

WEST MALLING PARISH COUNCIL

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

Present: Mr. David Thompson (Chairman)
Ms Gwyneth Barkham
Mr Keith Bullard
Ms Sara Margetts
Ms Camilla Medhurst
Ms Min Stacpoole

Minute		Action by	Action	Response
20/575	APOLOGIES FOR ABSENCE – Mrs Yvonne Smyth			
20/576	DECLARATIONS OF INTEREST - none			
20/577	MINUTES of the meeting held on 24 th November were approved and are to be signed at a later date.	DT		
20/578	MATTERS ARISING from the minutes not otherwise on the agenda [20/534] – The Farmhouse – the Clerk confirmed that she had not received an update from T&MBC enforcement about the gazebo in the garden of The Farmhouse			
20/579	TMBC LOCAL PLAN			
	<p>It was noted that T&MBC had now received a follow up letter from the Inspectors explaining why the next stages of the Local Plan had been halted.</p> <p>The letter dated 15th December stated that ‘Section 33A of the Planning & Compulsory Purchase Act 2004 imposes a duty on local planning authority to cooperate with other local planning authorities, the County Council and prescribed bodies or other persons by engaging constructively, actively and on an ongoing basis in relation to the preparation of a development plan document so far as relating to a strategic matter to maximise the effectiveness of the activity of plan preparation.’</p> <p>The letter continues that Sevenoaks District Council (SDC) as a neighbouring local authority considers that it is unable to meet all of its own housing needs and that there is no evidence that T&MBC engaged in any meaningful discussions with SDC to consider how the strategic matter of unmet need could be resolved.</p> <p>The letter continues that SDC and TMBC had regular meetings ‘but there is no evidence that unmet housing need in SDC was discussed.’ With no minutes produced as evidence, ‘there is</p>			

	<p>no evidence these meetings were used for constructive and active engagement in an attempt to resolve the strategic matter and maximise the effectiveness of plan preparation’.</p> <p>In addition, there is no evidence that at any time ‘the Council cooperated or even considered cooperating with SDC on a joint review of the Green Belt to understand the comparative quality across the two districts and any potential to amend Green Belt boundaries to fully or more fully meet needs’.</p> <p>The Inspectors conclude that T&MBC failed to engage constructively, actively and on an ongoing basis in the preparation of the plan and that this cannot be remedied during the examination of the plan. The Council are invited to withdraw the plan from examination or failing that, the Inspectors will issue a final report recommending that the plan is not adopted due to a failure to meet the Duty to Cooperate.</p> <p>The letter can be found in full at https://www.tmbc.gov.uk/services/planning-and-development/planning/planning-local-plans/local-plan-examination-contents/examination-documents</p> <p>It was agreed that WMPC would write to the Inspectors expressing their concern about this outcome, the process and the impact that halting the Local Plan would have on the Tonbridge & Malling area. TMBC to receive a copy.</p> <p>Ms Medhurst volunteered to draft a letter.</p>			
20/580	<u>PLANNING APPLICATIONS – T&MBC DECISIONS</u>			
580.1	<p>TM/20/02361/FL - Appledene Farm Norman Road West Malling Proposed development of two detached self-build dwellings with associated amenity space and creation of a new vehicular access</p> <p>Refused</p> <p>[West Malling Planning Committee had objected to this application]</p>			
580.2	<p>TM/20/02546/LRD - 115 St Leonards Street West Malling ME19 6PE Details of works to chimneys submitted pursuant to conditions 2 and 3 of Listed Building Consent TM/ : 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>Approved</p> <p>[West Malling Parish Council did not submit comments]</p>			
20/581	<u>TREE APPLICATION DECISIONS</u>			
581.1	<p>TM/20/02566/TNCA - 181 St Leonards Street West Malling ME19 6PE Reduce roadside Yew Tree by 25%, remove 3m from roadside and clear house by 2m</p> <p>No Objection</p> <p><i>[West Malling Parish Council had considered this application using delegated powers and had not objected to this application]</i></p>			
581.2	<p>TM/20/02610/TNCA - Land East Of Meadow Bank Mews Meadow Bank West Malling T1 Ash - removal of overhanging lower limb and T2 row of Conifers - to be reduced in height from 20m to approx 10m</p> <p>No objection</p> <p><i>[West Malling Parish Council had considered this application using delegated powers and had not objected to this application]</i></p>			
20/582	<u>PLANNING APPLICATIONS CONSIDERED & WHERE APPROPRIATE RESPONSES</u>			

