

# WEST MALLING PARISH COUNCIL

## MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON FRIDAY 31<sup>ST</sup> MARCH 2023, 9.30AM 9, HIGH STREET, WEST MALLING

**Present:** Mr David Thompson (Chair)  
Mr Keith Mann  
Mrs Yvonne Smyth

**Also present** Mr Stevens – Councillor (until 10.08)  
Resident (from 10.27 – 10.58)

Minute		Action by	Action	Response
23/189	<b>APOLOGIES FOR ABSENCE</b> – Ms Margetts, Ms Medhurst Mrs Miles and Ms. Stacpoole			
23/190	<b>DECLARATIONS OF INTEREST</b> - Mr Mann declared an interest in the Kentfield Estate Licencing application as he resides near the site.			
23/191	<b>MINUTES</b> of the meeting held on 28 <sup>th</sup> February were approved and signed.			
23/192	<b>MATTERS ARISING</b> from the minutes not otherwise on the agenda - none			
23/193	<b>TMBC LOCAL PLAN</b>			
	No update			
23/194	<b>NEIGHBOURHOOD PLAN</b>			
	The Clerk reported that she had heard from Emma Keefe (planner in private practice) who was keen to speak with WMPC regarding the possibility of working alongside WMPC on their Neighbourhood Plan.  It was agreed that the Clerk liaise with Ms Keefe to set a meeting date.  Clerk to contact Ms Keefe.	Clerk	✓	
	It was agreed that the agenda be taken out of order and that the committee consider the Kentfield licensing application at this point in the meeting.			
23/195	<b>LICENSING</b>			
	<b>Licensing Application 23/00221/PREM</b> – Kentfield Estate application. Application for new premises licence to cover larger corporate / business events, wedding and private parties at the venue.			

On consideration of the application, members agreed to object to the application. The following comments sent to TMBC:

**Kentfield Estate, Ashtree Farm, Teston Road, Offham**

WMPC OBJECTS to the licensing application for the Kentfield Estate, Ashtree Farm, Teston Road, Offham, Kent (REF 23/00221/PREM). This objection is based on allegations of non-compliance with the existing licensing agreement and concerns about the new licensing application. There are also a number of material planning concerns which should also be noted.

**Licensing**

Residents have raised concerns about the compliance with the current licensing agreement, including the conditions placed on the timing and volume of music, which should be limited to 95dbs at source and within the operating hours of the licence. Residents regularly complain of loud music outside of hours, which is often exacerbated by meteorological conditions. Care should also be taken to ensure that speakers are only projecting sound away from the closest residents, as set out in the license agreement conditions. These complaints appear to demonstrate that the licensee may not currently be meeting the licensing objective requiring the prevention of public nuisance and this should be investigated promptly.

WMPC objects to this new application on the grounds that it will not meet at least two of the licensing objectives, namely the prevention of public nuisance and the need to maintain public safety.

**Public nuisance**

The large increase in attendee numbers is likely to generate higher levels of noise, including but not limited to the use of amplification systems, chiller units and beer pumps, handling of barrels kegs, cylinders and bottles outside. Any approved application should include strict conditions to limit the level of noise.

Larger events like those proposed in the application are also likely to contribute significantly to light pollution levels. Outdoor artificial lighting is a particular cause for concern, and may spill over onto neighbouring properties causing annoyance, distraction and discomfort.

Similarly, the current mix of events at the Kentfield Estate site already cause significant noise, pollution and congestion from large numbers of vehicles entering and exiting the village of Offham and using nearby access roads, including Teston Road in particular. Access to the site is also confined to certain routes because of the height restrictions of railway bridges on access route to the north.

**Public safety**

Large levels of existing traffic accessing the site would be exacerbated by these proposals, which would significant increase the number of vehicles attempting to access the site. This would include increased number of attendee vehicles and an increase in the number of delivery vehicles. An increase in the level of traffic on narrow, rural roads, including Teston Road in particular, and through the village of Offham is a direct risk to public safety.

Similarly, the proposed access via the Ashtree Farm entrance will not only have an impact on the already stretched road system, but is also located on a blind bend, posing significant risk to drivers, as well as the large numbers of pedestrians and equestrian users who use this are.

**Planning**

There are number of material planning concerns linked to this site, detailed comprehensively in the submission from Offham Parish Council. In particular, the permanent marquees on the site do not have approved planning permission and advertising banners on approach roads have also not been subject to any form of planning scrutiny.

