

## TONBRIDGE AND MALLING BOROUGH COUNCIL

### AREA 3 PLANNING COMMITTEE

Thursday, 23rd April, 2015

**Present:** Cllr A K Sullivan (Chairman), Cllr R W Dalton (Vice-Chairman), Cllr J Atkins, Cllr J A L Balcombe, Cllr T Bishop, Cllr Mrs B A Brown, Cllr D Keeley, Cllr S M King, Cllr Miss A Moloney, Cllr Mrs A S Oakley, Cllr M Parry-Waller, Cllr Mrs E A Simpson, Cllr D W Smith, Cllr R Taylor and Cllr Mrs C J Woodger

Councillor Mrs S Murray was also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors Mrs J M Bellamy, D A S Davis, Mrs C M Gale and P J Homewood

#### PART 1 - PUBLIC

##### **AP3 15/23 DECLARATIONS OF INTEREST**

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

##### **AP3 15/24 MINUTES**

**RESOLVED:** That, subject to the amendment of Minute AP3 15/10 by the deletion of the words 'on occasion used the facilities and looked after the owner's horses' and the insertion of 'had previous dealings with the applicant regarding the security of the site', the Minutes of the meeting of the Area 3 Planning Committee held on 19 March 2015 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

##### **AP3 15/25 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.

**AP3 15/26 TM/14/02831/FL - 206 BIRLING ROAD, SNODLAND**

Demolition of existing and erection of one detached house and four detached bungalows and associated parking provision at 206 Birling Road, Snodland

**RESOLVED:** That the application be REFUSED for the following reason:-

1. The proposed development by virtue of the number of dwellings proposed and their close proximity to the site boundaries when combined with the constrained nature of the site arising from changing land levels and the relationship with the surrounding residential properties would amount to an overdevelopment of the site, resulting in an overbearing form of development which would be harmful to the residential amenities of the surrounding neighbours. As such, the proposal is contrary to the requirements of paragraph 58 of the National Planning Policy Framework 2012, policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment DPD 2010.

[Speakers: Miss Z Killackey (on behalf of Mr and Mrs Killackey), Mr P Hickmott, Mr D Atkinson, Mrs J Ayers, Mr P Morrish and Mrs W Gaskill – members of the public]

**AP3 15/27 TM/14/04275/FL - 22 HERON ROAD, LARKFIELD**

Erection of a two storey attached dwelling at 22 Heron Road, Larkfield

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

(1) The amendment of condition 4 to read:

4. Prior to the first occupation of the development hereby permitted a scheme of landscaping and boundary treatment which shall include the retention of the existing hedge to the northern and western sides of the site and the omission of the front boundary wall shown on plan number 1140.12 rev.A shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar

structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: To ensure that the development does not harm the character of the locality.

(2) The addition of condition

5. The garage and parking space outlined in blue on plan number 1140.01 A shall be retained at all times for the parking of private vehicles.

Reason: To ensure no adverse impact upon highway safety resulting from potentially hazardous on-street parking.

(3) The amendment of Informative 2 to read:

2. During the construction phase, the hours of noisy working likely to affect nearby properties (including deliveries) should be restricted to Monday – Friday 07:30 hours – 18:30 hours, Saturday 08:00 – 13:00 hours with no such work on Sundays or Public or Bank Holidays; and

(4) The addition of Informative

6. In connection with Condition 4, the applicant is reminded that the wall indicated within the site frontage shown on plan number 1140.12 rev.A should not be carried forward as part of the landscaping scheme and that any landscaping scheme which identifies such a wall will not be considered favourably.

**AP3 15/28 TM/14/02480/FL - 340 WATERINGBURY ROAD, EAST MALLING**

Retention of two garden sheds and pergola at 340 Wateringbury Road, East Malling

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

**AP3 15/29 TM/15/00273/FL - 342 WATERINGBURY ROAD, EAST MALLING**

Retention of existing single storey garden room at 342 Wateringbury Road, East Malling

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

**AP3 15/30 TM/14/03017/FL - 354 WATERINGBURY ROAD, EAST MALLING**

Two detached single storey outbuildings to provide a home gymnasium and a garden store, an ornamental pond and garden pergolas at 354 Wateringbury Road, East Malling

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

[Speakers: Mr A Tregar (on behalf of Mr C Mills), Dr Geert Struyven and Mr J Jordan – members of the public; and Mr T Binger – Applicant]

**AP3 15/31 ALLEGED UNAUTHORISED DEVELOPMENT 15/00131/WORKH - INVICTA WORKS, MILL STREET, EAST MALLING**

The report set out details of unauthorised works undertaken to erect a brick wall to the south eastern boundary of a converted oast building and the construction of 1.8 metre fences around the southern and eastern boundaries.

**RESOLVED:** That an Enforcement Notice be issued to seek the removal of the unauthorised wall and fences, the detailed wording of which to be agreed with the Director of Central Services.

**PART 2 - PRIVATE****AP3 15/32 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 9.17 pm