

# WEST MALLING PARISH COUNCIL

MINUTES OF A MEETING OF THE  
PARISH COUNCIL  
HELD ON 1<sup>ST</sup> JULY 2024, 7.30 PM  
AT WEST MALLING VILLAGE HALL, NORMAN ROAD

**Present:** Cllr Bridgeland (from 7.46)  
Cllr Dean (Chair)  
Cllr Jones  
Cllr Mann  
Cllr Margetts  
Cllr Miles  
Cllr Stacpoole  
Cllr Stevens

Minute		Action by	Action	Response
24/406	<b><u>APOLOGIES FOR ABSENCE</u></b> - were received from Cllr Barkham, Cllr Smyth; Cllr Thompson and Borough Councillor Tatton <b>[LGA 1972 s85(1)]</b>			
24/407	<b><u>DECLARATIONS OF INTEREST</u></b> - none. <b>[LA 2011 s31]</b>			
24/408	<b><u>MINUTES</u></b> – to approve the minutes of the meeting on 3 <sup>rd</sup> June <b>[LGA 1972 Sch 12. Para 41(1)]</b>  <b>Resolved:</b> the minutes were agreed and signed as an accurate record of the meeting held on 3 <sup>rd</sup> June.			
24/409	<b><u>MATTERS ARISING</u></b> - none			
24/410	<b><u>CHAIRMAN’S ANNOUNCEMENTS</u></b>			
	<p>WMGP appointment booking system - Cllr Dean reported that West Malling Group Practice will be holding an ‘Anima’ training session at Ryarsh Village Hall on 29<sup>th</sup> July. Councillors expressed interest in holding a similar session in West Malling.</p> <p>Clerk/Cllr Margetts to speak with WMGP Patient Participation Group.</p> <p>Larkfield polling station – Cllr Dean reported that the polling station has had to be moved from Larkfield Village Hall to Larkfield Leisure Centre due to a traveller incursion at the village hall car park.</p> <p>Rev David Green – it was noted that David Green’s final service at St Marys will take place on 28<sup>th</sup> July at 4pm.</p>	<b>SM/ Clerk</b>	√	√

24/411	<b><u>QUESTIONS FROM MEMBERS OF THE PUBLIC</u></b> - none			
24/412	<b><u>QUESTIONS FROM COUNCILLORS</u></b> - none			
24/413	<b><u>POLICING MATTERS</u></b>			
413.1	<b><u>Police Update</u></b> No report			
413.2	<b><u>Other Policing Matters</u></b>			
	The Clerk advised members of the incident(s) of criminal damage at the refurbished tennis courts. A Police report has been logged.  The installation of CCTV to be added to the Amenities agenda for discussion.  There was a general discussion regarding the use of quad bikes in the town.  It was stressed that residents must be urged to report crimes to the police (by 101 or 999 if an emergency) and to the anti-social behaviour team at TMBC <a href="https://www.tonbridgeandmalling.gov.uk">Report anti-social behaviour – Tonbridge and Malling Borough Council (tmbc.gov.uk)</a>			
24/414	<b><u>LOCAL PLAN</u></b>			
	Cllr Dean reported that Borough Councillors have been invited to a meeting to view maps and that an extra Housing and Planning Scrutiny Select Committee and Cabinet meeting have been scheduled. The expectation is that the consultation will begin at the end of July/beginning of August.  It was agreed to delegate some of the public meeting arrangements to the Clerk, Cllr Dean; Cllr Stevens; Cllr Thompson and Cllr Mann.  Venue to be sourced due to the closure of the school hall until at least 15 <sup>th</sup> September.			
24/415	<b><u>ROTARY HOUSE</u></b>			
	It was agreed that in view of the confidential nature of the business to be transacted (purchase of land) it was advisable in the public interest that the public and press be temporarily excluded and asked to withdraw in accordance with the Public Bodies (Admission to Meetings) Act 1960.			
	Members to note the planning application for change of use for this site and to ratify comments agreed at the planning meeting on 25 <sup>th</sup> June.  24/00927/PA - Proposed change of use from an existing community centre to a nursery with Associated parking and landscaping  <a href="https://www.agileapplications.co.uk">Citizen Portal Planning - application details (agileapplications.co.uk)</a>  <b>Resolved:</b> members were in receipt of full comments drafted following the Planning Committee meeting on 25 <sup>th</sup> June, those comments were ratified by the Council.  See Appendix 1  Clerk to submit to TMBC	Clerk	√	
24/416	<b><u>SECTION 137 DONATION REQUEST</u></b>			
	Members were in receipt of a donation request from Friends of West Malling Primary School, a letter outlining the work/projects of the PTA plus a breakdown of income/expenditure for 22/23			

