

WEST MALLING PARISH COUNCIL

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 20 SEPTEMBER 2016, 7.30PM AT VILLAGE HALL, NORMAN ROAD, WEST MALLING

Present: Mr R Selkirk (Chairman)
Mr S Harriott
Mrs Y Smyth

Co-opted member:
Mr M North

Also in attendance:
Mr David Catterall *re* micro pub application
Mr Rick Mason “

Carole D’Silva (Clerk) (minute-taker)
Mrs Claire Christmas (incoming Clerk)

Minute		Action by	Action taken	Response
16/524	<u>APOLOGIES FOR ABSENCE</u> were received from Mr Bullard, Mr Carroll, Mrs Dean and Mr Merchant.			
16/525	<u>DECLARATIONS OF INTEREST</u> Mr Selkirk declared that he had received a gift of a case of wine from Mr Catterall relating to another matter. Mrs Smyth declared an interest in 16/529.1 as her husband was the President of the Cricket Club.			
16/526	<u>MINUTES</u> of the meeting held on 23 August 2016 were approved and signed			
16/	<u>MATTERS ARISING</u> from the minutes not otherwise on the agenda			
527.1	(16/479.1) TM/16/01863/RD – details of condition 6 (archaeological) submitted pursuant to planning permission TM/13/01952/FL (development comprising 4 two-bedroom town houses and one retail unit plus associated parking and external works) at Mill Yard 26 Swan Street for Baxter Homes SE Ltd. Mr North reported that he had no comments to offer. The Clerk was to ask T&MBC to clarify why the applicant for the Mill Yard applications was sometimes Baxter Homes and sometimes Bedlars Holdings.	Clerk		
	Members agreed to change the order of the agenda items to allow the Micro-pub application to be considered first. Mr Selkirk welcomed Mr Catterall and Mr Mason to the meeting.			
16/	<u>PLANNING APPLICATION</u>			
528.1	TM/16/02592/FL – change of use of ground floor residential unit to micro pub business (A4) with associated external alterations to the building at 52 High Street for Pepa (Peter Trill) Mr Selkirk explained that last year an application had been received for change of use to retail at this location without any particular use being specified.			

	<p>WMPC had objected but the use was approved by T&MBC. The application currently being considered was for a micro pub providing a selection of real ales, no juke box, shorter opening hours compared with other pubs, would close by 9pm. Members had no objections subject to the air conditioning not being noisy.</p>			
	Mr Selkirk offered to formulate a response.	RS	✓	
	<p>Subsequent to the meeting the following were sent by Mr Selkirk to T&MBC: “We are very supportive of the application. The addition of a micro pub to the West Malling business community will have a positive impact on our High Street and bring a different type of business to our town. Additionally, we have been very impressed by the consultation and engagement with local residents by the applicants. They have listened to and taken into account their comments in coming up with the final planning application. We did note that this property is located adjacent to a residential area in the heart of the West Malling Conservation Area. The planning application calls for 2 condensers to be installed. Due to concerns about excessive noise (King Street is already affected by the excessive noise from other businesses on the High Street), the applicant has confirmed verbally at our meeting tonight that the quietest ones on the market would be installed. This is to minimise any noise pollution to neighbouring residential and business properties. We would like you to ask the applicant to supply the details of the exact ones to be installed so we can be assured of their quietness. The applicant did not see any problem with this request. It would be helpful if you could send our Parish Clerk the information when it is received”</p>			
16/	<u>MATTERS ARISING</u>			
529.1	<p>TM/16/01976/FL – the Cricket Club currently has two storage containers which are used to house ground work and coaching equipment. We wish to re-position both containers, still on the existing site so that they sit adjacent to each other. Part of our reason is to reduce the option for vandalism as suggested by the Tonbridge & Malling BC EVA at West Malling Cricket Club Norman Road for Mr Chris Gosney. It was noted that WMPC had now received the Notice of Service in respect of this application. The Clerk was to return this to Mr Gosney and point out that he had not completed the line which required him to state which organisation he represented.</p>	Clerk		
	<p>TMCC Lease – the Clerk was to place an item on the agenda for the F&GP meeting to be held on 29 September 2016 to formalise action which has to be taken e.g. regarding CCTV cameras on the Cricket Pavilion.</p>	Clerk	✓	
529.2	<p>TM/16/1600/FL – The Old Stable Building, Old Parsonage Court – WMPC had received the following response from T&MBC (Mr Leslie Sayers) as to Listing of this building:</p> <p>“The available records indicate that the building now addressed as ‘The Old Stable Building, Old Parsonage Court’ is not listed in its own right. It would, however, at some time have been within the curtilage of the listed building ‘Old Parsonage Court’ (Historic England List Entry Number 1218382). The ‘Date first listed’ is given as 30-Nov-1993, and I have checked with the head office at Historic England that this is indeed the date the building was first listed.</p> <p>At that date of 30/11/1993, the curtilage of Old Parsonage Court had been severed some years previously as a result of the development for which planning permission was granted under reference 84/10959/FUL dated 24/2/1984 for:</p> <p><i>“Provision of 27 no. dwelling units comprising conversion of existing house into 3 no. sheltered housing units, erection of 23 no. sheltered housing units and erection of resident secretary’s house; construction of ancillary parking areas and vehicular access to Water Lane West Malling.”</i></p> <p>Once this development had taken place, The Old Stable Building could, in our view, have reasonably been considered still to be part of the curtilage of the listed building only if it were used/associated solely with the new dwellings 1, 2 and 3 Old Parsonage Court. However, it is more likely that it would have served as a shared facility for the whole complex, probably in connection with general grounds maintenance.</p>			