SUBMITTED USING DELEGATED POWERS – SEC 101 (1) LOCAL GOVT ACT 1972			
582.1	<p>TM/20/02546/LRD - 115 St Leonards Street West Malling ME19 6PE Details of works to chimneys submitted pursuant to conditions 2 and 3 of Listed Building Consent TM/20/01945/LB: 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>No response submitted</p>		
582.2	<p>TM/20/02539/FL - The Scared Crow 79 Offham Road West Malling ME19 6RB Change of use from existing Public House, to form 2 no 2 storey dwellings with minor additions to rear elevations. Decision reached at Full Council on 7th December 2020</p> <p>The Planning Committee commented as follows:</p> <p><i>West Malling Parish Council has discussed this planning application and has decided that it objects to this application for the following reasons:</i></p> <ul style="list-style-type: none"> • <i>This development would constitute the loss of an important community asset and the last pub in West Malling not located on the High Street.</i> • <i>The proposed alterations would remove the heritage aspects of this pub which has been in constant operation since the 1860's.</i> • <i>The proposed dwellings sit on a very limited site, with no proposed exterior space. The site is surrounded by a green that is owned by the local authority, the integrity and cleanliness of which should be maintained for the benefit of local residents.</i> • <i>There is already considerable pressure on the public highway because of high numbers of vehicles parking on two of the three sides of this triangle of land. Developing this site would be likely to mean more cars parking there for longer periods of time. This will further impede access, not only for local residents but for ambulances and other service vehicles attending adjacent St Mary's Court retirement housing.</i> • <i>Please note that the tarmac path which runs immediately beside the building does not form part of the pub property and therefore should not be used by potential new owners of the site. This is a dedicated footway which should be maintained and kept clear of waste bins should the use of the building change.</i> <p><i>Furthermore, it should be noted that the Parish Council has applied for the Scared Crow to be registered as an Asset of Community Value, pointing to its heritage and community value as a valued spaced for socialising and the vast majority of local residents who have indicated they wish to see it remain a public house. Members of the Planning Committee are asked to consider this application in the context of the application to have the premises included on the ACV register.</i></p>		
582.3	<p>TM/20/02627/AT - 79 - 81 High Street West Malling ME19 6NA Installation of 4X Fascia signs, 1X Projecting sign and 3X Graphic signs.</p> <p>The Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this application and although it does not object to this application the committee is mindful that this is a large store in the centre of the Conservation Area and would therefore like to ensure that signage is minimal and appropriate. In particular sign 8, the new vinyl to be applied to the lower half of a window, is particularly problematic and the Council feels the overall design would be much enhanced without it being installed.</i></p>		
582.4	<p>TM/20/02624/LB - 115 St Leonards Street West Malling ME19 6PE 115 St Leonards Street West Malling Kent ME19 6PE Listed Building Application: Renovation and structural repair works to house including provision of bracing and beams to support roof structure and chimneys; replacement wiring and plumbing; installation of new kitchen units, creation of en-suite bathroom; repairs to floor and wall coverings; works to fire places to remove modern installations; removal of part of pantry wall and general repairs to internal wall finishes, plasterwork and redecoration.</p>		

	<p>The Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this application and whilst it does not object, the committee would ask that the Conservation Officer consider the detail of the application as this property is a significant Listed Building within the townscape of West Malling.</i></p>			
582.5	<p>TM/20/02613/RD - Arundel House 88 High Street West Malling ME19 6NE Details of condition 2 (materials) and 3 (joinery) pursuant to listed building planning permission TM/20/01108/LB and conditions 2 (archaeological investigation) and 5 (no external lighting) pursuant to planning permission TM/20/01107/FL.</p> <p>The Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this application to discharge condition 2 and 3 pursuant to planning permission TM/20/01108/LB and conditions 2 and 5 pursuant to planning permission TM/20/01107/FL.</i></p> <p><i>The Parish Council does not object to the discharge of the conditions, however, with regards to the archaeological investigation, the committee feels that further investigation into the possible age and historic nature of the rear extension and its relationship with the rest of the structure would be beneficial to understanding the wider context of the site, including the garden.</i></p>			
582.6	<p>TM/20/02610/TNCA - Land East Of Meadow Bank Mews Meadow Bank West Malling T1 Ash - removal of overhanging lower limb and T2 row of Conifers - to be reduced in height from 20m to approx 10m</p> <p>The Planning Committee had commented:</p> <p><i>West Malling Parish Council Planning Committee has discussed this planning application and has decided that it does not object to this application.</i></p>			
582.7	<p>TM/20/02566/TNCA - 181 St Leonards Street West Malling ME19 6PE Reduce roadside Yew Tree by 25%, remove 3m from roadside and clear house by 2m</p> <p>The Planning Committee had commented:</p> <p><i>West Malling Parish Council Planning Committee has discussed this planning application and has decided that it does not object to this application.</i></p>			
20/583	BUILDING PLANNING APPLICATIONS			
583.1	<p>TM/20/02630/FL - Groundsmans Cottage 101 St Leonards Street West Malling ME19 6PE Demolition of existing garage and erection of a replacement garage with associated office space above.</p> <p>The Planning Committee commented:</p> <p><i>West Malling Parish Council Planning Committee has considered this planning application and has decided that it objects to this application for the following reasons:</i></p> <ul style="list-style-type: none"> • <i>This site sits within the Conservation Area and is immediately adjacent to the historic St Leonard's Tower. Comments made by the Conservation Officer also point to Romano-British and medieval burials in the vicinity.</i> • <i>The proposal is for a very large double garage, with a significant frontage onto St Leonard's Street opposite the Tower.</i> • <i>The size of the proposed structure is very large. While the application talks about it being a one storey structure, it includes garage space on the ground floor and office space above meaning that it must be of a height greater than that of one storey.</i> • <i>The size of this property could mean that future development into a residential dwelling could be possible.</i> 			

