



PUBLIC MEETING

HELD ON **WEDNESDAY 20TH NOVEMBER 2019 AT 19:30** IN THE **JIM FRY HALL** AT THE **KINGS HILL COMMUNITY CENTRE**
RE: LIBERTY PROPERTY TRUST PLANNING APPLICATIONS APPEAL

Present: Cllr Barker, Cllr Cassidy, Cllr Colman, Cllr Finlay, Cllr Russell, Cllr Sherlaw, Cllr Waller

Also in Clerk, Deputy Clerk, Assistant Clerk.

Attendance:

Members of 51
the Public

1. Welcome and introductions

Actions

Cllr Barker welcomed members of the public and encouraged as many residents as possible to attend the Liberty Property Trust Planning Appeal on 3rd December. Cllr Barker explained the likely format of the Appeal process but could not confirm how many days it would it would last.

Cllr Barker explained the main purpose of the Public Meeting is to identify any residents willing to register to speak at the Appeal and on which topic. The Planning Inspectorate will be unlikely to want topics to be duplicated. Cllr Barker also enquired whether anyone knew of a drone operator to arrange for aerial views of each development to be taken to help support the objections.

It was confirmed that all information and relevant website links will be posted on the Kings Hill Parish Council website and social media sites.

Clerk

2. Open Forum

Members of the public raised the following questions:

2.1 Q: Do we know the basis of the appeal?

A: It was confirmed that all the information is on the Tonbridge and Malling Borough Council website but Kings Hill Parish Council will publish the links on social media tomorrow. It was also confirmed that the Heath Farm planning application had been withdrawn.

2.2 Q: If some of the planning applications are outside of Kings Hill Boundary (such as Amber Lane) why are they all lumped together; will this start to include other areas outside of Kings Hill as a precedent?

A: It was explained that Liberty Property Trust owned part of the open space area adjacent to Amber Lane identified for development. The proposal for the other three sites is to convert commercial areas to residential. The next development which may be of interest is Broadwater Farm. Liberty Property Trust have requested that the the four applications are heard together, it will be for the inspector to decide.

2.3 Q: Were the proposals put forward by Liberty Property Trust for double

yellow lines on Amber Lane a cynical approach to introduce them before the Planning Appeal has taken place?

A: Cllr Barker confirmed that the Parish Council does not have any information on this, but Amber Lane is currently an unadopted road.

- 2.4 **Q: Concern was raised at the way Liberty Property Trust handled the consultation regarding the yellow lines by not giving residents enough time to respond. If the Amber Lane development goes ahead it will impact on the volume of traffic in the area. Residents feel they do not have the ability to challenge Liberty Property Trust implementing double yellow lines in Amber Lane.**

A: Cllr Barker suggested that residents write to the Kent County Councillor representative for Kings Hill, Cllr Matthew Balfour. It was also suggested that residents may also want to lobby the two local Directors of Kings Hill Residential Estate Management Company.

The Parish Council confirmed they will organise a further meeting to help support and guide any residents willing to speak at the Appeal on the 3rd December 2019.

Clerk

- 2.5 **Q: A resident referred to the double yellow lines consultation in Amber Lane that emergency vehicles could not get through, why is this any different to all the other roads in Kings Hill. Residents commented that Amber Lane was not designed to be a thoroughfare.**

- 2.6 **Q: The letter from Liberty Property Trust confirmed that the Parish Council and Tonbridge and Malling Borough Council were in agreement to double yellow lines in Amber Lane and questioned if the Parish Council have any objections to them?**

A: It was confirmed that the Planning, Transport and Environment Committee had submitted a 'no objections' response to Liberty Property Trust, which had been received prior to the residents' letter. Residents questioned if the Parish Council can rescind this decision and it was noted that a Special Motion can be put on the next Planning, Transport and Environment Committee agenda. Residents asked for the Parish Council to do this.

**Cllr
Barker**

- 2.7 **Q: A resident stated that when he purchased his property he had to sign a covenant that the parking of commercial vehicles is not allowed. This is not being enforced and causing visibility issues.**

- 2.8 **Q: How is it possible that Amber Lane is not an adopted road.**

A: Cllr Barker confirmed that the decision of adopted roads is up to the development company that owned the road which is Liberty Property Trust (which is a partnership with Kent County Council). It was also confirmed that not all of the roads on Kings Hill are adopted.

- 2.9 **Q: We are worried about the way Liberty Property Trust are doing things as we are paying to maintain private property.**

A: Cllr Barker suggested that residents should be taking an active role in contacting Liberty Property Trust regarding their concerns as Kings Hill Parish Council cannot do this.

