

WEST MALLING PARISH COUNCIL

MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
HELD ON TUESDAY 23RD AUGUST 2022, 7.30PM
WEST MALLING VILLAGE HALL, NORMAN ROAD WEST MALLING

Present: Mrs. Trudy Dean (Chair)
Mr. Keith Mann
Ms. Sara Margetts
Mrs. Lorna Miles
Ms. Min Stacpoole
Mrs Yvonne Smyth

Also Present: 28 West Malling residents / interested parties until 8.23

Minute		Action by	Action	Response
	<p>Rotary House application - TM/22/01714/FL - Rotary House Norman Road West Malling ME19 6RL</p> <p>Before the start of the formal meeting, Mrs Dean welcomed residents and interested parties to the meeting and outlined the recently received planning application for the Rotary House site.</p> <p>The application is for the demolition of the existing building and replacement of 4 no. 4 bedroom semi-detached dwellings with associated parking and landscaping. The site sits within the Green Belt and Conservation Area.</p> <p>Residents were able to view large scale plans and ask questions. There was a general discussion on, amongst other matters, the potential loss of a community building; TMBC Policy CP26 which guards against the loss of community buildings; the need for a change of use, concerns re access when the construction is taking place, Highways and road safety issues once built.</p> <p>Residents left the meeting at 8.32 pm</p>			
22/410	<p>The formal planning meeting commenced at 8.45 pm</p> <p>In the absence of Mr Thompson, it was agreed that Mrs Dean would chair the meeting.</p>			
22/411	APOLOGIES FOR ABSENCE – Mr Thompson, Ms Medhurst, and from non-planning members, Ms Barkham, Mrs Javens & Mr Stevens.			
22/412	DECLARATIONS OF INTEREST - none			
22/413	MINUTES of the meeting held on 26 th July were approved and signed.			
22/414	MATTERS ARISING from the minutes not otherwise on the agenda – none.			

22/415	TMBC LOCAL PLAN – it is understood that T&MBC will announce the results of the call for sites consultation in September; WMPC will hold a public meeting.			
22/416	NEIGHBOURHOOD PLAN			
	Mr Thompson reported that the grant window closes at the end of October.			
22/417	PLANNING APPLICATIONS – T&MBC DECISIONS			
417.1	TM/22/00127/FL - 6 Orwell Spike West Malling ME19 4PB Retrospective Application: Conversion of existing first floor detached garage to a habitable guest room with kitchen and bathroom Granted [West Malling Parish Council Planning Committee had objected to this application]			
417.2	TM/22/00685/LRD - 26 King Street West Malling ME19 6QT Details of Condition 2 (samples of materials) submitted pursuant to planning permission TM/16/03332/LB (Listed Building Application: construction of new single storey rear and first floor side extension over driveway) Approved [West Malling Parish Council Planning Committee had not objected to this application]			
417.3	TM/22/00686/LRD - 26 King Street West Malling ME19 6QT Details of Condition 3 (windows) submitted pursuant to planning permission TM/16/03332/LB (Listed Building Application: construction of new single storey rear and first floor side extension over driveway) storey rear and first floor side extension over driveway) Approved [West Malling Parish Council Planning Committee had not objected to this application].			
417.4	TM/22/01147/TPOC - Land Part Of Church Farm At Rear Of 71 To 97 Ewell Avenue West Malling Three large Oak recommendation of 50% lowering of the crown and two very tall Scots Pine trees. The Scots Pine trees are of concern as a Scots Pine tree of the same age and in the same field, broke in half in the recent storms in February 2022. A similar occurrence would risk danger to the residents of Ewell Avenue, standing in group A1 of Tree Preservation Order - 67/00001/TPO Refused [West Malling Parish Council Planning Committee had requested that a survey be undertaken on the Scots Pines].			
417.5	TM/22/01302/FL - 4 Offham Road West Malling ME19 6RA Conversion of loft to habitable rooms with two rooflight windows to front roof slope and a rear dormer Refused [West Malling Parish Council Planning Committee had not objected to this application].			
417.6	TM/22/01371/TNCA - 20 Offham Road West Malling ME19 6RA T1-Willow- Proposed overall crown reduction to a height and lateral spread of 11m & 9m respectively. Crown raise to 3m to allow passage beneath No objection [West Malling Parish Council Planning Committee had not objected to this application]			
417.7	TM/22/01379/TNCA - Old Parsonage Court West Malling ME19 6NZ Reduce height of Magnolia tree T1 by 2m under gutter height adjacent to property no.2. Reduce lateral growth by 2m to balance and shape			

