

## **TONBRIDGE AND MALLING BOROUGH COUNCIL**

### **AREA 3 PLANNING COMMITTEE**

**Thursday, 18th March, 2021**

**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 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 Thornewell and Cllr C J Williams

Councillors 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 21/6 DECLARATIONS OF INTEREST**

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

#### **AP3 21/7 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 3 Planning Committee held on 28 January 2021 be approved as a correct record and signed by the Chairman.

#### **AP3 21/8 GLOSSARY AND SUPPLEMENTARY MATTERS**

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 on 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.

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

**AP3 21/9 TM/20/01820/OAEA - AYLESFORD NEWSPRINT, BELLINGHAM  
WAY, LARKFIELD**

Outline Application: Hybrid planning application for the following development: Outline planning permission (all matters reserved) for the erection of flexible B1c/B2/B8 use class buildings and associated access, servicing, parking, landscaping, drainage, remediation and earthworks; and Full planning permission for erection of two warehouse buildings for flexible B1c/B2/B8 use class, realignment of Bellingham Way link road, creation of a north/south spine road, works to the embankment of Ditton Stream, demolition of existing gatehouse and associated servicing, parking, landscaping, drainage, infrastructure and earthworks at Aylesford Newsprint, Bellingham Way, Larkfield.

**RESOLVED:** That planning permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report and supplementary report of the Director of Planning, Housing and Environmental Health.

[Speakers: Verbal statements were made by Mr J Willis (member of the public) and Mr T Watkins (Applicant)]

**AP3 21/10 TM/21/01218/OA - LAND ADJACENT DITTON COMMON, NORTH  
OF REDE WOOD ROAD AND OAKAPPLE LANE BARMING**

Outline Application: All matters reserved except for access for the erection of up to 118 dwellings, together with associated works for access, open space, infrastructure, earthworks, surface water drainage systems and landscaping at Land adjacent Ditton Common, North of Rede Wood Road, Oakapple Lane, Barming.

**RESOLVED:** That outline planning permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report and supplementary report of the Director of Planning, Housing and Environmental Health, subject to the following:

(1) The amendment of conditions 6, 11 & 16 (as originally numbered) as follows:

6. The details submitted in pursuance of Condition 1 shall show land shall identify allocated parking spaces for each residential dwelling, as well as any associated visitor parking spaces. No dwelling shall be occupied until its associated allocated parking has been provided, surfaced and drained in accordance with the approved details. Thereafter no permanent development, whether or not permitted by the

Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking.

11. (a) If during development work, significant deposits of made ground or indicators of potential contamination are discovered, the work shall cease until an investigation/ remediation strategy has been agreed with the Local Planning Authority and it shall thereafter be implemented by the developer.

(b) Any soils and other materials taken for disposal should be in accordance with the requirements of the Waste Management, Duty of Care Regulations. Any soil brought onsite should be clean and a soil chemical analysis shall be provided to the Local Planning Authority to verify imported soils are suitable for the proposed end use.

(c) A closure report shall be submitted by the developer to the Local Planning Authority relating to (a) and (b) above and other relevant issues and responses such as any pollution incident during the development, for its approval in writing.

Reason: In the interests of amenity and public safety.

16. None of the dwellings with on-plot parking shall be occupied until details of a scheme to install electric vehicle charging points to those plots within the development, has been submitted to and approved by the Local Planning Authority. The work shall be carried out in strict accordance with those details prior to the occupation of any of these dwellings within the site.

Reason: In order to encourage the occupation of the dwellings by people using electric vehicles to help reduce vehicle emissions in the interests of air quality and in accordance with paragraph 110 of the National Planning Policy Framework (2019).

(2) The addition of the following conditions (note numbering reflects that in main report):

24. Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:

(i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

(ii) further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

25. The development shall be undertaken in accordance with the following plans: Proposed Plans 15-009-041 Rev A dated 08.09.2020, Drawing P19-1591\_19C dated 08.08.2020, Drawing P19-1591\_29C dated 08.09.2020, Location Plan P19-1591\_24 dated 12.06.2020.

