

# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **AREA 1 PLANNING COMMITTEE**

### **MINUTES**

**Thursday, 22nd June, 2023**

**Present:** Cllr M A J Hood (Chair), Cllr D W King (Vice-Chair), Cllr L Athwal, Cllr K Barton, Cllr G C Bridge, Cllr J Clokey, Cllr A Cope, Cllr G B Hines, Cllr A Mehmet, Cllr R W G Oliver, Cllr B A Parry, Cllr M R Rhodes and Cllr K S Tunstall

**Virtual:** Councillors S Crisp and D Harman participated via MS Teams in accordance with Council Procedure Rule No 15.21.

An apology for absence was received from Councillor F A Hoskins.

### **PART 1 - PUBLIC**

#### **AP1 23/11 DECLARATIONS OF INTEREST**

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

#### **AP1 23/12 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 1 Planning Committee held on 30 March 2023 be approved as a correct record and signed by the Chairman.

#### **AP1 23/13 GLOSSARY AND SUPPLEMENTARY MATTERS**

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.

**DECISIONS TAKEN UNDER DELEGATED POWERS IN  
ACCORDANCE WITH PART 3 OF THE CONSTITUTION  
(RESPONSIBILITY FOR COUNCIL FUNCTIONS)**

**AP1 23/14 TM/23/00615/FL - 37 AVEBURY AVENUE, TONBRIDGE**

Two storey extension on existing building to create 2 x 2 bedroom duplex flats with roof terrace and external alterations.

**RESOLVED:** That the application be REFUSED for the following reasons:

1. The proposed development by reason of its siting, design, bulk and height would result in an unacceptable overbearing impact on the residents of 39 and 41 Avebury Avenue. The proposal therefore fails to preserve residential amenity and does not constitute high quality design contrary to policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007, Policy SQ8 of the Managing Development and Environment Development Plan Document 2010 and paragraphs 125, 130 and 185 of the National Planning Policy Framework 2021.
2. By virtue of the additional height and mass including the incongruous glass privacy balconies and contrived massing and minimal setback at top floor, the proposed development would represent poor design visually intrusive and harmful to the character and the appearance of the area in direct conflict with Policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and SQ1 of the Managing Development and Environment Development Plan Document.

[Speaker: Ms E Spain (member of the public) addressed the Committee in person]

**AP1 23/15 TM/23/00364/FL - 1A CROFT CLOSE, TONBRIDGE**

New bungalow to the rear of 15 Estridge Way (Revision to TM/20/00862/FL).

After careful consideration of the points raised by members of the public and the applicant and the submitted details and conditions set out in the report of the Director of Planning, Housing and Environmental Health, Members expressed concern in respect of the materials used for the exterior and the roof of the building and the distinctiveness of the roof was considered a harmful feature to the character of the local area and the street scene, contrary to policy CP24 of the Tonbridge and Malling Borough Core Strategy (2007), SQ1 of the Managing Development and the Environment Development Plan Document and paragraph 130 of the National Planning Policy Framework.

**RESOLVED:** That planning application be DEFERRED for a report from Legal Services on the risks arising from a decision contrary to the recommendation of the Director of Planning, Housing and Environmental Health (as set out in CPR 15.25, Part 4 (Rules) of the Constitution).

[Speakers: Mrs L Hamilton (member of the public) made a verbal statement; due to technical difficulties a written statement was read out on behalf of Mr N Coomber (member of the public); Mr S King (applicant) addressed the Committee via MS Teams]

### **MATTERS FOR INFORMATION**

#### **AP1 23/16 PLANNING APPEALS, PUBLIC INQUIRIES AND HEARINGS**

The report setting out updates in respect of planning appeals, public inquiries and hearings held since the last meeting of the Planning Committee was received and noted.

#### **AP1 23/17 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.37 pm