	No objection [West Malling Parish Council Planning Committee had not objected to this application]			
417.8	TM/22/01558/TNCA - Land Opposite 9 High Street West Malling 1 x Pear (opposite 2/4 King Street) - Lift to 3m above ground level; 1 x Hawthorn (opposite 4 King Street) - Remove deadwood only No objection [West Malling Parish Council Planning Committee had not objected to this application]			
417.9	TM/22/01508/TNCA - 30 Town Hill West Malling ME19 6QN Fatsia Japonica shrub/tree (Applicants ref.1)- Reduce height and thin out to just above fence level and continue to provide regular maintenance, Group of Bay Trees (Applicants ref 2) on boundary between 30 and 32 Town Hill- Remove, Holly (Applicants ref 3)- Reduce height by 50%, Cob Tree (Applicants ref 4)- Remove, self sown and embedded in established Pyracantha bush, Eucalyptus tree (Applicants ref 5) at bottom of garden to be coppiced down to allow fresh new growth to emerge, Buddleia shrub/tree (Applicants ref 6) to be pruned back to maintain shape and promote fresh growth. No objection [West Malling Parish Council Planning Committee had not objected to this application]			
22/418	WITHDRAWN APPLICATION			
	TM/22/01586/FL - Church House 137 High Street West Malling ME19 6ND Replace the existing single glazed sashes and French doors with new double glazed Slimlite timber sash windows and French doors that have been designed to be sympathetic with period properties. [West Malling Parish Council Planning Committee had not submitted comments]			
22/419	PLANNING AND TREE APPLICATIONS CONSIDERED & WHERE APPROPRIATE RESPONSES SUBMITTED USING DELEGATED POWERS – SEC 101 (1) LOCAL GOVT ACT 1972			
419.1	TM/22/01573/FL - 1 Town Hill Close West Malling ME19 6QW bedroom detached dwelling and construction of a new 5 bedroom dwelling West Malling Parish Council Planning Committee commented as follows: <i>West Malling Parish Council Planning Committee has discussed this application and has decided that it does not object to this application.</i>			
419.2	TM/22/01554/RD - 2 - 4 High Street West Malling Details of conditions 2 (external materials schedule), condition 3 (external lighting), condition 5 (external ground levels) condition 6 (contamination report), condition 7 (drainage design), condition 8 (refuse locations), condition 11 (cycle storage), condition 13 (contamination report) submitted pursuant to planning permission TM/21/00821/FL (Demolition of existing office building and construction of 5 new dwellings) West Malling Parish Council Planning Committee commented as follows: <i>West Malling Parish Council Planning Committee has discussed this application and has decided that it does not object to this application.</i>			
419.3	TM/22/01516/FL & TM/22/01517/LB - 107 St Leonards Street West Malling ME19 6PE Listed Building Application: Proposed single storey rear extension, internal alterations and external soft and hard landscaping West Malling Parish Council Planning Committee commented as follows:			

	<p><i>West Malling Parish Council Planning Committee has considered this planning application and would like to make the following comments:</i></p> <p><i>On consideration of the plans, the committee is concerned about the size and scale of these proposals.</i></p> <p><i>As one house within a small terrace of Listed Buildings, the committee is keen to ensure that the uniformity of the terrace is maintained.</i></p> <p><i>For the above reasons, the committee would ask that the Conservation Officer be asked to comment on this application.</i></p>			
419.4	<p>TM/22/01508/TNCA - 30 Town Hill West Malling ME19 6QN Fatsia Japonica shrub/tree (Applicants ref.1)- Reduce height and thin out to just above fence level and continue to provide regular maintenance, Group of Bay Trees (Applicants ref 2) on boundary between 30 and 32 Town Hill- Remove, Holly (Applicants ref 3)- Reduce height by 50%, Cob Tree (Applicants ref 4)- Remove, self sown and embedded in established Pyracantha bush, Eucalyptus tree (Applicants ref 5) at bottom of garden to be coppiced down to allow fresh new growth to emerge, Buddleia shrub/tree (Applicants ref 6) to be pruned back to maintain shape and promote fresh growth</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has discussed this application and has decided that it does not object to this application.</i></p>			
419.5	<p>TM/22/01558/TNCA - Land Opposite 9 High Street West Malling 1 x Pear (opposite 2/4 King Street) - Lift to 3m above ground level; 1 x Hawthorn (opposite 4 King Street) - Remove deadwood only</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has discussed this application and has decided that it does not object to this application.</i></p>			
419.6	<p>TM/22/01646/TNCA - West Malling Free Church Baptist 63 Swan Street West Malling ME19 6LW T1-yew. Dismantling & removing to ground level</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this application and objects to the felling of this yew tree.</i></p> <p><i>The Council would ask that this tree be pollarded to hopefully produce a new, lower crown.</i></p> <p><i>The children's nurse referred to in the application has now closed and therefore the risk to children playing in the playground does not exist.</i></p> <p><i>Retaining the tree would be beneficial to the environment.</i></p>			
419.7	<p>TM/22/01626/TNCA - 41 Swan Street West Malling ME19 6JU Reduce the size and width of 8 large lime trees to rear of the driveway. We aim to reduce the size to be in line with bottom of the roof of the building next door</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this application and it does not object to the reduction of the 8 large lime trees to the suggested height.</i></p>			
419.8	<p>TM/22/01607/LB & TM/22/01606/FL - Chestnuts 141 St Leonards Street West Malling ME19 6PE Listed Building Application: Replacement of the boiler and re-routing of boiler flue.</p>			

