at Big Motoring World, London Road, Addington, West Malling.

**RESOLVED:** That

In respect of Application (A) TM/16/02318/FL, 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.

In respect of Application (B) TM/16/02947/RD, 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) Substitution of the plan/document list at paragraph 7.2 of the main report with that set out in the supplementary report and repeated below:

Site Layout 1101/LG/101 Car Park Lighting received 13.02.2017, Lighting PM1437/15 REV B Report received 17.02.2017, Details LIGHTING DISTRIBUTION received 29.09.2016, Details LIGHTS received 29.09.2016, Other PICTURE LIGHTING received 29.09.2016, Letter JAC/SG/11758 received 29.09.2016, Drawing DHA/11758/SK01 Lighting Strategy received 29.09.2016, Email received 04.01.2016, subject to the conditions set out in the main report and

- (2) The amendment of Conditions 5 and 6

5. The business shall not be carried on outside the hours of 08.00 to 21:30 Mondays to Fridays and 08:00 to 18.00 on Saturdays, Sundays and Bank and Public Holidays, and the site shall be vacated by all persons by 21:30 Mondays to Fridays, unless otherwise approved by the Local Planning Authority.  
Reason: In the interests of the amenity of the area.

6. Within one month of the date of this decision, the external lighting scheme including any and all modifications shall be installed and made operational in strict accordance with the Lighting Report (ref.PM1437/15 Rev B) and Lighting Strategy (Drawing No. DHA/11758/SK01) approved under planning reference TM/16/02947/RD and retained at all times thereafter unless otherwise approved by the Local Planning Authority.

Reason: To minimise harm to the visual amenity of the locality.

[Speakers: Mr M Thompson and Mr D Garrett – members of the public; Mr J Collins – Agent]

**AP2 17/13 TM/16/02592/FL - 52 HIGH STREET, WEST MALLING**

Change of use of ground floor residential unit to Class A4 (Drinking Establishment) with associated external alterations to the building and installation of an Air Conditioning unit and condenser at 52 High Street, West Malling.

**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 the addition of Informative

4. The applicant is strongly encouraged to take all reasonable steps to ensure patrons behave in an appropriate manner particularly when leaving the premises to ensure the residential neighbours do not experience any undue disturbance.

[Speakers: Mr R Selkirk – West Malling Parish Council; Mr P Trill – Architect to the Applicant]

**AP2 17/14 TM/16/03038/FL - ROSE COTTAGE, BULL LANE, WROTHAM**

Conversion of garage, loft conversion, installation of 4 No. dormer windows and installation of patio doors to west elevation of former annex to Park View House at Rose Cottage, Bull Lane, 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.

[Speakers: Mr A Garlinge – Applicant]

**AP2 17/15 ALLEGED UNAUTHORISED DEVELOPMENT 16/00350/WORKM - THE BIRCHES, SANDY LANE, ADDINGTON**

The report of the Director of Planning, Housing and Environmental Health set out details of an Alleged Unauthorised Development at The Birches, Sandy Lane, Addington.

**RESOLVED:** That an Enforcement Notice be ISSUED to seek the removal of the unauthorised extension and the infilling of the unauthorised foundations, the detailed wording of which to be agreed with the Director of Central Services.

**AP2 17/16 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 9.08 pm