

WEST MALLING PARISH COUNCIL

MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
HELD ON TUESDAY 22ND SEPTEMBER 2020, 7.30PM
VIA ZOOM CONFERENCE CALL

Present: Mr. David Thompson (Chairman)
Ms Gwyneth Barkham
Ms Sara Margetts
Ms Camilla Medhurst
Mrs Yvonne Smyth
Ms Min Stacpoole

Minute		Action by	Action	Response
20/387	APOLOGIES FOR ABSENCE – Mr Bullard			
20/388	DECLARATIONS OF INTEREST - none			
20/389	MINUTES of the meeting held on 28 th July were approved and are to be signed at a later date.	DT	✓	
20/390	MATTERS ARISING from the minutes not otherwise on the agenda – there were no matters arising.			
20/391	TMBC LOCAL PLAN			
	No further update			
20/392	PLANNING APPLICATIONS – NEW BUILDING APPROVALS			
392.1	<p>TM/20/01107/FL - Arundel House 88 High Street West Malling ME19 6NE Construction of a new single storey rear extension and replacement of existing flat roof; internal alterations; installation of new ventilation flue into chimney to the rear with a new ventilation cowl; construction of a single storey garden dining structure and refuse store along with associated landscaping works; change of use to provide new A3 (cafe and restaurant) use for the building.</p> <p>Granted</p> <p>[West Malling Parish Council had not objected to this application, but had asked that there be further exploration of the heritage value of the external structure, further details of noise cancelling technology and asked that consideration be given to café style licensing hours, requiring alcoholic drinks to be purchased with food]</p>			
392.2	TM/20/01226/FL 5 Orwell Spike West Malling ME19 4PB Erection of detached single family			

	dwelling, enlarged and re-configured proposals to approved dwelling as planning permission TM/19/01212/FL. Granted [West Malling Parish Council had objected to this application]			
20/393	<u>PLANNING APPLICATIONS – NEW BUILDING REFUSALS</u>			
	TM/20/01368/FL - 25 West Street West Malling ME19 6QX Demolition of the existing building and the erection of one terrace of three x 3 bedroom homes together with the construction of a pair of semi-detached dwellings to the side (5 units in total) with associated revised access, parking, private gardens and landscaping. Refused [West Malling Parish Council had objected to this application]			
20/394	<u>WITHDRAWN APPLICATIONS</u>			
	TM/20/01105/FL & TM/20/01106/LB - 65 High Street & 10A Swan Street West Malling ME19 6NA Internal changes to 10a Swan Street and some alterations to the existing fenestration; construction of a new single storey refuse store to the rear; removal of the existing external plant by relocating this on to the second floor internally; breaking through from No.10a to join the property with the existing no.65 High Street and minor internal alterations to No.65; change of use of no.10a from A1(shops) and no.65 A3 (Cafe and Restaurant) to a combined A1 (Shop) and A4 (drinking establishment) Withdrawn			
20/395	<u>TREE APPLICATION APPROVALS</u>			
395.1	TM/20/01383/TNCA - 155 St Leonards Street West Malling ME19 6PE T1 Apple - Removal of previously coppiced stem, approx 3m tall and covered in ivy and epicormic growth. Stump and exposed roots to ground to below ground level. T2 Ash - removal of a single East facing and leaning lower limb. Granted [West Malling Parish Council had not objected to this application]			
395.2	TM/20/00791/TNCA - 19 Ryarsh Lane West Malling No Objection – no decision made within the 6 week timescale. [West Malling Parish Council had asked that consideration be given to a crown reduction]			
20/396	<u>PLANNING APPLICATION RESPONSES SUBMITTED USING DELEGATED POWERS – SEC 101 (1) LOCAL GOVT ACT 1972</u>			
396.1	TM/20/01544/LRD - 106 High Street West Malling ME19 6NE Details of conditions 2 (repointing mortar), 3 (windows), and 4 (gutters) pursuant to planning permission TM/20/01006/LB (Listed Building Application: Re-pointing the front of the property, refurbishing the painted timber shutters and painting the front door and associated re-furbishment works. These re-furbishments are: re-furbish the existing front sash windows and re-decorate, re-paint the front facade, repair the front render band at low level and paint black at low level, take down the front cast iron gutter, repair and put back as existing, decorate front door and front timber gates to match front door and re-paint roughcast wall to side front area with a white-wash) The Planning Committee commented as follows: <i>West Malling Parish Council Planning Committee has considered this application to discharge</i>			