	<p>Replacement and relocation of the hot water tank.</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has discussed this application and has decided that it does not object to the application</i></p>			
419.9	<p>TM/22/01594/LB - Clout Memorial Institute 9 High Street West Malling ME19 6QH Listed Building Application: replacement sash windows and door canopy on front elevation.</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this application and has decided that it does not object to the application. It should be noted that West Malling Parish Council is a tenant of the building.</i></p>			
419.10	<p>TM/22/01589/LB & TM/22/01588/FL - 83 High Street West Malling ME19 6NA Listed Building Application: Demolition of existing small outbuilding, demolition of brick element of and alterations to existing ragstone wall, demolition of a curved garden wall, and the construction of two houses with associated hard landscaping, boundary wall extension, cycle stores, and fencing (Resubmission of 21/02710/FL).</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee would like to repeat the objections previously submitted for application 21/02710/FL</i></p> <ul style="list-style-type: none"> • <i>Serious damage to the heritage assets of a number of adjacent buildings on the High Street, many of which date from the medieval period. It would also cause significant damage to the heritage aspects of the nearby Ancient House which has Grade 1 Listed building status and was recently described by English Heritage as very rare and of potential national importance as the, or one of the oldest continually occupied domestic properties in the country.</i> • <i>This damage to heritage aspects would take place in the specifically-designated Conservation Area of West Malling.</i> • <i>These proposals represent a serious cause of overdevelopment, cramming several new properties into a small space for which it is unfit</i> • <i>these additional units will add a need for parking spaces nearby, which are already at a premium and add additional traffic movements to a busy area of the rear car park and High Street.</i> 			
419.11	<p>TM/22/01289/FL - 41 Swan Street West Malling ME19 6JU Retrospective application for conversion of a dilapidated car port to a summer house.</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this application and whilst it is not committee policy to accept retrospective applications, the committee does not object.</i></p>			
22/420	BUILDING PLANNING APPLICATIONS			
420.1	<p>TM/22/01714/FL - Rotary House Norman Road West Malling ME19 6RL</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council has discussed this application and has decided that it strongly objects to this application.</i></p> <p><i>Since this application does not conform to Borough Council's policy CP26 or NPPF paras 84,</i></p>			

85, 92, 93, 99 and 147, WMPC believes that the application should be refused. We set out our objections below in 3 sections.

1. WMPC objects to the change of use and consequent loss of a Community Building and site. WMPC believe this site is needed for a Community Centre for the health and wellbeing of the residents of West Malling and surrounding parishes. It is ideally situated for a new Community Centre which WMPC can demonstrate can be provided sustainably in the long term.
2. Detailed planning objections on Green Belt, Conservation Area, built confines of the urban area, Heritage, Housing and Highways policies are set out.
3. WMPC suggests a number of conditions which it would like to see applied, should the Borough Council be minded to grant permission to this application.

1. Loss of a community facility and site

TMBC policies

TMBC Core Strategy Policy CP26 guards against the loss of Community buildings. The Borough Council's Core Policy compendium records that policy CP26 carries 'full weight' as it is in full conformity with NPPF para 92 and 93.

CP 26 states that the Borough Council will only permit development which would result in the loss of a community building if:

A) an alternative facility of equivalent or better quality and scale to meet the identified need is either available or will be satisfactorily provided at an equally accessible location.

1.1 There is no alternative facility of equivalent or better quality and scale in an equally accessible location, and the applicant has not offered a replacement for the existing community centre. Alternative facilities within West Malling Parish are fully occupied, not DDA compliant, or in peripheral locations in the town, giving reduced footfall. The Parish Council can provide evidence of this if required.

In order to meet a part of the identified need, AGE UK Maidstone are currently transporting some Malling clients into their centres in Sevenoaks and Maidstone. This is a limited service since it is expensive, uncomfortable and time consuming for clients. They are keen to provide services in a replacement Community Centre in West Malling on this site, including providing information services which require a central location.

See also para 1.8 on the suitability of the site for integration of services.