	<p><b>Resolved:</b> a donation in the sum of £200 was agreed. Proposed by Cllr Stevens, seconded by Cllr Mann and agreed unanimously.</p> <p>Members requested that the school be asked to provide bank balances (rather than income &amp; expenditure) before the donation is forwarded to the school. Cllr Stevens/Cllr Dean to consider the figures on receipt.</p>			
<b>24/417</b>	<b><u>AMENITIES</u></b>			
<b>417.1</b>	<p><b>Tree work, Ryarsh Lane allotments</b> – recommendation from the Amenities Committee that the sum of £10.00 be taken from reserves to cover the additional costs of tree work required following a tree survey. Costs of work being £210; £200 available to spend in 24/25 budget.</p> <p><b>Resolved:</b> it was agreed that the sum of £10.00 be taken from reserves to cover the additional costs of the allotment tree work.</p>			
<b>417.2</b>	<p><b>Playing field risk assessment</b> – recommendation from the Amenities Committee that the updated risk assessment be adopted - amendments made to reflect the tennis court Smart Access Entry System.</p> <p><b>Resolved:</b> it was agreed that the updated playing field risk assessment be adopted.</p>			
<b>24/418</b>	<b><u>NEIGHBOURHOOD PLAN STEERING GROUP</u></b>			
	<p>Recommendation from the Planning Committee that the updated Terms of Reference for the steering group be adopted.</p> <p><b>Resolved:</b> it was agreed that the draft Terms of Reference be adopted.</p>			
<b>24/419</b>	<b><u>STAFF MATTERS</u></b>			
	<p>It was agreed that in view of the confidential nature of the business to be transacted (staffing matters) it was advisable in the public interest that the public and press be temporarily excluded and asked to withdraw in accordance with the Public Bodies (Admission to Meetings) Act 1960.</p>			
	<p><b>CiLCA qualification</b> – members to consider request from the Clerk that the sum of £315 be taken from reserves to enable re-enrolment on the CiLCA course from either 1<sup>st</sup> August or 1<sup>st</sup> October. Additionally, the sum of £50.00 to be taken from reserves to fund ad-hoc mentoring sessions with SLCC trainers.</p> <p><b>Resolved:</b> it was agreed that the sum of £315 be taken from reserves to cover the cost of re-enrolment and that the sum of £50.00 be taken from reserves to fund ad hoc mentoring sessions with SLCC trainers.</p>			
<b>24/420</b>	<b><u>FINANCIAL MATTERS</u></b>			
<b>420.1</b>	<b>Accounts for payment</b> – totalling £10,731.72 were approved - see attached.			
<b>420.2</b>	It was noted that payments in the sum of £7698.97 were authorised at the Amenities meeting on 10 <sup>th</sup> June and £3845.12 at the Highways meeting on 17 <sup>th</sup> June			
<b>420.3</b>	<b>Financial Statement</b> – bank reconciliation as at 27 <sup>th</sup> June was received – see attached.			
<b>24/421</b>	<b><u>MATTERS FOR REPORT</u></b>			
<b>421.1</b>	<p><b>Amenities Committee</b> – receipt was noted of the draft minutes of the meeting held on 10th June</p> <p>There were no questions.</p>			
<b>421.2</b>	<b>Highways Committee</b> – receipt was noted of the draft minutes of the meeting held on 17 <sup>th</sup> June			