	<p><i>condition 2, 3 & 4 pursuant to planning permission TM/20/01006/LB and does not object to the discharge of the condition.</i></p> <p><i>Subsequently, this application was approved by TMBC</i></p>			
396.2	<p>TM/20/01503/FL - Nevill Lodge 4 Town Hill West Malling ME19 6TF Single storey kitchen extension</p> <p>The Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this planning application and has decided that it does not object to this application.</i></p> <p><i>Subsequently, this application was approved by TMBC</i></p>			
396.3	<p>TM/20/01578/RD - Land East Of King Hill West Malling - Details of condition 5 (ecology assessment) pursuant to planning permission TM/18/01013/OA (Outline Application: Demolition of existing dwellinghouse (Sportsmans' Bungalow, 124 Teston Road) and outbuildings and erection of up to 120 dwellings including 40% affordable housing, with public open space, a community orchard, landscaping and sustainable drainage system (SuDS) and vehicular access point from King Hill. All matters reserved except for means of access.</p> <p>The Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this application to discharge condition 5 pursuant to planning permission TM/18/01013/OA and would like to make the following comments:</i></p> <p><i>The Parish Council does not object to the discharge of the condition, however, as this is an important site in biodiversity terms, we do ask for clarification from T&MBC and Crest Nicholson as to how the planned mitigation measures will be achieved, by whom they will be carried out, who is responsible for monitoring them and over what period of time will the monitoring take place.</i></p>			
396.4	<p>TM/20/01676/FL & TM/20/01677/LB - Puckle Cottage 91 Norman Road West Malling ME19 6RN Listed Building Application: Proposed contemporary two storey extension to grade II listed building and garden room/home office.</p> <p>The Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has discussed this application and objects to this application for the following reasons:</i></p> <ul style="list-style-type: none"> • <i>The extension will result in significant damage to a unique heritage asset in West Malling, radically altering both the house itself and the plot of land it sits on.</i> • <i>The new elements do not form a structure subservient to the main house, particularly given its overall scale and the height of the roof.</i> • <i>There is a possibility the new structure could be used as a separate dwelling</i> • <i>Aesthetically, the design of the new extension is not in-keeping with surrounding structures within this area.</i> • <i>This construction will negatively affect the visual amenity of several surrounding properties, owing to its height and scale and the nature of the plot which is surrounded by other properties on three of its four sides.</i> 			
396.5	<p>TM/20/01630/FL - 11 West Street West Malling ME19 6QX Replacement of flat roof over garage extension with a new pitched roof level with the existing pitched roof.</p> <p>The Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this planning application and has decided that it does not object to this application.</i></p> <p><i>Subsequently, this application was approved by TMBC</i></p>			

<p>396.6</p>	<p>TM/20/01524/FL - 18 And 19 Churchfields West Malling ME19 6RJ Construction of a front porch for number 18 and number 19 Churchfields. This will be a single structure for both dwellings.</p> <p>The Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this planning application and has decided that it does not object to this application.</i></p> <p>Subsequently, this application was approved by TMBC</p>		
<p>396.7</p>	<p>TM/20/01366/TPOC - The Old Stable Building Old Parsonage Court West Malling ME19 6NZ T2 Beech to remove the two lowest limbs, reduce the encroachment by 2m and remove all epicormic growth; T3 Sweet Chestnut reduce the second lowest limb by 5m and remove the overdeveloped sucker branch; T4 Yew to fell to ground level.</p> <p>The Planning Committee commented as follows:</p> <p><i>West Malling Parish Council has discussed this application and would like to make the following comments.</i></p> <p><i>T4 (Yew tree) The Parish Council note that a similar application was refused in 2017 for the following reasons - 'insufficient silvicultural reason to warrant felling the tree at present and it is not considered to be currently unsafe. The tree may respond to a crown reduction and thereby continue to provide public visual amenity to the locality'. We would ask that if possible, the Landscape Officer visit the site to establish if the reasons provided in 2017 still stand and if they do, we would ask that the tree remain.</i></p> <p><i>T2 & T3- the council do not object to the planned work to the Sweet Chestnut and the Beech being undertaken.</i></p> <p>Subsequently, this application was approved by TMBC</p>		
<p>396.8</p>	<p>TM/20/01803/FL - 108 St Leonards Street West Malling ME19 6PD Demolition of the existing rear extension and the construction of new two storey extension, plus conversion of loft and new the formation of a new car parking space to the side of the house.</p> <p>The Planning Committee commented as follows:</p> <p><i>In principle, West Malling Parish Council Planning Committee do not object to this application, however, the committee would wish to make the following comments regarding access:</i></p> <p><i>The proposals for a parking space on the site and gates to access it, does raise concern at what is a dangerous bend in the local road network. With vision obscured by established trees in Manor Park and lengthy portions of straight road on either approach, cars stopping to wait for gates to open are a serious cause for concern. Should permission be granted for a parking space on site, the Committee would like to see conditions included that would require entrance gates to be position sufficiently away from the road to allow a car to completely clear the carriageway before waiting to enter them in order to mitigate some of the risks to the applicants, other drivers and pedestrians.</i></p>		
<p>396.9</p>	<p>TM/20/01738/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 space, areas of play, upgrade of existing footpaths, together with new vehicular access onto London Road and associated parking and landscaping. Duplicate Application.</p> <p>The Planning Committee commented as follows:</p> <p><i>West Malling Parish Council object to this application for the following reasons:</i></p> <p>1. <i>The site is not shown for housing on the current Local Plan and is instead shown as rural</i></p>		