B) A significant enhancement to the nature and quality of the existing facility will result from the development of that part of the facility

1.2 Not applicable. The existing facility is to be demolished as part of this application.

C) The applicant has proved, to the satisfaction of the Council, that for the foreseeable future there is likely to be an absence of need or adequate support for the facility.

1.3 The applicant has not provided evidence of this kind. The Planning consent for this building is currently limited to services for the elderly only. West Malling has a large retired population, many people choosing the market town location because of the proximity of services. The Age Concern Malling centre provided services to villages in the Malling area. The older proportion of the population nationally is increasing, and the need for services to help retain independence, and delay dementia have seen the demands for support services increase rapidly. Age Concern Malling provided services for around 30 clients each session every day. It also provided valuable employment for a small number of people and an even larger number of volunteers.

The Age Concern Malling centre did not close because of lack of need or volunteers, but because of financial irregularities.

1.4 The WMPC is committed to delivering equivalent services to those previously provided on the site. Age UK Maidstone have agreed to provide a variety of health, social and cultural activities, including a 'meals on wheels' service from a centre on this site. WMPC has made budget provision cover financing of the initial stages of development.

WMPC also wish to provide additional community services for all ages in a new Community Centre.

The Parish Council is able to demonstrate if required that there is considerable public demand for a replacement Community Centre on this site. WMPC is also able to demonstrate, if required, that it is able to provide commissioned services through Age UK Maidstone, to satisfy that demand on a sustainable basis into the foreseeable future.

1.5 The site lies outside the designated confines of West Malling and therefore TMBC Countryside Policy CP14 will apply. This policy states that development should be restricted in the countryside.

None of the listed examples of acceptable development apply.

1.6 TMBC approved the application from WMPC for registration as an Asset of Community Value for the Age Concern Centre in January 2021, recognising the need for it within the community.

National Planning Policy Framework (NPPF)

NPPF para 84d (Supporting a prosperous rural economy) states:

'Planning policies and decisions should enable

- a) *The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings*
- b) *The retention and development of accessible local services and community facilities , such as local shops, **meeting places**, sports venues, open space cultural buildings, public houses and places of worship'*

NPPF para 85 concludes with the following sentence; *' The use of previously developed land, and sites that are **physically well related to existing settlements**, should be encouraged where suitable opportunities exist'*.

NPPF para 92 a) encourages provision of meeting places where people can meet who **'might not otherwise come into contact with one another'** . This encourages inclusive settings.

NPPF Paragraph 93 states that to provide the social, recreational and cultural facilities the community needs, planning policies and decisions should

- a) *plan positively for the provision and use of community facilities **including meeting places**, to enhance the sustainability of communities*
- b) *take into account and support the delivery of local strategies to improve **health, social and cultural** well-being for all sections of the community, and*
- c) *Guard against the **unnecessary loss of valued facilities and services**, particularly where this would reduce the community's ability to meet its day-to-day needs*
- d) *Ensure that established shops, facilities and services are able to develop and modernise and **are retained for the benefit of the community***
- e) *ensure **an integrated approach** to considering the location of housing, economic uses, and community facilities and services.*

NPPF 99 (Open space and recreation*) states:

*Existing open space, sports and **recreational buildings** and land, including playing fields, should not be built on unless,*

- an assessment has been undertaken which has clearly shown the open space buildings or land to be surplus to requirement, or*
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, or*
- the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

** it can be argued that the activities for older people provided by Age Concern Malling constitute recreational activities for older people, including exercise and quiz sessions.*

NPPF 121 (Making effective use of land) states:

Local Planning Authoritiesshould take a proactive role in identifying and helping to bring forward land...including held in public ownership, using the full range of powers available to

them. This should include identifying opportunities to facilitate land assembly....supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or **secure better development outcomes**.

NPPF Paragraph 147(Proposals affecting the Green Belt) states:

When considering any planning application, local authorities should ensure that substantial weight is given to any harm to the Green Belt.

'A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

(e) limited infilling in villages

*(g) limited infilling or the partial or complete redevelopment of previously developed land, **whether redundant or in continuing use**, which would*

-not have a greater impact on the openness of the Green Belt than the existing development ;

Or,

*not cause substantial harm to the openness of the Green Belt, where development would re-use previously developed land **and** contribute to meeting an identified affordable housing need within the area of the local planning authority.*

First bullet point See para 2.1 for harm to the openness of the Green Belt

Second bullet point does not apply as the housing is not classified as 'affordable'.

1.8. This application does not conform to any of these policies.

It does not conform with any of the policies which protect community buildings since the existing use would be changed, and the site which is ideally positioned in relation to other community uses and the town centre facilities would be lost.

