

## **TONBRIDGE AND MALLING BOROUGH COUNCIL**

### **AREA 3 PLANNING COMMITTEE**

**Thursday, 24th July, 2014**

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

#### **PART 1 - PUBLIC**

##### **AP3 14/23 DECLARATIONS OF INTEREST**

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

##### **AP3 14/24 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 3 Planning Committee held on Thursday 1 May 2014 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 14/25 DEVELOPMENT CONTROL AND SUPPLEMENTARY REPORTS**

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.

**TM/13/03793/FL - 238 WATERINGBURY ROAD, EAST MALLING**

New gates to paddock and creation of a new access at 238 Wateringbury Road, East Malling.

**RESOLVED:** That

(1) Planning permission be REFUSED for the following reasons:

1. The proposed gates, by virtue of their height, location and design, and the access, by virtue of its width, amount of hardstanding and loss of hedgerow, appear to be visually incongruous and suburban features within the rural street scene, detracting from the historic character of the rural lane and are as a result harmful to the visual amenity of the locality and wider rural landscape. The proposal is therefore contrary to policies CP1 and CP24 of the Tonbridge and Malling Borough Core Strategy 2007, policies SQ1 and DC6 of the Tonbridge and Malling Borough Managing Development and the Environment DPD 2010 and paragraphs 17, 56, 57, 60 and 64 of the National Planning Policy Framework (2012).
2. The 2.5 metre set back of the gates combined with the location of the access within 5 metres of the junction of The Heath and Wateringbury Road results in a significant highway safety hazard. The development is therefore contrary to policy SQ8 of the Managing Development and the Environment DPD 2010.

(2) An Enforcement Notice BE ISSUED, the detailed wording of which to be agreed with the Director of Central Services, requiring the cessation of the use of the land for the storage of lorries, the removal of the access and gates and the removal of the hardcore hardstanding from the land and the reinstatement of the hedge.

**AP3 14/27 (A) TM/13/03147/OA AND (B) TM/13/03275/CNA - LAND EAST OF HERMITAGE LANE, AYLESFORD**

(A) Outline Application: Mixed-use development comprising up to 500 residential dwellings (including affordable homes), land safeguarded for an education facility and land safeguarded for a community centre. Provision of public open space (inc. children's play areas), associated infrastructure and necessary demolition and earthworks. The formation of 2 no. new vehicular accesses from Hermitage Lane and Howard Drive. All other matters reserved

Location: Land east of Hermitage Lane, Aylesford

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

1. The development proposed is unacceptable as it would result in an unjustified incursion into the Strategic Gap as there is no development approved that would be served by the new access and road. The proposal is therefore contrary to Policies CP1 and CP5 of the Tonbridge and Malling Local Development Framework Core Strategy 2007.

(B) Consultation by Maidstone Borough Council: Mixed-use development comprising up to 500 residential dwellings (including affordable homes), land safeguarded for an education facility and land safeguarded for a community centre. Provision of public open space (inc. children's play areas), associated infrastructure and necessary demolition and earthworks. The formation of 2 no. new vehicular accesses from Hermitage Lane and Howard Drive. With access to be considered at this stage and all other matters reserved for future consideration

Location: Land east of Hermitage Lane, Aylesford

**RESOLVED:** That the Borough Council raise objections to the development as follows:

1. The Borough Council is aware that the land is allocated for 380 dwellings within the adopted Maidstone Local Plan, with the emerging policy proposing 500 dwellings. However, the submitted scheme does not appear to conform with either adopted or emerging policy insofar as the proposals could lead to harmful effects on recognised features on the site and impact on traffic and environmental conditions off site.

[Speakers: Mrs A Bates on behalf of New Allington Action Group; Mrs S Law on behalf of Queen's Road Residents and Schools and Mr M Ridout, member of the public]

**AP3 14/28 ALLEGED UNAUTHORISED DEVELOPMENT 13/00028/WORKM -  
IVY HOUSE FARM, 42 CHAPEL STREET, EAST MALLING**

Alleged unauthorised development at Ivy House Farm, 42 Chapel Street, East Malling.

**RESOLVED:** That

- (1) An Enforcement Notice BE ISSUED, the detailed wording of which to be agreed with the Director of Central Services, requiring the reduction in height of the unauthorised fence to not exceed 2 metres in height at any point;
- (2) A decision on works to the wall associated with the fence be DEFERRED to enable further discussions to take place regarding

the design and finish of the wall to ensure that an acceptable form of development can be achieved.

- (3) A Listed Building Enforcement Notice be issued, the detailed wording of which to be agreed with the Director of Central Services, and subject to him being satisfied as to the evidence of a breach of listed building legislation, requiring the removal of the combination of capping material and dressed stone courses, together with end on ragstone pieces and their replacement with appropriate detailing of capping/waterproofing to be identified within the Listed Building Enforcement Notice.

## **PART 2 - PRIVATE**

### **AP3 14/29 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 8.47 pm