583.2	<p>TM/20/02675/OA - Munsukh House 3 Orwell Spike West Malling ME19 4PB. Outline Application: Proposed residential development of 5 detached dwellings.</p> <p>The Planning Committee commented:</p> <p><i>West Malling Parish Council Planning Committee has considered this planning application and has decided that it objects to this application for the following reasons:</i></p> <ul style="list-style-type: none"> • <i>If approved, this application would result in an overdevelopment of the site which would be out of keeping with the prevailing character of the area.</i> • <i>If approved, this site would further remove the open spaces which separate West Malling from Kings Hill, forming a ribbon of continuous development along St Leonard's Street. The site would also be greatly impacted by the noise of nearby roads.</i> • <i>There are concerns about access to Orwell Spike, something aggravated by the proliferation of infill housing in the gardens of almost every resident on the close. While this is something that should have been taken into account as part of all applications and is now rather a moot point, the Council would point out the safety concerns around bins being left on the pavement on King Hill and leading to possible obstructions for pedestrians on a 40mph road. Both the legal speed and illegal speeds of vehicles along this stretch of road poses a risk to pedestrian safety.</i> • <i>There are concerns that heritage assets would be harmed as the application is for the former site of the Union Workhouse and Chapel. As pointed out by the conservation officer, remains of workhouses and their chapels are often found relatively intact and this should be explored properly before consent is granted.</i> • <i>Members are concerned that protected species would be harmed if this proposed development were to be agreed.</i> • <i>Comments from neighbours indicate a level of concern about the possible presence of asbestos on the site, resulting from the demolition of temporary WWII constructed related to the nearby former airfield. Full analysis should be carried out prior to permission being granted.</i> 		
583.3	<p>TM/20/02777/RD - 2 - 4 High Street West Malling. Details of condition 11 (c and d) (contamination) and condition 14 (acoustic) pursuant to planning permission TM/17/01287/FL (Redevelopment to demolish commercial unit to the rear of the site and provide 5 terraced houses and extensions to the existing commercial building to the front of the site).</p> <p>The Planning Committee commented:</p> <p><i>West Malling Parish Council Planning Committee has considered this application and has decided that it does not object to the application.</i></p>		
583.4	<p>KCC/TM/0277/2020 - Blaise Farm Quarry, Blaise Quarry Road, Kings Hill, West Malling, ME19 4PN Details of a maintenance manual for the proposed sustainable drainage scheme pursuant to Condition 4 of planning permission TM/19/2396.</p> <p>No comments submitted</p>		
583.5	<p>KCC/TM/0259/2020 - In Vessel Composting Facility, Blaise Farm Quarry, Kings Hill, West Malling, ME19 4PN Section 73 application to enable the operation of the established in vessel composting facility to its approved capacity for the same duration as the adjacent anaerobic digestion facility permitted under planning permission TM/19/2396 on 15 October 2020.</p> <p>No comments submitted</p>		
20/584	<p>BROADWATER FARM / BERKELEY HOMES MEETING</p>		
	<p>It was noted that a Zoom meeting is to be held with representatives from Berkeley Homes, East Malling & Larkfield Parish Council and West Malling Parish Council to discuss the proposed Broadwater Farm development. The meeting is to take place on Thursday 7th January at 4.30pm.</p>		
20/585	<p><u>PLANNING ENFORCEMENT</u></p>		

	<p>Current investigations:</p> <p>Update awaited on The Farmhouse gazebo and the new structure to the side of Roses Juice Bar in Swan Street; it was noted that groups are starting to congregate near the new structure. Clerk to notify PCSO.</p> <p>Potential new investigations – there were none</p>			
20/586	<u>QUESTIONS FROM MEMBERS OF THE PUBLIC</u> - none			
20/587	<p><u>QUESTIONS FROM MEMBERS OF THE COMMITTEE</u></p> <p>There was a general discussion regarding the lease on Malling Abbey which is due to expire in 25 years. It was noted that the lease will continue all the time there are nuns living in the Abbey.</p> <p>There was a general discussion regarding Rotary House and potential uses for the site.</p>			
20/588	<u>TMBC AREA 2 PLANNING COMMITTEE</u> – next meeting date tbc			
	Date of next planning meeting: Tuesday 26 th January 2021			
	<p>There being no further business, the Chairman thanked members for attending and closed the meeting at 8.46 pm</p> <p>Signed.....</p> <p>Date.....</p>			