The applicant has not offered any evidence to demonstrate there is no longer any need for the community services provided. The Rotary House building was raised and later extended by public subscription, and continued to be supported by local fund raising throughout its 37 year history. As a result of local consultation, the Parish Council is able to demonstrate, if required, that the demand for services for the elderly remains, is growing, and can be provided on a sustainable basis by commissioning services from Age UK Maidstone, who are keen to return to a centre on this site.

The site surrounding Rotary House acts as West Malling's Village Green and is exceptionally suited to use as a community centre since it lies 200 metres from the town centre, is within walking distance for the majority of West Malling residents, with easy walking access to the High Street services, cafes, pubs, restaurants and shops, post office, chemist, vet, library and church.

The street layout means that half of residents have to pass, or walk close to this site, on their way to the High Street via West Street. It is very flat and well served by footways, and therefore accessible for those with mobility problems.

The opportunity for an integrated approach is excellent on this site. The Parish Council owns all the land to the north and west of the site, ensuring continuing and varied community use in perpetuity. The site and adjoining school approach road is shared with a school, nursery school, and female and male cricket and football teams of all ages. Users of the adjoining ballpark, allotments and Community Orchard use the access road entrance and parking. The sports pitches and orchard surrounding the site are popular with walkers, dog walkers and families for informal recreation and picnics. It is also used for community events such as the Annual Malling Scouts St George's Day celebrations, Town Malling Day Fair, and Applefest in the adjoining Community Orchard.

The services provided by Age Concern Malling were related to preventative health, social and cultural well-being for older people, including supporting independence and fighting isolation. Many of the sessions delivered represented recreational activities suitable for older people to keep mind and body active. In time, WMPC would like to include activities for all age ranges, particularly youth activities, and medical facilities to compensate for the loss of our GP surgery.

Granting permission would result in the loss of a much needed community facility on this exceptionally well positioned site.

Since this application does not conform to Borough Council's policy CP26 or NPPF paras 84, 85, 92, 93, 99 and 147, WMPC believes that the application should be refused.

2. Detailed Planning Considerations

The site lies within the Metropolitan Green Belt, within the West Malling Conservation Area, within an area of Archaeological Potential, and lies outside the boundary defining the confines of the built up area of West Malling and is therefore in the countryside. 2.5 S 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention shall be paid to the desirability of preserving or enhancing the character or appearance of such areas.

Metropolitan Green Belt objections.

The site lies within the Metropolitan Green Belt which exists to protect the openness of the countryside.

NPPF PARA 148 states:

When considering planning applications, local planning authorities should ensure that substantial weight is given to any harm in the Green Belt.

NPPF PARA 149 states that Construction of new buildings should be regarded as inappropriate, except for limited infilling which would not have a greater impact on the openness of the Green Belt than the existing building.

As set out below, WMPC believes this new development does have greater impact than the existing building.

2.1 This application would harm the openness of the MGB in the area by

- Construction of two 2 storey buildings with a pitched roof which will stand out in the landscape of the historic County Cricket Ground. All previous buildings on this site have been of single storey only, and the existing building, the school and housing to the east is single storey construction. The height of the resultant buildings would block public views from some of the Cricket Meadow towards the Church.*
- The two-storey buildings together with fencing and nearness to the western edge of the approach road will create a more constricted narrow entrance to the Cricket Ground and School for all its many users.
The plan suggests the building may be situated further to the east than the existing centre which would further narrow the physical entrance. This needs to be established by careful measurement of plans.*
- The application suggests close boarded fencing (?) around the site, which would be an alien and visually intrusive feature around the Cricket Ground where existing boundaries are hedges to the north, west and part of the eastern boundary, and open mesh or park-like fencing to the school and housing to the east, west and south.*
- Kent County Cricket Club have suggested they would need protective high fences or netting to guard against ball strike at matches. These types of fences are already in evidence in Norman Road houses near the pavilion, but are not an attractive feature.*

2.2 One of the purposes of the MGB is to limit urban sprawl. The construction of housing on this site would extend the residential frontage of Norman Road further to the west, and make the land to the west vulnerable to further housing development, losing the exceptional open views across to the North Downs.

2.3 We are aware of several planning applications for development further to the west on Norman Road which have been repeatedly rejected on Green Belt grounds.

Conservation Area objections

The site lies within the bounds of the West Malling Conservation Area (WMCA), reflecting its historic and landscape value.

The proposal does not protect or enhance the Conservation Area. The West Malling Character Areas (WMCA) appraisal states that design policies should 'concentrate on guiding the overall scale, density, massing, height, landscape and access of new development in relation to neighbouring buildings and the local area more generally.'