Reason: To ensure the development is undertaken in conformity with the approved drawings.

- (3) the omission of conditions 7 and 13;
- (4) the renumbering of conditions as necessary to account for the above amendments; and
- (5) the addition of Informatives 5 and 6 as follows:

5. The applicant's attention is drawn to the following advice from Kent County Council (PROW and Access Service)

- No furniture, fence, barrier or other structure may be erected on or across Public Rights of Way without the express consent of the Highway Authority.
- There must be no disturbance of the surface of the Public Rights of Way, or obstruction of its use, either during or following any approved development without the express consent of the Highway Authority.
- No hedging or shrubs should be planted within 1 metre of the edge of the Public Rights of Way.
- The granting of this planning permission confers no consent or right to close or divert any Public Rights of Way at any time without the express permission of the Highway Authority

No Traffic Regulation Orders will be granted by KCC for works that will permanently obstruct the route unless a diversion order has been made and confirmed. If the applicant needs to apply for a temporary traffic regulation order whilst works are undertaken, this would take six weeks to process.

6. The applicant is strongly encouraged to advise prospective occupants of the approved dwellings of the nearby quarrying activities and the potential for noise and vibration to be experienced as a result of these activities.

[Speakers: Verbal statements were made by Mr K Jones on behalf of 'Give Peas a Chance' and Mr T Walker (members of the public) and Ms L Wilford (Agent to the Applicant)]

In accordance with Committee Procedure Rule 8.6, Part 4 (Rules) of the Constitution, Councillor R Dalton requested that it be recorded that he had voted against approval of the planning application.

**AP3 21/11 TM/20/02454/FL - LAND BETWEEN 166 AND 194 THE ROCKS ROAD, EAST MALLING**

Development of 2no. detached houses with associated access, parking, and gardens at Land between 166 and 194 The Rocks Road, East Malling.

**RESOLVED:** That planning permission be GRANTED in accordance with the submitted details, conditions, reasons and informatives set out in the report and supplementary report of the Director of Planning, Housing and Environmental Health, subject to the following:

(1) The addition of conditions

9. The development shall be constructed at the level indicated on the drawing referenced 414/156 Rev A received on 03.11.2020

Reason: To accord with the terms of the application and to protect the visual amenity of the area.

10. Notwithstanding the arrangements shown on plan numbers 414/106 Rev. D and 0375/20/B/21, the development hereby approved shall not commence until such time as the required visibility splays of 2.4m x 32m at the access point onto the Rocks Road have been laid out and provided unobstructed, including with the necessary management of adjacent hedges on highways land, with full details submitted to and approved by the Local Planning Authority to verify.

The details shall include (but not necessarily be limited to):

- A full programme of works setting out how the visibility splays were constructed relative to the above
- Full photographic evidence of the necessary works including management of adjacent hedges
- The splay lines marked out and evidenced to the required 2.4m x 32m measurement

The formation of the required splays shall be carried out in liaison with the Highway Authority and no other development shall be undertaken until the Local Planning Authority has agreed in writing that the required splays have been formed, and shall thereafter be kept free of permanent development.

Reason: In the interests of highway safety and visual and rural amenity and to ensure that the necessary visibility splays are provided in an acceptable manner which is contiguous with the overall development.

(2) The addition of Informative

4. In satisfying the requirements of conditions 4, 6, 7 and 10, the applicant is strongly encouraged to enter into constructive and early liaison with the Highway Authority and immediate neighbours to the site.

[Speakers: Verbal statements were made by Mrs J Bellamy, Mr A Bellamy, Ms F Waight, Mr N Dave, Mr M Mansell and Mr S Lockett (members of the public). Video statements were made by Ms L Bellamy and by Mr P Smith on behalf of the resident of 166 The Rocks Road (members of the public). Written statements submitted by Ms L Sahin and Mr M Dixon were read out by the Democratic Services Officer. A joint verbal statement was made by Mrs K Price (Applicant) and Mr K Hughes (Agent)]

## **PART 2 - PRIVATE**

### **AP3 21/12 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 9.48 pm  
having commenced at 6 pm