

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

Thursday, 6th June, 2019

Present: Cllr D A S Davis (Chairman), Cllr T Bishop, Cllr R I B Cannon, Cllr D J Cooper, Cllr Mrs T Dean, Cllr D Keers, Cllr A Kennedy, Cllr D Lettington, Cllr Mrs R F Lettington, Cllr Mrs A S Oakley, Cllr R V Roud, Cllr Mrs M Tatton, Cllr D Thornevell and Cllr C J Williams

Councillors N J Heslop and S A Hudson were also present pursuant to Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors M C Base, Mrs S Bell, R W Dalton, S M Hammond, P M Hickmott and A P J Keeley

PART 1 - PUBLIC

AP3 19/13 DECLARATIONS OF INTEREST

For reasons of transparency, Councillor Mrs Tatton advised that she was the parish clerk and Proper Officer for Teston Parish Council who were consultees on the Amber Lane, Kings Hill and Heath Farm, East Malling applications. However, as she had not been involved in any decision making regarding the parish council's response this did not represent either a Disclosable Pecuniary or Other Significant Interest and there was no requirement for her to withdraw from the meeting and not participate in the debate.

AP3 19/14 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 25 April 2019 be approved as a correct record and signed by the Chairman.

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

AP3 19/15 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 19/16 TM/18/03031/OAEA - DEVELOPMENT SITE NORTH OF 51 AMBER LANE, KINGS HILL

Outline Application: Redevelopment to provide up to 85 Class C3 residential units, together with landscaping, open space and other associated works at development site north of 51 Amber Lane, Kings Hill.

All matters reserved for future approval except for access (Site 5.4)

RESOLVED: That outline planning permission be REFUSED for the following reasons:

- (1) The proposed development, by virtue of its location, siting, proposed means of access and intensification of residential activities would result in the partial loss (insofar as it relates to the means of access) and deterioration of ancient woodland, which is an irreplaceable habitat. There are no demonstrated reasons which are wholly exceptional to allow for such loss and deterioration to take place and no suitable compensation strategy. Furthermore, there are no acceptable measures proposed that would mitigate the harm that would arise. As such, the development is contrary to the requirements of paragraph 170(c) of the National Planning Policy Framework (2019) and the associated standing advice of Natural England and the Forestry Commission.
- (2) The proposed development by virtue of its location and siting and the lack of any cohesive or responsive relationship with the nearby residential settlement would be entirely at odds with the prevailing character of the immediate and surrounding environment. As such, the development would be harmful to visual amenity and demonstrably would not respect the site and its surroundings, protect, conserve or enhance local distinctiveness, be sympathetic to local character and history, or take any opportunities for improving the character and quality of the area and the way it functions. The development proposed is therefore contrary to the requirements of policy CP24 of the Tonbridge and Malling Borough Core Strategy (2007), policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment DPD (2010) and paragraphs 127(c) and 130 of the National Planning Policy Framework (2019).
- (3) The proposed development by virtue of the form, scale and design of the vehicular and emergency accesses would

significantly erode the prevailing character of the site and its immediate surroundings and introduce urbanising features which would cause visual harm to the appearance of the site and locality. The development proposed is therefore contrary to the requirements of policy CP24 of the Tonbridge and Malling Borough Core Strategy (2007), policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment DPD (2010) and paragraphs 127(c) and 130 of the National Planning Policy Framework (2019).

- (4) The proposed development by virtue of its overall quantum, size and proposed means of access would cause increased levels of vehicular activity along Amber Lane giving rise to noise and disturbance which would be harmful to the residential amenities of the occupants of properties along Amber Lane. As such, the development is contrary to the requirements of policy CP24 of the Tonbridge and Malling Borough Core Strategy (2007), policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment DPD (2010) and paragraphs 127(c) and 130 of the National Planning Policy Framework (2019).
- (5) The Local Planning Authority is not satisfied that, on the evidence submitted, the proposed access *strategy* to serve the development can be delivered in a safe and acceptable manner. As such, the development is considered to be contrary to the requirements of policy SQ8 of the Managing Development and the Environment DPD (2010) and paragraph 110 of the National Planning Policy Framework (2019).

[Speakers: Caroline Bridger – Kings Hill Parish Council; Peter Coulling – Teston Parish Council; Naomi Schilling, Richard Dowling, Mr Fisher, Derek Edmonds, Katie Dodsworth and David Rush – members of the public]

AP3 19/17 TM/18/03032/OAEA - HEATH FARM, WATERINGBURY ROAD, EAST MALLING

Outline Application: Redevelopment to provide up to 40 Class C3 residential units, together with landscaping, open space and other associated works at Heath Farm Wateringbury Road, East Malling.

All matters reserved for future approval except for access (site 5.5)

RESOLVED: That outline planning permission be REFUSED for the following reasons:

- (1) The proposed development by virtue of the overall number of units proposed, the resultant density, form, pattern and character that would subsequently arise would be entirely at odds with the prevailing character of the environment, which is rural in character

and appearance. As such, the development would be harmful to visual amenity and demonstrably would not respect the site and its surroundings, protect, conserve or enhance local distinctiveness, be sympathetic to local character and history, or take any opportunities for improving the character and quality of the area and the way it functions. The development proposed is therefore contrary to the requirements of policy CP24 of the Tonbridge and Malling Borough Core Strategy (2007), policy SQ1 of the Tonbridge and Malling Borough Managing Development and the Environment DPD (2010) and paragraphs 127(c) and 130 of the National Planning Policy Framework (2019).

- (2) The proposed development by virtue of its specific nature and the locational characteristics of the site does not contribute to the objectives of sustainable development. The site would be separated from local amenities, facilities and public transport routes and the proposed development makes no provision to provide acceptable or safe connections between the site and such facilities in a way that would offer future residents a genuine choice of sustainable transport options. The development therefore fails to meet the objectives of sustainable development as set out by paragraph 8 and the requirements of paragraph 102 and 103 of the National Planning Policy Framework (2019).

[Speakers: Peter Coulling – Teston Parish Council]

PART 2 - PRIVATE

AP3 19/18 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.10 pm