Mr Stevens left the meeting at 10.08

23/196	<b>PLANNING APPLICATIONS – T&amp;MBC DECISIONS / WITHDRAWN APPLICATIONS</b>		
<b>196.1</b>	<p><b>TM/22/02470/LB &amp; TM/22/02469/FL</b> Priors House 18 King Street West Malling ME19 6QT Listed Building Application: Single storey link extension between dwellinghouse and annexe, construction of driveway gates and associated alterations to dwellinghouse and annexe</p> <p>Withdrawn</p> <p>[West Malling Parish Council Planning Committee had not objected to this application].</p>		
<b>196.2</b>	<p><b>TM/22/02582/FL</b> - 43 Swan Street West Malling ME19 6HF Improvements to rear car park to provide additional car parking spaces and electric vehicle charging points, provision of bin and bicycle store, a replacement sliding gate, low level bollard lighting and new/replacement tree planting.</p> <p>Refused</p> <p>[West Malling Parish Council Planning Committee had objected to this application]</p>		
<b>196.3</b>	<p><b>TM/23/00030/FL</b> - The Five Bells 130 St Leonards Street West Malling ME19 6PD The Five Bells 130 St Leonards Street West Malling ME19 6PD.</p> <p>Granted</p> <p>[West Malling Parish Council Planning Committee had not objected to this application].</p>		
<b>196.4</b>	<p><b>TM/23/00164/FL</b> - 1 Town Hill Close West Malling ME19 6QW Erection of a detached garage and associated landscape works</p> <p>Granted</p> <p>[West Malling Parish Council Planning Committee had not objected to this application].</p>		
<b>196.5</b>	<p><b>TM/23/00155/LB &amp; TM/23/00154/FL</b> - 147 Norman Road West Malling ME19 6RW Listed Building Application: Demolition of existing garage and workshop, erection of a part single, part two storey wrap around side and rear extension.</p> <p>Withdrawn</p> <p>[West Malling Parish Council Planning Committee had objected to this application].</p>		
<b>196.6</b>	<p><b>TM/23/00081/FL</b> - The Copse 97A Offham Road West Malling ME19 6RD Loft conversion, single storey side and first floor rear extensions and new porch.</p> <p>Withdrawn</p> <p>[West Malling Parish Council Planning Committee had not objected to this application but did raise concerns regarding proximity to neighbour's boundary and access for maintenance].</p>		
<b>196.7</b>	<p><b>TM/23/00348/TNCA</b> - Residential Amenity Land At Old Parsonage Court West Malling T1 Austrian Pine- Reduce over-extended lateral branch by up to 2m to reduce end weight and remove deadwood with a diameter greater than 5cm.</p> <p>No objection</p> <p>[West Malling Parish Council Planning Committee had not objected to this application]</p>		
<b>196.8</b>	<p><b>TM/23/00053/FL</b> - 20 King Street West Malling Kent ME19 6QT To remove, clear debris and rebuild brick pier - 1m., rake out brickwork for bonding, old brickwork to new - 1m, take down and clean for re-use, salvaged brick or stone - dressed stonework - 4m2. To remove, set aside, re-fix external door. To gloss solid one side of standard external door, stops, frame and architrave and remove all waste.</p> <p>Granted</p>		

	[West Malling Parish Council Planning Committee had not objected to this application].			
196.9	<p><b>TM/22/02837/FL</b> - Shepherds Cottage Offham Road West Malling ME19 6RG Demolition of an outbuilding and the erection of infill kitchen extension</p> <p>Granted</p> <p>[West Malling Parish Council Planning Committee had not objected to this application].</p>			
23/197	<b><u>PLANNING AND TREE APPLICATIONS CONSIDERED &amp; WHERE APPROPRIATE RESPONSE(S) SUBMITTED USING DELEGATED POWERS – SEC 101 (1) LOCAL GOVT ACT 1972</u></b>			
197.1	<p><b>TM/23/00436/TDCMIN</b> - Land Rear Of 119 And 121 Teston Road West Malling Technical Details Consent Application (Stage 2) for 3 dwellings and associated works following the grant of stage 1 Permission in Principle under planning reference TM/20/00277/PIP (Permission in principle for up to 3 dwellings).</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.</i></p>			
197.2	<p><b>TM/23/00424/RD</b> - Milverton 116 High Street West Malling ME19 6LX Details of Conditions 2 (Materials) and 3 (Joinery) submitted pursuant to planning permission TM/22/02632/FL (Extension to existing building and minor external alterations (Revision to approved application TM/22/01258/FL).</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this application for approval of details reserved by condition and has decided that it does not object to the application.</i></p>			
197.3	<p><b>TM/23/00412/RD</b> - 48 Brickfields West Malling ME19 5AG Details of condition 4 (Archaeological watching brief) submitted pursuant to planning application 22/02217/FL (Two storey side and single storey rear extension and internal configuration).</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this application for approval of details reserved by condition and has decided that it does not object to the application.</i></p>			
197.4	<p><b>TM/23/00363/TNCA</b> - Malling House 51 Town Hill West Malling 1 x Robinia - Tree is forcing the adjacent boundary wall to lean over and crack. Neighbours are very concerned about the health and safety risk now posed by the wall, which now has a top to bottom crack and leaning over their driveway. The work suggested is to fell the tree to remove the health and safety concern of a 8-9 foot wall collapsing on a person or vehicle.</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 in view of the potential Health and Safety implications does not object to the application.</i></p>			
23/198	<b><u>BUILDING &amp; TREE APPLICATIONS</u></b>			
198.1	<p><b>TM/23/00541/TNCA</b> - Groundsmans Cottage 101 St Leonards Street West Malling ME19 6PE Removal of one fir tree in rear corner of garden which overlooks and is falling onto neighbouring buildings and properties.</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 does not object to the application.</i></p>			