2.4 The proposal for four 4 bedroom houses with eight parking spaces on this small site is very intensive, and results in small rear gardens unsuited to large family homes, and a street scene dominated by car parking. (Three applications at nearby 25 West Street been refused on grounds of over-intensive development and its effect on the Conservation Area). Bin

storage is also designed to be in the front gardens rather than tucked away at the rear of properties. The houses to the west of the site have garden frontages with parking to the side of the house and on a similar footprint are only of two bedroom design.

This site, and the Old County Cricket Ground have been in community use since at least the 1790's. In the last 30 years the WMPC added the allotments, ballpark, and Community Orchard (Macey's Meadow – now a Protected Open Space) creating a landscape of extensive open sports fields and traditional Kentish apple, pear and cherry orchard. With the exception of the school, all these are owned by West Malling Parish Council and open to the public.

The 4 bedroom design does not reflect the properties opposite the site. The WMCA Character Appraisal describes the character of these homes as 'substantial semi-detached and terraced properties set back behind front gardens and often have generous gardens to the rear giving these areas a spacious, verdant character.'

This site stands at the western entrance to the Conservation Area. This proposal would cause irreparable and significant damage to the heritage aspects of this western entrance to the town from Norman Road, including the adjacent early 20th century cottages, and listed buildings dating from at least the 17th century on West Street to the east, up to St Elmo's and the colonnade.

Given the exceptional site, there is the opportunity for a significant, high quality and sustainable and beautiful building here. It should enhance the entrance to the Conservation Area, be sympathetic to local character and history, including the surrounding environment and landscape setting, maintaining the openness of what is a typical Kentish Cricket Ground in a rural countryside setting fringed by protected Kentish apple and cherry orchards to the west, and commanding sweeping open views to the North Downs in the north.

WMPC has begun to make preparations for building a new Community Centre and funding provision has already been made for initial financing of £300,000.

Heritage Issues

Policy SQ1 applies. All new developments should protect, conserve and where possible enhance a) the character and distinctiveness of the area, including its historical and architectural interest.....and b)important views.

2.5 The Kent County Cricket Club publication "Kent County Cricket Grounds " published in 2020 acknowledges that the first recorded Cricket Match in Kent took place on the Old County Cricket Ground (OCCG) in 1705. Kent County Cricket Club was founded here in 1835 before moving to Canterbury in 1841. First class cricket matches were played here between 1836 and 1890, drawing crowds of 6,000 spectators. The first professional cricket player, and top batsman of his day, Fuller Pilch was employed to play here, also running the 'Cricketers' pub in Ryarsh Lane which runs close to the pitch on its northern boundary. The eastern side was lined with Oast Houses and hoppers huts at that time.

During the 1920's the threat of the ground being sold for development was featured in The Times, which recorded the 'fine old ground blessed with excellent match turf' and noted its 'delightful surroundings beneath the chalk edge of the North Downs'. The history of some of these features are recorded on the West Malling interactive Blue Plaque trail, and a ragstone commemorative stone, and information board stand at the entrance to the Cricket Ground.

The OCCG also features in Dickens "Pickwick Papers" written in 1836. It features a cricket match between Muggleton Town and Dingley Dell. A well-known illustration in the book of the game being played in front of a marquee over the top of which the distinctive church spire can be seen. Dickens' son stated that West Malling 'sat for' the scene due to it being a 'great place for cricket' at the time, attracting crowds of 6,000 spectators. The illustration appeared on the back of the £10 note for several years celebrating Dickens life. The illustration indicates that the marquee stood where Age Concern Centre stands now. This is therefore an important historic view which the two storey houses will block from parts of the OCCG.

Cricket is therefore an important part of West Malling's history, and features on our town

sign. The majority of the Old County Cricket Ground was purchased by West Malling Parish Council for the community in 1994 to celebrate the Parish Council's Centenary. WMPC has made two further purchases to reassemble the historic ground since then. A very long lease has been given to Town Malling Football Club to ensure the ground continues to be used for Cricket and others sports in perpetuity.

Now, only the Rotary House site remains outside this parcel of community ownership.

2.6 Rotary House was constructed and extended by public subscription, and was supported throughout its 37 years of operation by public fund raising.

Housing objections

2.7 The site lies in the Metropolitan Green Belt, and lies outside the confines of the built-up area as defined by TMBC. Planning consent is not normally given in such areas unless there is an exceptional need for housing.

We are aware that TMBC does not have an up to date Local Plan, or a Five Year Land supply. However, WMPC believes that:

- a) this application is unacceptable within Green Belt, Conservation Area and built area confines policies which protect areas or assets of particular importance.
- b) the adverse effects of granting this application would significantly and demonstrably outweigh the benefits of this application when assessed against the policies in the NPPF taken as a whole. The benefits of a continuing community centre providing employment in a rural area, and meeting the growing health and social needs of the parish and wider Malling Community in perpetuity outweigh the benefits of four extra houses.