	<p><i>countryside. The majority of the area of this site was not submitted to the call for sites, with development upon it not included in the submitted Local Plan. The submission already includes sufficient sites to deliver the housing supply required by Government.</i></p> <p><i>2. The site is proposed Green Belt on the submitted Local Plan. In addition to preserving a pristine green space, the inclusion of this site within the Green Belt extension is designed to preserve the distinctiveness of the historically separate settlements of West Malling, East Malling and Larkfield.</i></p> <p><i>3. The site is crossed by virtually two diagonal, rural public footpaths which are used extensively and should be protected. Importantly, these paths provide easy access to West Malling station and therefore reduce the environmental impact of journeys to and from it by encouraging more people to walk. This application includes proposals to upgrade the footpaths, which may mean laying a hard surface. This type of work would spoil the rural character of these ancient pathways, making them much more urban in the process and spoiling their aesthetic and the enjoyment of local residents and walkers.</i></p> <p><i>4. The site comprises high-quality agricultural land in continuous use since at least the last war. The site is classified as 'best and most versatile' agricultural land and records show that it has been in agricultural use for at least the last three quarters of a century. The previous Local Plan included reference to its special significance as agricultural land.</i></p> <p><i>5. Even without the Green Belt designation, the site is vital in preserving the historic distinction between the settlement boundaries of West Malling, East Malling and Larkfield. These proposals will extend the urban area through this important green space which not only marks the edge of the settlements to the north of the A20, but also the edge of both East and West Malling. The application itself acknowledges that these plans will mean a substantial extension to the build-up area.</i></p> <p><i>6. Already struggling transport infrastructure will be stretched by this development. Neighbouring roads, such as the A20, are regularly heavily congested, particularly at morning and afternoon peaks and during disruption on the nearby M20. Rail capacity too is already limited during peak hours and the uncertainty around additional rail services into London and down further into Kent is further cause for concern. Specifically, the inclusion of a new access road linking the A20 to Winterfield Lane will place unmanageable pressure on Winterfield Lane, a narrow, rural thoroughfare and create a 'rat-run' from the A20 towards southerly destinations via East Malling and into West Malling.</i></p> <p><i>7. The site contains a number of trees protected by Tree Preservation Orders which should be maintained. With the Council having recently declared a Climate Emergency, maintaining and upgrading green spaces with trees is a vital component of the Council's efforts to tackle irreversible climate change. This application proposes the removal of ten trees, three of which have TPO status. The application also requires four other trees to be removed away from the site, along with 51m of a hedgerow with 'important' status under the Hedgerow Regulations (1997) for access roads.</i></p>		
20/397	BUILDING PLANNING APPLICATIONS		
397.1	<p>TM/20/01945/LB - 115 St Leonards Street West Malling ME19 6PE Listed Building Application: Take down and rebuild chimney stack on northern flank of building and renovation and repair to chimney on southern flank</p> <p>West Malling Parish Council commented as follows:</p> <p><i>West Malling Parish Council Planning Committee met on the 22nd September to discuss this planning application and has decided that it does not object to this application. In view of the comments of the Conservation Officer, the Parish Council is pleased to note that a structural engineer is being employed on this project. The Council would ask that original materials be used where possible.</i></p>		
397.2	<p>TM/20/01939/FL - 4 Orwell Spike West Malling ME19 4PB Demolition of existing garage. Subdivision of existing site and construction of additional detached dwelling with integral garage, parking and replacement garage for existing dwelling</p>		