	<p>There were no questions.</p> <p>Cllr Margetts advised members that due to works to be undertaken to the WMPC streetlights (Streetlight report received after the committee budget was set) and increased costs to install the new streetlight in Swan Street, that the Highways Committee will in the future need to approach Full Council for funds from reserves.</p>			
<b>421.3.1</b>	<b>Planning Committee</b> – receipt was noted of the agreed minutes of the meeting held on 18 <sup>th</sup> June, Cllr Mann provided a verbal report of the meeting held on 25 <sup>th</sup> June.			
<b>421.3.2</b>	<b>Planning Enforcement</b> – Cllr Dean in her role as Borough Councillor to speak with the TMBC enforcement team regarding a West Malling property/site.			
<b>421.4</b>	<p><b>Neighbourhood Plan Steering Group</b> – receipt was noted of the draft minutes of the meeting held on 8<sup>th</sup> May. Minutes of 12<sup>th</sup> June to follow.</p> <p>There were no questions.</p>			
<b>421.5</b>	<p><b>Macey’s Meadow Advisory Committee</b> – receipt was noted of the draft minutes of the meeting held on 23<sup>rd</sup> May (unavailable at the June meeting)</p> <p>Prior to the meeting Cllr Stacpoole had provided members with a breakdown of the events held during The Great Big Green Week. An event was held on Macey’s Meadow which raised the sum of £235.61, other events included a talk on renovating properties (including retrofittin), a bat walk and a litter pick.</p> <p>There were no questions.</p>			
<b>421.6</b>	<p><b>Broadwater Action Group</b> – it was noted that the AGM took place on Saturday 29<sup>th</sup> June. Members were in receipt of the Annual Report.</p> <p>Cllr Mann attended the AGM and reported that the principal officers were re-appointed.</p>			
<b>421.7</b>	<b>Malling Action Partnership</b> – Cllr Dean reported that a meeting is to be held with the Clare Lake Steering Group.			
<b>421.8</b>	<b>School Governors</b> – no report			
<b>421.9</b>	<b>Malling Society</b> – no report			
<b>421.10</b>	<p><b>Chamber of Commerce/Christmas Lights Committee</b></p> <p>Members were in receipt of draft minutes and presentations from the meetings held on 14<sup>th</sup>, 23<sup>rd</sup> May and 18<sup>th</sup> June,</p> <p>Cllr Dean reported back on her meeting held with the Secretary of the Chamber of Commerce.</p>			
<b>421.11</b>	<p><b>Tonbridge &amp; Malling Borough Council:</b></p> <p><b>Parish Partnership Panel</b> – members were in receipt of the draft minutes of the meeting held on 30<sup>th</sup> May</p>			
<b>421.11</b>	<p><b>KALC/NALC/ACRE/CPRE:</b></p> <p><b>KALC T&amp;M</b> – members noted that the next meeting is scheduled for 11<sup>th</sup> July (in person) &amp; received the draft minutes of the April meeting.</p>			
<b>24/422</b>	<p><b>MEETING DATES</b></p> <p>Amenities – Monday 8<sup>th</sup> July – West Malling Village Hall, 7.30pm  F&amp;GP – Thursday 11<sup>th</sup> July – The Clout, 2.00pm  Climate Change &amp; Biodiversity Action Group – Thursday 18<sup>th</sup> July, 6.30 - The Clout.</p>			

