

## TONBRIDGE AND MALLING BOROUGH COUNCIL

### AREA 2 PLANNING COMMITTEE

Wednesday, 14th December, 2016

**Present:** Cllr Mrs F A Kemp (Chairman), Cllr Mrs J A Anderson, M A C Balfour, Cllr Mrs S M Barker, Cllr R P Betts, Cllr Mrs S L Luck, Cllr B J Luker, Cllr L J O'Toole, Cllr S C Perry, Cllr H S Rogers and Cllr Miss S O Shrubsole

Councillor M Taylor was 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 Coffin, P J Montague, Miss J L Sergison and T B Shaw

### PART 1 - PUBLIC

#### **AP2 16/74 DECLARATIONS OF INTEREST**

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

However, for reasons of transparency and to avoid the appearance of pre-determination and bias in the Committee's decision making the Chairman advised that after making a short statement she would withdraw from the meeting for application TM/16/00990/FL (Downsview, 8 Green Lane, Trottiscliffe) and would take no part in the discussion.

In the absence of the Vice-Chairman (Councillor S Jessel), who had submitted apologies, the Chairman proposed that Councillor H Rogers act as Chairman during this debate. This was seconded by Councillor Mrs Anderson and it was

**RESOLVED:** That Councillor H Rogers be Acting Chairman for application number TM/16/00990/FL

For reasons of transparency:

- Councillor Balfour reminded the Committee that he was the Cabinet Member for Environment and Transport at Kent County Council. As this did not represent either an Other Significant Interest or Disclosable Pecuniary Interest there was no requirement to leave the meeting.
- Councillor S Perry advised the Committee that the applicant of TM/15/03865/FL (Great Oaks House, Puttenden Road, Shipbourne) was known to him in their role of parish councillor.

The relationship was not close enough to constitute an Other Significant Interest.

[Subsequent to this agenda item and during the discussion for application TM/16/02518 (Development site between 10 and 70 Churchill Square, Kings Hill) Councillor Balfour became aware of a potential interest on the grounds that Kent County Council co-owned the site. Although this was not deemed significant enough to constitute an Other Significant Interest or Disclosable Pecuniary Interest, Councillor Balfour did not participate in the debate or vote on the application. However, he remained in the meeting to hear the discussion]

#### **AP2 16/75 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 2 Planning Committee held on 9 November 2016 be approved as a correct record and signed by the Chairman.

#### **DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PARAGRAPH 1, PART 3 OF THE CONSTITUTION**

#### **AP2 16/76 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 16/77 TM/16/01600/FL - THE OLD STABLE BUILDING, OLD PARSONAGE COURT, WEST MALLING**

Two storey side extension at The Old Stable Building, Old Parsonage Court, West Malling

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

- (1) The proposed extension by reasons of its bulk and siting will be overbearing to neighbouring property and thus detrimental to residential amenities. It is thereby contrary to Policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and saved policy P4/12 of the Tonbridge and Malling Borough Local Plan 1998.

[Speakers: West Malling Parish Council (Mr R Selkirk); Mr N Candlish (on behalf of Ms N Cook) and Ms P Wilkinson – members of the public and Mrs S Taylor – applicant]

**AP2 16/78 TM/15/03865/FL - GREAT OAKS HOUSE, PUTTENDEN ROAD, SHIPBOURNE**

Demolition of existing stable block and hay barn buildings and construction of a 3 bedroom dwelling house at Great Oaks House, Puttenden Road, Shipbourne

Members were asked to disregard paragraph 4.11 of the report as this had been included in error and conflicted with information set out in paragraph 4.10.

After careful consideration of the material planning considerations and the policy position in respect of the open countryside it was

**RESOLVED:** That planning permission be REFUSED for the reasons set out in the report of the Director of Planning, Housing and Environmental Health and repeated below:

- (1) The development proposes rebuilding the existing stable block and hay barn. The proposal is not the form of development that is normally permitted in the countryside as listed in Policy CP14 of the Tonbridge and Malling Borough Core Strategy 2007 and Policy DC2 of the Managing Development and Environment DPD 2010, and no material considerations exist that justify setting aside that provision.

[Speakers: Mr N Ward; Ms V Packer, Ms K Symonds – members of the public and Mrs E Cohen – applicant]

**AP2 16/79 TM/16/01859/FL - LONG POND WORKS, WROTHAM ROAD, BOROUGH GREEN**

Demolition of four 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 Long Pond Works, Wrotham Road, Borough Green

**RESOLVED:** That planning permission be DEFERRED for Officers to advise on possible Very Special Circumstances and suggested conditions in the event that Members were minded to permit the application.

[Speaker: Mr J Collins – agent]

**AP2 16/80 TM/16/02512/FL - BRIONNE, THE STREET, RYARSH**

Demolition of existing dwelling and erection of three detached bungalows; creation of new vehicular access and provision of access drive, landscaping and other ancillary works at Brionne, The Street, Ryarsh

**RESOLVED:** That planning permission be REFUSED for the following reason(s):

- (1) The proposal by reason of the scale and bulk is over development and detrimental to the character and appearance of the adjacent Conservation Area and the visual amenities of the locality. It is thereby contrary to s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 17, 57, 58, 61, 131, 132 and 133 of the National Planning Policy Framework 2012, policies CP1, CP13, CP24 of the Tonbridge and Malling Borough Core Strategy 2007 and policy SQ1 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document 2012

[Speakers: Mrs N Stouppa-Moss, Mr J Steel, Mr Highstead – members of the public and Mr J Chapman – agent]

**AP2 16/81 TM/16/00990/FL - LAND ADJACENT TO DOWNSVIEW, 8 GREEN LANE, TROTTISCLIFFE, WEST MALLING**

Erect a new detached dwelling house at land adjacent to Downsview, 8 Green Lane, Trottiscliffe

**RESOLVED:** That planning permission be DEFERRED for verification of the accuracy of the submitted plan/documents, clarification on proposed drainage runs near to the protected trees and further consultation with the Parish Council thereafter.

[Speakers: Trottiscliffe Parish Council (Mr R Wallis – Chairman); Mrs P Wallis – member of the public and Mr K Wise – agent]

**AP2 16/82 TM/16/02518/FL - DEVELOPMENT SITE BETWEEN 10 AND 70 CHURCHILL SQUARE, KINGS HILL**

Two storey new office building with single storey reception pavilion and associated car parking and landscaping works and ancillary manager's flat at the Development site between 10 and 70 Churchill Square, Kings Hill

**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) Amended Condition:

3. No development shall take place until details of any joinery, eaves detailing and rainwater goods to be used have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the setting of the adjacent listed buildings or the visual amenity of the locality.

(2) Additional Condition:

3. No development shall take place until a plan showing the finished floor and eaves levels of the building and finished ground levels within the site in relation to existing ground levels has 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.

[Speakers: Mrs S Davis – on behalf of Liberty Trust and Mr P Bowen – applicant]

**AP2 16/83 ALLEGED UNAUTHORISED DEVELOPMENT - 15/00381/WORKM - OAK TREE STABLE, VIGO ROAD, FAIRSEAT**

The Director of Planning, Housing and Environmental Health reported the unauthorised engineering operation to create an area of hardstanding on site without the necessary planning permission.

It was reported that the site was in the Green Belt and the proposed operation would not preserve the openness of the area and therefore amounted to inappropriate development. The case for 'very special circumstances' sufficient to outweigh the harm to the Green Belt had also not been demonstrated. Finally, the development was harmful to the character and visual amenity of the area and therefore was contrary to policies CP24 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 16/84 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 10.25 pm