	<p>West Malling Parish Council commented as follows:</p> <p><i>West Malling Parish Council Planning Committee met on the 22nd September 2020 to discuss this planning application and has decided that it objects for the following reasons:</i></p> <ul style="list-style-type: none"> • <i>the size and scale of the proposed dwelling is inappropriate for both the plot and its vicinity;</i> • <i>the unnecessary proximity to other houses;</i> • <i>the precedent that permitting infilling of this nature could set in the future;</i> • <i>the concern that additional properties will exacerbate the drainage and surface run-off issues, particularly given the regular flooding which occurs on King Hill;</i> • <i>the committee is of the opinion that the proposed first floor dormer on the garage is unsuitable as the neighbours will be overlooked.</i> 			
397.3	<p>TM/20/01923/FL - Tower Farm Offham Road West Malling Construction of a road linking existing entrance/access onto Teston Road with livery stables.</p> <p>West Malling Parish Council commented as follows:</p> <p><i>West Malling Parish Council Planning Committee met on the 22nd September 2020 to discuss this planning application and has decided that it does not object to the application. The Committee ask that consideration be given to a concealed entrance sign so as to alert drivers to slow moving vehicles entering or exiting the access road.</i></p>			
397.4	<p>TM/20/01909/RD - Land East Of King Hill West Malling Details of conditions 8 (levels), 12 (boundary treatment), 17 (refuse) and 23 (surface water drainage) submitted pursuant to planning permission TM/18/01013/OA (Outline Application: Demolition of existing dwellinghouse (Sportsmans' Bungalow, 124 Teston Road) and outbuildings and erection of up to 120 dwellings including 40% affordable housing, with public open space, a community orchard, landscaping and sustainable drainage system SuDS) and vehicular access point from King Hill. All matters reserved except for means of access)</p> <p>West Malling Parish Council commented as follows:</p> <p><i>West Malling Parish Council Planning Committee met on the 22nd September 2020 to discuss this application to discharge condition 8, 12, 17 and 23, the Committee has decided that it does not object to the application.</i></p>			
20/398	<u>PLANNING FOR THE FUTURE</u>			
	<p>Following a general discussion it was agreed that the following points should form the basis of the Parish Council response</p> <ul style="list-style-type: none"> • Policy making ceasing to be local and concerns over issues of local democracy / engagement process. • Proposed changes to the Standard Housing Method which will have a disproportional impact on Kent and the South East • Level of protection for a 'protected' area. • Design and quality build <p>Mr Thompson to draft a response which will be considered by Full Council at the October meeting.</p> <p>Link - https://www.gov.uk/government/consultations/planning-for-the-future Deadline 29th October 2020</p>	DT		
20/399	<u>PLANNING ENFORCEMENT</u>			
	<p>Current investigations:</p> <p>The Rain Grill - It was noted that the illuminated scrolling sign had now been removed from the Rain Grill window.</p>			

	<p>The Farmhouse marquee – the Clerk is awaiting an update from T&MBC as to whether or not the marquee requires planning permission.</p> <p>Potential new investigations</p> <p>None</p>			
20/400	<p><u>QUESTIONS FROM MEMBERS OF THE PUBLIC</u> - none</p>			
20/401	<p><u>QUESTIONS FROM MEMBERS OF THE COMMITTEE</u></p> <p>Land East of King Hill – Ms Barkham enquired as to if / when the trees would be replanted along King Hill; these trees being removed as part of the outline application.</p> <p><i>Subsequent to the meeting, the Clerk forwarded a letter to members from T&MBC which confirmed that the trees will be replaced; the Clerk also forwarded a copy of the landscaping phasing plan which had a suggested timescale for works to be carried out.</i></p> <p>Tree Applications – it was agreed that the 2 recently received tree applications would be considered using delegated powers.</p>			
20/402	<p><u>TMBC AREA 2 PLANNING COMMITTEE</u> – next meeting date Wednesday 4th November 2020</p>			
	<p>Date of next planning meeting: Tuesday 27th October 2020</p>			
	<p>There being no further business, the Chairman thanked members for attending and closed the meeting at 8.39 pm</p> <p>Signed.....</p> <p>Date.....</p>			