

# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **AREA 1 PLANNING COMMITTEE**

### **MINUTES**

**Thursday, 17th February, 2022**

**Present:** Cllr D W King (Chairman), Cllr Mrs J A Anderson, Cllr Mrs P A Bates, Cllr M D Boughton, Cllr V M C Branson, Cllr G C Bridge, Cllr A E Clark, Cllr A Cope, Cllr M O Davis, Cllr N J Heslop, Cllr M A J Hood, Cllr J R S Lark, Cllr M R Rhodes, Cllr J L Sergison, Cllr Miss G E Thomas and Cllr F G Tombolis.

(Note: As Councillor H Rogers was unable to attend in person and participated via MS Teams he was unable to vote on any matters).

Councillor D Harman participated via MS Teams and joined the discussion when invited to do so in accordance with Council Procedure Rule No 15.21.

Apologies for absence were received from Councillors J L Botten, N Foyle and F A Hoskins

### **PART 1 - PUBLIC**

#### **AP1 22/8 DECLARATIONS OF INTEREST**

For reasons of transparency, Councillor M Boughton advised that in respect of application TM 21/02915/FL (105 Hadlow Road) he worked with a close relative of one of the objectors. As this did not represent a Disclosable Pecuniary or Other Significant Interest there was no requirement to withdraw from the meeting.

#### **AP1 22/9 MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Area 1 Planning Committee held on 13 January 2022 be approved as a correct record and signed by the Chairman.

#### **AP1 22/10 GLOSSARY AND SUPPLEMENTARY MATTERS**

Decisions were taken on the following applications subject to the prerequisites, 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.

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

**AP1 22/11 TM/21/02064/FL - CANNON LANE RETAIL PARK, CANNON LANE, TONBRIDGE**

Section 73 Application: Variation of condition 1 of planning permission TM/16/00818/FL to allow the sale of convenience goods from Unit 1C, Cannon Lane Retail Park, Cannon Lane, Tonbridge.

**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.

**AP1 22/12 TM/19/00014/OAEA - LOWER HAYSDEN LANE, TONBRIDGE**

Outline Application: construction of up to 125 new homes, the formation of new means of access onto Lower Haysden Lane, new pedestrian and cycle links (including links to the existing playing fields and Country Park to the west), the laying out of open space, new strategic landscaping, habitat creation, drainage features and associated ground works and infrastructure at land North of Lower Haysden Lane, Tonbridge.

**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) The applicant entering into a s106 planning obligation with the Borough Council to make contributions for the enhancement of existing open spaces and NHS facilities in the locality.
- (2) The applicant entering into a s106 planning obligation with Kent County Council to make contributions towards the enhancement of secondary school accommodation and community facilities within the locality, improvements to bus infrastructure in Brook Street and bus services in Tonbridge as well as for the provision of a shared cycle lane/footpath along Waterloo Road.

It is expected that the section 106 agreement should be agreed in principle within 3 months and the legalities completed within 6 months of the committee resolution unless there are good reasons for the delay. Should the agreement under Section 106 of the Act not be completed and signed by all relevant parties by

31 August 2022, a report back to the Area 1 Planning Committee will be made either updating on progress and making a further recommendation or in the alternative the application may be refused under powers delegated to the Director of Planning, Housing and Environmental Health who will determine the specific reasons for refusal in consultation with the Chairman and Ward Members.

(3) Amended Conditions:

4. Applications for the approval of the reserved matters shall be in conformity with the design principles described in section 3 of the Design and Access Statement and the following plans:

215-P-01 Rev H - Illustrative Landscape Masterplan  
215-P-03 Rev C - Development Framework Plan  
10246-HL-01 C - Proposed Access Arrangement  
7202-E-01 - Mitigation Management Plan

Reason: In the interests of the amenity of the locality and to ensure continuity with the approved development principles.