198.2	<p><b>TM/23/00502/TNCA</b> - Ragstones Offham Road West Malling ME19 6RE Remove overgrown Cupressus Leylandii.</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 does not object to the application.</i></p>			
198.3	<p><b>TM/23/00455/LB</b> - 36 - 38 High Street West Malling ME19 6QR Listed Building Application: Internal refurbishment and decoration works (retrospective).</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 whilst it is not committee policy to accept retrospective applications, the committee does not object to this application.</i></p> <p><i>The committee would like to comment on the two illuminated barber poles that are within the shop window. The committee is of the opinion that these are not in-keeping with the West Malling Conservation Area due to being illuminated, their size and number, and would ask the enforcement department to consider if they are appropriate for a Listed Building within the Conservation Area.</i></p>			
198.4	<p><b>TM/23/00563/FL</b> - 26 Alma Road West Malling Kent ME19 6RP New dwelling adjoining 26 Alma Road (Resubmission).</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 does not object to the application.</i></p>			
198.5	<p><b>TM/23/00561/TNCA</b> - The Old Stable Building Old Parsonage Court West Malling ME19 6NZ Sycamore - Fell to 1.0m above the fence line.</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 healthy Sycamore tree.</i></p> <p><i>The Parish Council would ask that due to its amenity value and the risk of it being felled, that consideration be given to making this tree subject to a TPO.</i></p> <p><i>This tree is an important part of the West Malling Conservation Area landscape and its loss would have a significant negative impact on the local environment and its enjoyment by the public. We understand that this tree has been or is the home to nesting birds and would therefore ask that the impact to wildlife also be taken into account when making your decision.</i></p>			
198.6	<p><b>TM/23/00540/TPOC</b> - The Old Stable Building Old Parsonage Court West Malling ME19 6NZ Beech - Crown lift to give a 6.0m clearance above the garden and roadway and balance, in T3 of 01/00034/TPO.</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 does not object to the application.</i></p>			
198.7	<p><b>TM/23/00509/LB &amp; TM/23/00508/FL</b> - Milverton 116 High Street West Malling ME19 6LX Listed Building Application: partial demolition of buildings, conversion of existing buildings to form 2 no. apartments and erection of two no. terraces each containing 3 no. dwellings, parking for 6 no. cars and bin store (Revision to approved TM/21/00618/LB).</p> <p>West Malling Parish Council Planning Committee commented as follows:</p>			