The Parish Council can demonstrate, as stated at 1.3, that the need and demand for a Centre to provide much needed Community Services for WM residents on this site is pressing.

2.8 If there is thought to be a need for 4 large family homes, land in Offham Road, which was approved in the abandoned draft Local Plan for housing, remains undeveloped around 300 yards away. Applications have already been approved in the Parish for 79 homes on land south of London Road west of Town Hill, and a further 120 x 2, 3, 4 and 5 bed roomed houses east of King Hill in a development called Lancaster Park, together with two further developments of 9 and 5 large houses off King Hill. Lancaster Park is currently advertising 4 and 5 bedroom properties. Together these developments represent a 17% increase in housing in West Malling in the last five years. This in turn increases the demand for a Community Centre facility.

(On one popular website there are currently 5 properties with four or more bedrooms for sale in the parish, and many more in Leybourne and Kings Hill.)

Use as a Community Centre would be in our view the most beneficial and efficient use for this particular site land, and vastly outweighs the benefit of four new family homes.

Highways Objections

2.9 The proposed houses stand immediately alongside the school approach road, and its junction with Norman Road and Offham Road. These junctions are very busy at school drop off and pick up times. The School site comprises both a Primary School and nursery. Several taxis each day deliver children from surrounding Malling parishes to attend the specialist Speech and Language Unit for varying periods of time.

The vehicles serving the former Age Concern Malling centre were timetabled to avoid these peak activity times at the school. This would not be possible for residential properties, causing increased risk of conflict.

2.10 Each proposed house has two forecourt parking spaces with dropped kerb access to Norman Road. Cars will need to reverse in or out of the forecourts across the footway which is heavily used particularly during school drop-off and pick up times. In the Planning Conditions for County Grove, the Borough Council requires a turning facility for cars because "Development without provision of adequate turning facilities is likely to give rise to hazardous conditions on the public highway." This was considered by TMBC to be a hazard when Age Concern Malling applied for permission for a Conservatory (13/01464/FL). The application

was subsequently withdrawn.

2.11 Vehicles generated by these homes will merge onto an already busy junction between Norman and Offham Road, around 20 metres to the east of the school entrance. This junction has poor sight lines.

2.12 This application results in the loss of 5 parking spaces in the unadopted access road. These were used by all the community users of the site, the general public visitors to the cricket ground, and by staff of the school and nursery centre.

2.13 It should be noted that two of the three accesses to this site are via the bottleneck created by a very restricted single carriageway section of West Street to the east, and via Sandy Lane and Fartherwell Road, which have a weight and height restriction under the railway bridge, and Quiet Lane status respectively.

2.14 We also draw TMBC's attention to a requirement of the existing consent to safeguard sight lines across the frontage of WMPC land to the west. A line of public benches safeguards these sight lines. This application should clarify whether similar requirements across WMPC land would be necessary for the proposed houses.

3. Suggested Conditions

3.1 The school approach road is unadopted . It serves all community users of the site and their shared use should be protected. KCC, as owner of the approach road should be asked to approve conditions on the use of the road to safeguard the continuation of the activities of the current users of the site. If this cannot be achieved, community activities could be adversely affected.

3.2 No entrances onto WMPC land directly to the north or west should be permitted, to ensure safe and suitable access to the site continues to safeguard the security of the school children and others using the path which surrounds the site.

3.3 there should be a Construction Management Agreement in place which includes
i) There should be no construction works on land owned by WMPC without their express permission. This is necessary to arrange safe conditions for schoolchildren and other members of the public.
ii) Hours of working need to be limited to protect other nearby residents, and construction vehicle movements restricted during school peak hours.

3.4 The offer of a replacement for the tree covered by a TPO order which was lost should be accepted.

Note on site ownership.

This site and the land surrounding it has been used for an increasing variety of community uses since 1705. Town Malling Cricket Club was formed here in 1835, Town Malling Football Club in 1836 , and Kent County Cricket Club in 1837. Kent County Council purchased the site in 1929 for building a school. The single storey CoE Primary School opened in 1955. the allotments were purchased in 1985, Age Concern opened in 1985, the ball park opened in 2004 and Macey's Meadow was purchased and restoration began in 1998.

The Parish Council owns the Old County Cricket Ground which surrounds the site to the north and west, including the metalled path surrounding the site. The Parish Council also owns the allotments to the north, and the Community Orchard known as Macey's Meadow to the west, of the Old County Cricket Ground. The majority of the OCCG was purchased to commemorate the Parish Council's Centenary.