5. Prior to the commencement of the development hereby approved, arrangements for the management of all construction works shall be submitted to and approved by the Local Planning Authority. The management arrangements to be submitted shall include (but not necessarily be limited to) the following:

- The days of the week and hours of the day when the construction works will be limited to and measured to ensure these are adhered to;
- Procedures for managing all traffic movements associated with the construction works including (but not limited to) the delivery of building materials to the site (including the times of the day when those deliveries will be permitted to take place and how/where materials will be offloaded into the site) and for the management of all other construction related traffic and measures to ensure these are adhered to;
- Procedures for notifying local residents as to the ongoing timetabling of works, the nature of the works and likely their duration, with particular reference to any such works which may give rise to noise and disturbance and any other regular liaison or information dissemination; and
- The specific arrangements for the parking of contractor's vehicles within or around the site during construction and any external storage of materials or plant throughout the construction phase.

- Specific arrangements for the provision of wheel washing facilities for contractor's vehicles within the site to ensure mud is not deposited on the public highway
- Specific arrangements to protect the nearest residential properties (including the nearby listed buildings) from noise and vibration from construction works.

The development shall be undertaken in full compliance with the approved details.

Reason: in order that the development is managed in a way to minimise harm/disruption to the amenities of local residents.

(4) Additional Condition:

29. No lighting shall be installed in relation to any aspect of the development until details of a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in strict accordance with the approved scheme.

Reason: To protect the visual amenity and ecology of the site and local biodiversity.

(5) Additional Informatives:

5. The applicant is strongly encouraged to explore all opportunities for maximising the planting of semi-mature trees wherever possible to do so within the detailed landscaping scheme.

6. The applicant is strongly encouraged to retain the existing Field Maple on site as part of the detailed landscaping scheme.

7. In formulating the Travel Plan pursuant to Condition 9, the applicant is requested to discuss all options and opportunities with the Ward Members and local community to ensure that the Plan is as robust and effective as possible.

[Speakers: Verbal statements were made by F Long, P Donlan, J Leach and E Jones (members of the public) and Mr Owen Jones (agent); Due to technical difficulties a written statement was read out on behalf of H Velvick (member of the public)]

**AP1 22/13 TM/21/01677/FL - 2 YARDLEY PARK ROAD, TONBRIDGE**

Demolition of the existing buildings and the erection of 13no. apartments with associated access, landscaping, parking and infrastructure at 2 Yardley Park Road, Tonbridge.

This item was formally WITHDRAWN from the agenda

**AP1 22/14 TM/21/02915/FL - 105 HADLOW ROAD, TONBRIDGE**

Construction of a single detached dwelling with associated parking and erection of an ancillary garden building at 105 Hadlow Road, Tonbridge.

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

(1) Amended Condition:

4. Prior to the first occupation of the development hereby approved a scheme of hard and soft landscaping and boundary treatment shall be submitted to and approved by the Local Planning authority. The scheme shall include full details of all soft planting across the site and details of hardscaping materials, parking layouts and levels throughout the front curtilage. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: In the interests of visual amenity and to ensure adequate parking arrangements are provided.

(2) Additional Condition:

9. Prior to the commencement of the development hereby approved, arrangements for the management of all construction works shall be submitted to and approved by the Local Planning Authority. The management arrangements to be submitted shall include (but not necessarily be limited to) the following:

- The days of the week and hours of the day when the construction works will be limited to and measures to ensure these are adhered to;

- Procedures for managing all traffic movements associated with the construction works including (but not limited to) the delivery of building materials to the site (including the times of the day when those deliveries will be permitted to take place and how/where materials will be offloaded into the site) and for the management of all other construction related traffic and measures to ensure these are adhered to; and
- The specific arrangements for the parking of contractor's vehicles within or around the site during construction and any external storage of materials or plant throughout the construction phase.
- Specific arrangements for the provision of wheel washing facilities for contractor's vehicles within the site to ensure mud is not deposited on the public highway

The development shall be undertaken in full compliance with the approved details.

Reason: In the interests of residential amenity and highway safety in accordance with policy CP24 of the Tonbridge and Malling Borough Core Strategy 2007

(3) Additional Informative:

3.The applicant is reminded that the approved outbuilding to be constructed in the garden of the new dwelling must only be used for a purpose ordinarily incidental to the enjoyment of that dwellinghouse. The use of the building as a separate unit of residential accommodation or for a trade or business purpose such that a material change of use occurs would require planning permission.

[Speaker: Due to technical difficulties a written statement was read out on behalf of Iwan Jones (agent)]

#### **AP1 22/15 EXCLUSION OF PRESS AND PUBLIC**

There were no items considered in private.

The meeting ended at 9.52 pm