TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 2 PLANNING COMMITTEE

Wednesday, 11th April, 2018

Present: Cllr Mrs F A Kemp (Chairman), Cllr Mrs J A Anderson, Cllr M A C Balfour, Cllr R P Betts, Cllr M A Coffin, 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, Cllr Miss S O Shrubsole and Cllr M Taylor.

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

Apologies for absence were received from Councillors S R J Jessel (Vice-Chairman), Mrs S M Barker and Mrs S L Luck.

PART 1 - PUBLIC

AP2 18/1 DECLARATIONS OF INTEREST

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

AP2 18/2 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 2 Planning Committee held on 13 December 2017 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO COUNCIL

AP2 18/3 PROPOSED DIVERSION OF PUBLIC FOOTPATH MR218, STANSTED

Consideration was given to a request by Kent County Council for Tonbridge and Malling Borough Council to make an order under Section 257 of the Town and Country Planning Act 1990 to divert a public right of way (MR218 at Stansted) to enable development to take place.

Details of the length of footpath to be diverted and the proposed new route were illustrated in Appendix A to the report. An extract from the Definitive Map was attached at Appendix B to show the path in context with the rest of the public rights of way network.

Consultation had been carried out as required by the Act and it was reported that local County and Borough Councillors had raised no objection. Kent County Council was satisfied that all the legal tests had been met in that the Borough Council had granted planning permission

under Part III of the Town and Country Planning Act 1990 for development and that this section of MR218 would be adversely affected by the development.

RESOLVED: That an Order to divert public footpath MR218 at Stansted, as shown in Appendix A to the report, be made under Section 257 of the Town and Country Planning Act 1990 in order for development to be carried out.

***Referred to Council**

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

AP2 18/4 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 18/5 TM/17/03403/FL - PRUNELLE, CHURCH LANE, TROTTISCLIFFE

Addition to driveway to create a drive on drive off at Prunelle, Church Lane, Trottiscliffe.

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

The development, by virtue of the amount of hardstanding, the materials to be used and the limited opportunity to provide for soft landscaping within the site; combined with the prominence of the site due to land levels would cause visual harm to the appearance of the site and wider locality which is designated as an Area of Outstanding Natural Beauty. The development is therefore contrary to the requirements of CP7 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007, policy SQ1 of the Managing Development and the Environment DPD 2010 and paragraph 115 of the National Planning Policy Framework 2012.

[Speakers: Richard Wallis – Trottiscliffe Parish Council]

AP2 18/6 TM/17/03354/FL - THE OLD STABLE BUILDING, OLD PARSONAGE COURT, WEST MALLING

Single storey extension and roof alterations to porch at The Old Stable Building, Old Parsonage Court, 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

(1) Amended Conditions:

2. All materials used externally shall accord with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

4. No development shall take place until there has been submitted to and approved by the Local Planning Authority an updated arboriculture report that provided a survey of the trees on and adjacent to the site and a construction method statement for the development and tree protection measures in accordance with B.S.5837:2012 'Trees in relation to design, demolition and construction'. The development shall be carried out in strict accordance with the approved report.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

(2) Additional Condition:

6. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order), no further windows of similar openings shall be constructed in any elevation or roof slope of the extension hereby approved.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property.

(3) Additional Informative:

1. With regard to the construction phase of the development, the applicant is asked to take all reasonable steps to mitigate any impact upon surrounding residents. The applicant is also advised to not undertake construction works outside the hours of 0800 – 1800 Mondays to Fridays, 0800 – 1300 on Saturdays and to not undertake

works on Sundays, Bank or Public holidays. Furthermore, arrangements for the management of construction traffic to and from the site should be carefully considered in the interests of residential amenities.

[Speakers: Pauline Wilkinson and Simon Cook – members of the public and Joe Alderman – agent]

AP2 18/7 ALLEGED UNAUTHORISED DEVELOPMENT - 16/00337/USEH - OFFHAM SERVICE STATION, LONDON ROAD, ADDINGTON

The Director of Planning, Housing and Environmental Health reported the unauthorised use of land as a hand car wash and the associated provision of a portable cabin and portaloo used for staff facilities. This represented a material change of use of land without planning permission.

RESOLVED: That an Enforcement Notice BE ISSUED to seek the cessation of the unauthorised use of land and the removal of the associated unauthorised structures, the detailed wording of which to be agreed with the Director of Central Services.

AP2 18/8 ALLEGED UNAUTHORISED DEVELOPMENT - 13/00128/USEM - KELLYS FARM, CROUCH LANE, BOROUGH GREEN

Members were advised of an unauthorised change in use of the site from agricultural to open storage of containers, vehicles and vehicle parts, caravan, building materials and rubble. This represented a change in use of the land without planning permission.

RESOLVED: That an Enforcement Notice BE ISSUED to seek the cessation of the use of the site as open storage and to remove from the land all storage containers, vehicles and vehicle parts, caravans, building materials and rubble.

AP2 18/9 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.30 pm