

TONBRIDGE AND MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

Thursday, 9th July, 2020

Present: Cllr D A S Davis (Chairman), Cllr M C Base (Vice-Chairman), Cllr Mrs S Bell, Cllr T Bishop, Cllr R I B Cannon, Cllr D J Cooper, Cllr R W Dalton, Cllr Mrs T Dean, Cllr P M Hickmott, Cllr A P J Keeley, 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 R P Betts, V M C Branson, N J Heslop, M A J Hood, S A Hudson, P J Montague, H S Rogers and N G Stapleton were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor S M Hammond

PART 1 - PUBLIC

AP3 20/12 DECLARATIONS OF INTEREST

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

AP3 20/13 MINUTES

RESOLVED: That the Minutes of the meeting of the Area 3 Planning Committee held on 4 June 2020 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 20/14 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 circulated in advance of the meeting and published to the website.

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 20/15 TM/19/01814/OA - DEVELOPMENT SITE, LAND WEST OF WINTERFIELD LANE, EAST MALLING

Outline Application: Erection of up to 250 new homes (40% affordable), new community building, areas of public open spaces, areas of play, upgrade of existing footpaths, together with new vehicular access onto London Road and associated parking and landscaping at land west of Winterfield Lane, East Malling.

RESOLVED: That consideration of the 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).

[The following representations were made by verbal statements:

- East Malling and Larkfield Parish Council (Christine Woodger)
- Kings Hill Parish Council (Sarah Barker)
- Leybourne Parish Council (Bob Ulph)
- West Malling Parish Council (David Thompson)
- David Cooper (on behalf of Jill Cooper) (members of the public)
- Keith Wood (member of the public)
- Liz Simpson (member of the public)
- Alan Gibbins (member of the public)
- Richard Brooks (on behalf of East Malling Conservation Group)
- Nigel Saunders (member of the public)
- Caroline King (member of the public)
- Keith Saunders (member of the public)
- Daniel Markham (member of the public)
- William Banks (member of the public)
- Jamie Pla (member of the public)

The following representations were made by written statements and read out by the Democratic Services Officers:

- Bernard Rawlings (member of the public)
- David Todd (member of the public)
- John Dean (member of the public)
- Edward Thackwell (member of the public)
- Ron Moore (member of the public)
- Barb Johnson (member of the public)
- Roger Mitchell (member of the public)
- Simon Shire (member of the public)
- Sarah Rayfield (member of the public)
- Rebekah Marsh (member of the public)

The following representations were made by video statement:

- Mark Hayton (member of the public)
- Tim Owen (member of the public)
- Rory Kemp (agent)]

AP3 20/16 TM/18/01106/FL - BELVIDERE OAST, 165 WATERINGBURY ROAD, EAST MALLING

Proposed new entrance to No.165 Wateringbury Road at Belvidere Oast, 165 Wateringbury Road, East Malling.

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

- (1) The proposed development, by virtue of lack of suitable forward visibility splays for vehicles emerging from the proposed access, will cause unacceptable harm to highway safety and is, therefore, contrary to policy SQ8 (2) of the Managing Development and the Environment – Development Plan Document 2010 and paragraphs 108 and 109 of the National Planning Policy Framework 2019.

MATTERS FOR INFORMATION

AP3 20/17 TM/17/01595/OAEA - LAND SOUTH OF LONDON ROAD AND EAST OF HERMITAGE LANE, AYLESFORD

The report of the Director of Planning, Housing and Environmental Health provided an update on the progress of planning application TM/17/01595/OAEA at Hermitage Lane, Aylesford.

Particular reference was made to the progression of the s106 agreement between the Borough Council, the County Council, the applicant and the landowners, which was nearing completion. It was anticipated that the agreement would be completed within the next 6 weeks at which point the planning decision would be issued.

RESOLVED: That the report be received and noted.

PART 2 - PRIVATE

AP3 20/18 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved, it was seconded and

RESOLVED: That as public discussion would disclose exempt information the following matters be considered in private.

MATTERS FOR INFORMATION**AP3 20/19 TM/18/01106/FL - BELVIDERE OAST, EAST MALLING****(LGA 1972, Sch 12A, Paragraph 5 – Legal Advice)**

The report of the Director of Central Services and Monitoring Officer outlined the potential consequences of granting planning permission against the advice of officers and the technical advice provided by Kent County Council Highways and Transportation Division (Minute AP3 20/16 refers).

RESOLVED: That the report be received and noted.

The meeting ended at 11.51 pm