	<i>West Malling Parish Council Planning Committee has considered this application and does not object to the application.</i>			
<b>198.8</b>	<p><b>TM/23/00608/RD</b> - 25 West Street West Malling Kent ME19 6QX Details of condition 3 (Schedule of materials) pursuant to planning permission TM/21/02541/FL Provision of a 2 storey side extension to 25 West Street and for the creation of two 3 bedroom semi-detached dwellings within the excess garden land. The proposal includes parking and external amenity space with new landscaping. The site benefits from an existing planning approval TM/18/02072/FL.</p> <p>West Malling Parish Council Planning Committee commented as follows:</p> <p><i>West Malling Parish Council Planning Committee has considered this application to discharge condition 3 (Schedule of materials) and does not object to the application.</i></p> <p><i>The committee notes that the pavement at this site has recently been damaged by a delivery and would ask the developer to liaise with KCC as to how to remedy this.</i></p>			
<b>198.9</b>	<p><b>TM/23/00620/TPOC</b> - Land At Douces Manor St Leonards Street West Malling Proposed tree and shrub work: T1- (applicant ref) Walnut, major cavity and decay in trunk, kretzschmaria fungus at base - Dismantle to near ground level. T2- (applicant ref) Horse Chestnut, adjacent tree failed, this Tree now heavily lopsided - Crown reduce whole crown by approximately 2-3m to reduce leverage and rebalance. T3- (applicant ref) Leaning Cherry, partially uprooted and leaning on Yews adjacent - Dismantle to near ground level. T4- (applicant ref) Ash and Sycamore Saplings x4, suppressed by T2, leaning and no future potential - Fell to near ground level. T10 - (applicant ref) Horse Chestnut, twin stem tree, one stem leaning towards adjacent property. Bleeding at base of stem - Reduce leaning stem by approximately 2-3m to reduce leverage and wind sail. T11- (applicant ref) Beech, low branches over road, two low dead branches over lawn - Crown lift by approximately 1-2m over road. Remove x2 dead branches. T12 - (applicant ref) Ash, Low branches over road. - Crown lift by approximately 1-2m over road. T13 - (applicant ref) Goat Willow, major limb recently failed at branch union - Crown reduce whole crown by approximately 2m to reduce leverage on rest of tree. T25- (applicant ref) Holm Oak, Ganoderma fungal brackets on NE + SW sides near base. Sparse crown suggesting damage from fungus - Pollard at main fork at 8ft for safety. Tree may resprout as pollard or could be removed in later years if continues to decline. T26 - (applicant ref) Whitebeam, fungal brackets up main trunk and trunk dead from 8 feet up. Diamond Jubilee commemorative tree - Fell to near ground level All standing within group A1 of TPO.</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 due to the large number of proposed works to be undertaken within this TPO area and the complexity of the application, the Council feels unable to comment. The Council would ask that the Landscape Officer visit the site.</i></p> <p><i>The Parish Council would ask that a tree management plan be put in place if one does not already exist.</i></p>			
<b>198.10</b>	<p><b>TM/23/00629/RD</b> - 2 - 4 High Street West Malling Details of condition 6 (phased programme of archaeological work) pursuant to planning permission TM/21/00821/FL (Demolition of existing office building and construction of 5 new dwellings).</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 does not object to the application.</i></p>			
<b>198.11</b>	<p><b>TM/23/00652/FL</b> - 57 Ewell Avenue West Malling ME19 6NW Demolition of existing rear conservatory and bay window, single storey side extension, front porch, construction of single storey rear extension, two storey side extension and part single, part two storey front extension.</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 does not</i></p>			

	<i>object to the application.</i>			
<b>23/199</b>	<b><u>PARISH INFRASTRUCTURE STATEMENT</u></b>			
	The August 2022 statement was reviewed. It was agreed that from a planning committee perspective that the document be submitted without change.  The statement is to be further reviewed by the Highways Committee.  It was agreed that the costs outlined in the document be reviewed in the future.			
<b>23/200</b>	<b><u>MILVERTON DEVELOPMENT</u></b>			
	The Clerk reported that the developer had approached WMPC to ask if they had any suggestions for a suitable name for the new builds, the developer having already suggested Milverton Mews.  The committee were in agreement that Milverton Mews was a suitable name and as there were no other suggestions, the committee asked that this be conveyed to the developer.	<b>Clerk</b>	√	
<b>23/201</b>	<b><u>PLANNING ENFORCEMENT</u></b>			
	<b>Current investigations</b> – the Clerk updated members on a High Street enquiry.  <b>Potential investigations</b> – none other than the above.  It was agreed that the Clerk would seek to obtain from TMBC a list of outstanding West Malling enforcement matters.			
<b>23/202</b>	<b><u>FINANCE</u></b>			
<b>202.1</b>	Accounts for payment in the sum of £789.29 were approved – see below.			
<b>202.2</b>	Members considered the current planning budget (year to date) – no sums to be safeguarded.			
<b>23/203</b>	<b><u>QUESTIONS FROM MEMBERS OF THE PUBLIC</u></b> - none			
<b>23/204</b>	<b><u>QUESTIONS FROM MEMBERS OF THE COMMITTEE</u></b>  Baldocks and Arundel House - Mrs Smyth noted that work appears to have stopped at both sites. The committee and Clerk were unable to provide further information on the status of the building works.			
<b>23/205</b>	<b><u>TMBC AREA 2 PLANNING COMMITTEE</u></b> – Wednesday 5 <sup>th</sup> April			
	<b>Date of next WMPC Planning meeting</b> – Tuesday 25 <sup>th</sup> April with ad hoc meetings to be held when necessary.			
	There being no further business, the Chairman thanked members for attending and closed the meeting at 10.58am  Signed.....  Date.....			

## West Malling Parish Council

<b>Accounts for Payment 31st March 2023</b>							
						<b>cheques to be drawn</b>	
Mr M Pearce (cheque 2554)						<b>£105.02</b>	
(reimbursement for wheelbarrow £85.00 & diesel £20.02)							
Streetlights (cheque 2555)						445.00	<b>£ 534.00</b>
(invoice 13568 - repair to column 108, replaced lantern with SL6 LED)						VAT 89.00	
Ms S Margetts (cheque 2556)							<b>£ 71.50</b>
(reimbursement for honey purchased for Greener West Malling event)							
Mrs C Christmas (cheque 2557)						65.63	<b>£ 78.77</b>
(reimbursement for folders and laminating paper)						VAT 13.14	
						<b>TOTAL</b>	<b>789.29</b>