	<p>Planning – Wednesday 31<sup>st</sup> July - West Malling Village Hall, 7.30pm</p> <p>September Full Council 2<sup>nd</sup> September - West Malling Village Hall, 7.30pm</p>			
<b>24/423</b>	<p><b><u>REPORT OF BOROUGH COUNCILLOR(S)</u></b></p> <p>Cllr Dean reported that there had been delays in residents receiving their postal votes for the upcoming general election.</p>			
<b>24/424</b>	<p><b><u>REPORT OF COUNTY COUNCILLOR</u></b></p> <p>Special Schools Review – Cllr Dean updated members on the proposed changes to designations and admissions.</p> <p><a href="#">Special Schools Review: proposed changes to designations and admissions guidance   Let's talk Kent</a></p> <p>Deadline 14<sup>th</sup> August.</p>			
<b>24/425</b>	<p><b><u>CORRESPONDENCE</u></b></p> <p>Town &amp; Country Planning Journal May/June 24</p> <p>Open Space Summer 2024</p>			
	<p>There being no other business, the Chairman thanked members for attending and closed the meeting at 9.51 pm</p> <p><b>Signed</b>..... <b>Dated</b>.....</p>			

## Appendix 1

Dear Planning Department,

**24/00927/PA** - Rotary House, Norman Road West Malling, ME19 6RL

West Malling Parish Council Planning Committee has considered this application and objects to this application.

West Malling Parish Council's involvement in Rotary House:

- Rotary House closed in 2018 when Age Concern, who leased the building from KCC, declared itself insolvent. The building has remained empty since then. In 2021 KCC put the building on the market. WMPC submitted a bid to purchase the site to ensure the existing adjacent community activities could continue unfettered and to seek to re-provide services from the building or a replacement building. We were not successful. The successful sale was unconditional on planning permission.
- WMPC has twice successfully had Rotary House listed as an Asset of Community Value, in January 2021 and July 2023.
- In August 2022 a planning application was submitted to demolish the building and build four 4 bed homes on the site. WMPC raised an objection to this application on a number of grounds but in particular that it represented a loss of a community facility. TMBC supported that objection and refused the application.
- In 2023 the site owner approached WMPC to purchase the building. WMPC applied for grant funding from the Community Ownership Fund to help WMPC fund this purchase. Negotiations with the site owner broke down although WMPC continued with its aspiration to purchase the site and deliver services commissioned from Age UK Maidstone and Sevenoaks who were in support of our proposal.
- In May 2024 a retrospective planning application was submitted in relation to the signage facing Norman Rd. WMPC objected to this arguing the signage was not in keeping with the Conservation Area.

**WMPC's objection to the application for a change of use.**

WMPC objects to this change of use application on the following grounds:

**Community Use:**

- Rotary House currently has planning permission granted 28 October 1996 that says that the building shall be used as a day centre for the elderly and for no other purpose without prior written permission from the Local Planning Authority.
- Community Buildings have special protection in National Planning Law and in TMBC's main Planning Policies.
  - NPPF Section 8 (promoting healthy and safe communities)
  - TMBC's Core Strategy 2007 Policy CP26

A change of use to a nursery run by a private company takes the building out of being a community facility for which no justification has been given or alternative provision offered. In particular, while a change of use to a commercial nursery would provide a service to some members of the community, i.e. parents with children aged 0-5 yrs, it would no longer meet the definition of a community building as it would not:

- Be open to the public
- Promote social cohesion and interaction and therefore promote good health including mental health and combat loneliness.
- Be designed to serve the needs of significant segments of the community.

The Office of National Statistics has suggested:

- Number of people under 5yrs in UK in 2022 was 3.58m and falling
- Number of people over 65 yrs in UK was 11m and rising.
- 3.3m people over 65 yrs live alone.

For over 30 years, Rotary House provided not just a range of services for the elderly, but also provided a venue for the wider community including private parties, community clubs and society meetings, the Parish Council, public meetings, bingo sessions, memory meetings, chiropody, hairdressing and assisted bathing and various fund raising events to support the costs of the centre. If this change of use is allowed, the building will be permanently lost as a community resource.