In 1955, Kent County Council established the single storey school here. Single storey workshops on the Rotary House site were used first for KCC grounds maintenance equipment in a building on the southeast corner of the Cricket ground. These workshops were later used for preparing school meals for distribution to nearby schools, hard standing for a mobile library, and most recently the Malling Age Concern Centre in 1985.

	<p><i>WMPC, together with Town Malling Cricket Club, have right of way along the approach road and contribute to the maintenance costs of the road.</i></p> <p><i>The access road was retained in KCC ownership when the primary school became an Academy in order to safeguard the activities of users of the Old County Cricket Ground, who include the pupils at the Primary and Nursery School, users of the ballpark, allotment holders, Cricket and Football players, and visitors to the rural Community Orchard known as Macey's Meadow, as well as informal users of the ground such as ramblers, dog walkers, picnickers and family games.</i></p> <p>Climate Change & Biodiversity considerations.</p> <p><i>West Malling Parish Council has declared a climate emergency and is taking action to respond to it. As part of this, we encourage all new developments within the parish to incorporate tangible measures designed to reduce dependency on fossil fuels and, in turn, help reduce the amount of carbon dioxide and other pollutants added to the atmosphere. These could include ensuring the highest possible standards of insulation on new builds and when retrofitting, considering alternative energy sources such as solar, air or ground source heat pumps and ensuring that provision is made for the use of electric vehicles. We are also keen to encourage measures designed to reduce water consumption and limit light pollution.</i></p>			
420.2	<p>TM/22/01725/LB & TM/22/01707/FL - 18 - 20 Swan Street West Malling ME19 6LP Listed Building Application: Variation of condition 1 (Temporary use) pursuant to planning permission TM/21/00755/LB to extend the use for a further two years until 2024 (Retrospective application for temporary (9 months) timber frame covered area of outdoor seating).</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee met on the 23rd August to discuss this application and would like to make the following comments:</i></p> <p><i>The Committee has previously objected to the installation of the seated area on the basis that the structure had been added to a Grade 2 Listed Building in a prominent location on the Swan Street approach to the High Street. In the interest of preserving the setting of the heritage assets within this town, the Committee would not wish to see this structure become permanent, but does accept that due to the pandemic, outside spaces are of benefit to the public.</i></p> <p><i>It is noted that the current permission expired at the end of February 2022; the Committee would ask that if this application is approved that the new permission be granted only until the end of February 2024.</i></p> <p><i>The Committee would ask that for environmental reasons, outdoor heaters are not used during the winter months.</i></p>			
420.3	<p>TM/22/01591/FL 6 Epsom Close West Malling ME19 6NX Demolish garage and erect a single storey side extension.</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee met on the 23rd August to discuss this application and has decided that it does not object to the application.</i></p>			
420.4	<p>TM/22/01732/FL - 11 West Street West Malling ME19 6QX First floor rear extension.</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee met on the 23rd August to discuss this application and whilst it does not object to the application, the Council would ask that the planning officer consider potential issues of overlooking and loss of natural light for the neighbouring property.</i></p>			
22/421	TREE APPLICATION			
421.1	TM/22/01672/TNCA - St Marys Church High Street West Malling 57- Common Lime- instal			

	<p>brace, 870-Common Lime- remove sucker growth, 890-Common Lime-remove sucker growth, 892-Atlas Cedar-reduce faulted limbs/stems up to 2m., 893-Horse Chestnut-reduce crown by up to 3m.</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee met on the 23rd August to discuss this application and has decided that it supports the application.</i></p>		
<p>22/422</p>	<p><u>PLANNING ENFORCEMENT</u></p>		
	<p>Current investigations – the Clerk to speak with enforcement regarding a Swan Street property.</p> <p>Potential investigations – none</p>	<p>Clerk</p>	
<p>22/423</p>	<p><u>QUESTIONS FROM MEMBERS OF THE PUBLIC</u> - none</p>		
<p>22/424</p>	<p><u>QUESTIONS FROM MEMBERS OF THE COMMITTEE</u></p> <p>In view of the T&MBC decision to refuse application TM/22/01147/TPOC - Land Part Of Church Farm At Rear Of 71 To 97 Ewell Avenue West Malling – it was agreed that consideration be given to requesting that the Scots Pines be protected by specific TPO's.</p> <p>Clerk to seek advice from the Landscape Officer at T&MBC. as the trees currently sit within a group TPO area.</p>		
<p>22/425</p>	<p><u>TMBC AREA 2 PLANNING COMMITTEE</u> – Wednesday 21st September 2022</p>		
	<p>Date of next WMPC Planning meeting – Tuesday 27th September 2022</p>		
	<p>There being no further business, the Chairman thanked members for attending and closed the meeting at 9.46 pm</p> <p>Signed.....</p> <p>Date.....</p>		