	<p>Although, as your Members have rightly pointed out, the records do show a listed building application for conversion of the Old Stable Building to residential accommodation (reference 96/00786/LB), this was probably not actually required, given that the building had already been separated from the curtilage of the listed building before it was listed.</p> <p>On this basis, we conclude that The Old Stable Building is neither listed in its own right nor does it form part of the curtilage of the listed building Old Parsonage Court. Accordingly, an application for listed building consent is not required in respect of the current proposal for a two-storey extension (reference 16/01600/FL). The assessment of that application will, of course, need to have regard to the issue of whether the proposal would affect the setting of Old Parsonage Court (or any other listed buildings in the vicinity), as well as, more broadly, whether the development would preserve or enhance the character or appearance of the West Malling Conservation Area. “</p> <p>Mr North had indicated that he agreed with T&MBC’s comments.</p>			
	<p>Mr Selkirk reported that the application would be going to T&MBC Area 2 on 28 September 2016; officers were recommending approval.</p> <p>Mr Selkirk agreed to draft a letter to be sent to Ms Louise Reid (T&MBC Head of Planning) which he would copy to Mrs Smyth, Mr Harriott and Mr North in time for 28 September 2016.</p>	RS		
16/530	<p><u>LOCAL PLAN</u></p> <p>Mr Selkirk reported that the consultation would be starting shortly and would last for eight weeks.</p> <p>Mr Selkirk was liaising with Mrs Dean with a view to possibly arranging another “Roadshow” event possibly in conjunction with other parishes. This might encourage other parishes to use the WMPC event as a template.</p> <p>Mr Harriott’s personal view was that he would prefer not to involve other parishes.</p>	RS/ TD		
16/531	<p><u>NEIGHBOURHOOD PLAN</u></p> <p>Mr Selkirk reported that WMPC had received confirmation from T&MBC of acceptance of WMPC’s application. There was no specific deadline for completion of the Neighbourhood Plan but Mr Selkirk had starting drafting a timetable.</p>			
16/	<p><u>PLANNING APPROVALS</u></p>			
532.1	<p>TM/16/02080/LB – Listed Building Application – repair and refurbish footbridge at West Malling Railway Station Station Approach for Network Rail Infrastructure Ltd [WMPC had had no objections]</p>			
532.2	<p>TM/16/01999/FL – dormer window to south-west roof slope of dwelling at Munsukh House 3 Orwell Spike for Mr & Mrs Thind [WMPC had had no objections]</p>			
532.3	<p>TM/16/02139/FL – part single and part two storey side extension and to enclose existing open porch at 5 Fartherwell Avenue for Mr Dennis Baynard <i>Subject to conditions including, inter alia:</i></p> <ul style="list-style-type: none"> <i>The first floor window on the north elevation of the extension hereby permitted shall be fitted with obscured glass and, apart from any top-hung light shall be non-opening...</i> <p>[WMPC had had no objections]</p>			
532.4	<p>TM/16/02046/TPOC – Mature Oak located on the field boundary to remove all dead, dying and suspect branches present within the eastern side of the crown of the subject tree at 99 Ewell Avenue for Mr Steven Betts [WMPC had commented: <i>The members of West Malling Parish Council would like Mrs Guthrie to agree a scheme of works so that no unnecessary work is carried out]</i></p>			