### **Parking:**

The planning application does not advise how many employees will be on site, nor how many 0-5 year olds will be accommodated. We are therefore unable to estimate whether the five parking spaces to the East of the building will be sufficient. The application states no changes to the vehicular access to the site. However this is not correct. The applicant's plans show the 6 foot high timber close board fence which has already been constructed across the whole of the site boundary onto Norman Road. This completely blocks vehicular access to the forecourt area where previously typically around 5 minibuses were parked. This area is now partially occupied by the covered decking providing the outdoor play area required by OFSTED for nursery buildings. The only access onto Norman Road is a pedestrian gate through the high fence. This means that only five parking spaces to the east of the building will be available for staff or parental parking.

Vehicles using these eastern spaces access Norman Road only via the school access road which is owned by Kent County Council and was provided for parental parking for the primary school and other community activities. It provides the only parking spaces and vehicular access for the ballpark, the football and cricket fields and pavilion, and the 20 acre Community Orchard to the west of the meadow.

As a result, the access road is highly congested, particularly at school drop off and pick up times. Whilst it was used as a Community Building, the activities of clients were timetabled so as not to conflict with peak parental movement. The current applicant proposes to operate between 7am and 7pm. There is therefore potential for increased conflict as nursery staff would arrive before the Primary School opens and could occupy spaces in the school approach road from 7am to 7pm. It would be normal for many parents to drop off children at the nursery at the same time as pupils at the primary school. Extended drop off time would be necessary and further increase congestion. The section of Norman Road which borders Rotary House to the south has zig zag markings which prohibit vehicles from stopping. Parental parking therefore takes place in surrounding residential roads, and on highway verges about which complaints are already being received.

The extended operating hours of the nursery could impact on the Cricket and Football Club members practice and visitors to matches on the Cricket Meadow, and to the Community Orchard during the early evening.

In 1996 Age Concern submitted a planning application (Ref : 96/01298/FL) for the retention of the day care centre. Approval was given in the Decision Notice dated 28th October 1996 which stated:

1. The use hereby permitted shall not continue in the event that the parking provision shown on the submitted plans becomes unavailable for that purpose. No permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to the parking spaces.

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

At that time around five minibuses used forecourt parking to the south of Rotary House in addition to a further five vehicles in the school approach road. Access to the forecourt parking has now been blocked off, losing five parking spaces.

*Policy SQ8 states:-*

*2. Development proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network”.*

The Officer Report concluded that the loss of a single parking space is contrary to SQ8, as therefore is this application.

**The change of use includes elements that represent a development in the Countryside, Green Belt and Conservation Area and outside the confines of the retail area centre to West Malling:**

- The application includes a new covered area of decking on the south side of the building, and a new 2m high boarded fence around the south and western boundaries.
  - The application site is located outside the defined settlement confines of West Malling and within the Metropolitan Green Belt and is therefore by definition in the countryside where policy CP14 applies.
  - Policy CP14 states that, in the countryside, development will be restricted to the categories, listed below, none of which apply in this case. The application is thus in conflict with CP 14.
- a) *extensions to existing settlements in accordance with Policies CP11 or CP12 ; or,*
  - b) *the one-for-one replacement, or appropriate extension, of an existing dwelling, or conversion of an existing building for residential use; or*
  - c) *development that is necessary for the purposes of agriculture or forestry, including essential housing for farm or forestry workers; or*
  - d) *development required for the limited expansion of an existing authorised employment use; or*
  - e) *development that secures the viability of a farm, provided it forms part of a comprehensive farm diversification scheme supported by a business case; or*
  - f) *redevelopment of the defined Major Developed Sites in the Green Belt which improves visual appearance, enhances openness and improves sustainability, or*
  - g) *affordable housing which is justified as an exception under Policy CP19; or*
  - h) *predominantly open recreation uses together with associated essential built infrastructure; or*
  - i) *any other development for which a rural location is essential.*

*Within the Green Belt, inappropriate development which is otherwise acceptable within the terms of this policy will still be need to be justified by very special circumstances.*

In 2014 Age Concern applied for planning consent for a conservatory to the south side of the building. Permission was refused on the basis that the application conflicted with CP14, and that the conservatory impacted on the openness of the Green Belt.

We believe that the current application is similarly in conflict with CP14, and the covered decking and fence create a negative visual impact, and a detrimental effect on the sense of openness and setting of the historic cricket ground by blocking views across the meadow to the North Downs.

Additionally, the site is within the Conservation Area where proposals should conserve and enhance the Conservation Area as well as being in keeping with the Conservation Area. The fence detracts from the street scene. The surrounding properties are residential and have gardens between the houses and the road. The gardens are surrounded by low ragstone walls, hedges and open rail fences, and in some cases are without boundaries altogether. The school is surrounded by high chain link fencing which does not restrict views into and out of the meadow. The boarded fence is therefore an alien feature unsympathetic to the Conservation Area.



**West Malling Parish Council**

<b>Accounts for Payment 1st July 2024</b>						<b>Cheques to be drawn</b>
Silva Arboriculture Ltd (cheque 2744) (invoice 23112 Macey's Meadow tree inspection)						<b>£ 830.00</b>
Viking (single cheque 2745) (invoice 4403402 stationery)						61.91 <b>£ 74.29</b> 12.38
Stamps - first class x 50						<b>£ 67.50</b>
NFU Mutual (cheque 2746) (Macey's Meadow tractor insurance 24/25)						<b>£ 63.18</b>
Roth Creative (cheque 2747) (invoice 3764 design and print costs for A5 Great Big Green Week flyer)						121.48 <b>£ 145.78</b> 24.30
ELM Header Account (cheque 2748) Twitch Inn service charges 1st Aug 24 - 31st Oct 24 (invoice 128173 - estimated costs for water (£36.58) and insurance (£93.43) electricity £198.12)						<b>£ 328.13</b>
Capel Groundcare Ltd (cheque 2749) (invoice SI2425128 Norman Rd playing fields, strim, mow, weedkill £280, allotments weedkill £35, cricket meadow strim £245.00 & village green strim £40.00)						600.00 <b>£ 720.00</b> 120.00
Playsafety Ltd (cheque 2750) (invoice 80696 play area annual inspection)						260.00 <b>£ 312.00</b> 52.00
<b>July salaries</b>						
Mrs Claire Christmas - authorisation to pay via Faster Payments (Clerk - net salary for July £2267.32 + reimbursement for fax £1.20, & sundries £8.15, postage £3.05, printing GBGW £8.76)						<b>£2,288.48</b>
Mrs Sarah Howard authorisation to pay via Faster Payments (Ass. Clerk - net salary for July £556.77)						<b>£556.77</b>
Mr Nathan Howard authorisation to pay via Faster Payments (Litter picking duties for July 10 hours @ £11.44 per hour)						<b>£ 114.40</b>
HMRC - authorisation to pay via Faster Payments (Deductions from salaries - July)						<b>£954.58</b>
Nest - authorisation to pay pension contributions by Direct Debit for July						
Employer's contributions						<b>£ 87.09</b>
Employee's contributions						<b>£ 116.12</b>
<b>August salaries</b>						
Mrs Claire Christmas - authorisation to pay via Faster Payments (Clerk - net salary for August)						<b>£2,267.52</b>
Mrs Sarah Howard authorisation to pay via Faster Payments (Ass. Clerk - net salary for August)						<b>£556.77</b>
Mr Nathan Howard authorisation to pay via Faster Payments (Litter picking duties for August 8 hours @ £11.44 per hour)						<b>£ 91.52</b>
HMRC - authorisation to pay via Faster Payments (Deductions from salaries - August)						<b>£954.38</b>
Nest - authorisation to pay pension contributions by Direct Debit for August						
Employer's contributions						<b>£ 87.09</b>
Employee's contributions						<b>£ 116.12</b>
<b>Total</b>						<b>£ 10,731.72</b>