532.5	<p>TM/16/02300/TPOC – fell one lime tree to ground level and grind out stump to 150mm below ground level, tree suffers from ganoderma, indicating severe internal decay at Land East of 18 Norman Road for West Malling Parish Council</p> <p><i>Subject to conditions including, inter alia:</i></p> <ul style="list-style-type: none"> • a heavy nursery standard Lime (<i>Tilai europaea</i>) shall be planted during the first planting season following removal of the tree hereby permitted, in a location to be agreed beforehand with the LPA 			
	The Clerk was asked to ensure that the Assistant Clerk had received this for reporting to the Amenities Committee.	Clerk	✓	
532.6	<p>TM/16/02405/TNCA – removal of one Laburnham [sic], one Pear, one Eucalyptus and one Conifer tree at Arundel House 88 High Street for Mereworth Farms</p> <p>[WMPC had commented: <i>Members objected to the removal of these trees. They wished to suggest that the applicant liaise with Mrs Guthrie of T&MBC to agree what action might be taken rather than complete removal e.g. crown reduction]</i></p>			
532.7	<p>TM/16/02209/TNCA – T1 Mature Arbutus – Prune to reduce the crown overall by approx. 1m inside previous reduction points. G2 Ivy covered sycamores within railway land – Prune to reduce all overhanging growth to boundary at Bridge House 31 Police Station Road for Mrs Mary Proctor</p> <p>[WMPC had commented: <i>Due to its location near railway land, members felt that the application ought to have been submitted by Network Rail.</i> <i>Members had no objections to the work proposed in respect of the Arbutus, and would look favourably on the application if it were re-submitted from Network Rail]</i></p>			
16/ 533	<p><u>PLANNING REFUSALS</u></p> <p>TM/16/02104/FL – demolition of existing detached double garage and erection of a detached dwellinghouse with associated parking facilities (Revised scheme to previously refused application TM/16/00616/FL) at 237 London Road for Mr J Wright</p> <p><i>[refused on the grounds that: The proposed development comprises a new dwelling and residential curtilage that are disproportionately small compared to the prevailing residential character of the area resulting in a contrived built form that would demonstrably harm the character and visual amenity of the area.....]</i></p> <p>WMPC had commented: <i>[Although the revised scheme was more modest than the previously refused one, members still considered this would constitute over-development. The car parking arrangements for 237 were unclear and appeared to use a farm track with no right of way. Members ask that this be independently verified by T&MBC and ask that the application be re-submitted for members' consideration]</i></p>			
16/	<u>PLANNING ENFORCEMENT</u>			
534.1	Arundel House – Mr Selkirk reported that T&MBC was in discussion with the owners.			
534.2	Eve's Boutique/Hicks/Martins – no response.			
16/	<u>PLANNING APPLICATIONS (CONTINUED)</u>			
535.2	<p>TM/16/02388/FL – the creation of two small retail units at Mill Yard 26 Swan Street for Bedlars Holdings</p> <p><i>[Members were supportive of new retail units in West Malling]</i></p>	Clerk	✓	
535.3	<p>TM/16/02399/FL – erection of a 3.6m x 2.4m wooden workshop at 28 King Street for Ms Laura Taylor</p> <p><i>[Members wished to know what was the proposed use of the workshop e.g. commercial. They would wish it to be conditioned so as to preclude use for commercial purposes]</i></p>	Clerk	✓	

535.4	TM/16/02750/FL – part single storey, part two-storey side and rear extension. Porch. At 103 Ewell Avenue for Mr & Mrs Jones			
	<i>[Members had no objections in principle as long as there was adequate on-site parking in view of the increased number of bedrooms]</i>	Clerk	✓	
535.5	TM/16/01837/FL - demolish existing garage and shed. Erect double open fronted garage with storage to rear at 140 High Street for Mr Harry Wooldridge			
	<i>[No objections]</i>	Clerk	✓	
535.6	TM/16/02672/FL – demolition of single storey rear extension. Erection of single storey rear extension at 113 Norman Road for Mr Ben Merchant			
	<i>[No objections]</i>	Clerk	✓	
16/	<u>PLANNING APPLICATIONS – TREES</u>			
536.1	TM/16/02530/TNCA = to fell 2 Leyland cypress, tall and growing one-sidedly, reduce the crown of a silver birch by 1/3 at St Marys Abbey 52 Swan Street for Sister Bartimaeus Ives			
	<i>[No objections]</i>	Clerk	✓	
16/ 537	<u>PLANNING CORRESPONDENCE</u> Receipt was noted of: T&MBC “B Lists” – 16/34; 16/35; 16/36; 16/37			
16/ 538	<u>QUESTIONS FROM MEMBERS OF THE PUBLIC AND COUNCILLORS</u> – None			
	There being no further business, the Chairman thanked members for attending and closed the meeting at 9pm Signed..... Date.....			