- 2.10 **Q: Liberty Property Trust have chosen not to use the powers they already have to remove vehicles near roundabouts but are introducing yellow lines instead.**

A: Cllr Barker again urged resident groups to lobby the land owners on this issue and

assured residents that the Parish Council is not ignoring the problem. The Parish Council explained that the Highway Code is not statutory.

2.11 **Q: The proposed developments will increase traffic and impact on schools. Residents asked if they could object on congestion and safety grounds?**

A: The Clerk confirmed that Kent County Council Highways use a computer desktop modelling system to analysis the local impact when new developments are proposed. They do not carry out any local investigations and it is therefore important that residents provide local knowledge and evidence on the real situation to support their objections.

2.12 **Q: It was noted that at a recent Inquiry a speaker from the emergency services provided strong video evidence which was helpful in supporting objections to the appeal.**

A: Cllr Barker agreed that any video evidence available should be put on to a memory stick to be available for use at the Planning Appeal if required. She also stated that

Clerk

2.13 **Q: Has Kent Wildlife been consulted regarding the ancient woodland next to Amber Lane?**

A: Cllr Russell confirmed that Tonbridge and Malling Borough Council are taking the Appeal seriously and have engaged a lot of legal representation. They will also be covering wildlife issues in their objections. He advised that more personal evidence is required from local residents in how the development will affect and impact on their daily life.

2.14 **Q: Will the original objection letters sent to the Borough Council be referred to at the Appeal?**

A: Yes, the Planning Inspectorate will have copies of all documents submitted.

2.15 **Q: There is some confusion how to submit our comments to the Parish Council, via the website or to the Clerk?**

A: The Parish Council confirmed that all comments should be sent to the Clerk who would collate them and present them to the speakers at the next meeting.

2.16 **Q: Will the previous information sent directly to the Planning Inspectorate (Lianne Palmer) be included in the Appeal; should this have been uploaded to the Borough Council website?**

A: All information sent to the Planning Inspectorate will be included.

2.17 **Q: How many properties will there be altogether on the four developments?**

A: A total number of 435 mixed units (houses and apartments), which will impact on the local environment covering Kings Hill, East and West Malling and have a huge impact on the A228.

2.18 **Q: This does not include the impact of the developments already in progress in Kings Hill. Should we have a medical expert to speak at the Appeal regarding the affect on current GP surgeries?**

Clerk

2.19 **Q: Concern was raised about the impact the developments will have on local infrastructure especially the impact on the station car park which is already causing problems.**

A: Cllr Colman agreed that this is, and has been for some time, a problem and people are now travelling to neighbouring town car parks and causing problems there.

- 2.20 **Q: Concern was raised regarding the impact on air pollution near schools.**
- 2.21 **Q: A complaint was made regarding current infrastructure and the timings of the current bus service.**

A: Cllr Barker asked for comments to be sent to the Parish Council who will represent residents to try and do something about improving the bus service to the train station.

- 2.22 **Q: Will each development be taken on its own merit?**

A: Each planning application will be dealt with separately at the one Appeal on the 3rd December.

- 2.23 **Q: The GP surgery in Leybourne has not materialised and Kings Hill has approximately 22,000 patients on their register, has anyone liaised with the Kings Hill Surgery?**

A: Cllr Barker confirmed that Committee Members will raise this at the Patient Participation Group to seek their views. Cllr Barker also confirmed that the parish council would ask Officers to liaise with the West Kent Clinical Commissioning Group.

**Cllr
Colman**

3. Recruiting speakers to participate in the inquiry

- 3.1 Ancient Woodland – Amber Lane - Volunteer Speaker – Rebecca Rees
- 3.2 Emergency Access – Amber Lane - Volunteer speaker – Gill Collingridge and Cllr Russell
- 3.3 Loss of amenity open space/green belt – Amber Lane – Volunteer speaker – Richard Dowling
- 3.4 Lack of infrastructure e.g. GPs, schools
- 3.5 Urban Sprawl – Volunteer speaker – Belinda Kennedy
- 3.6 Loss of employment Land
- 3.7 Access to Tower View on Christmas Day Volunteer speaker – Cllr Barker
- 3.8 The mix of residential alongside commercial - Volunteer speaker – Cllr Sherlaw

4. Further Questions and Information raised:

- 4.1 **Q: Why are Government proposing to plant more trees at the same time as cutting them down?**
- 4.2 **Q: It was confirmed that Watlington, Mereworth and Teston Parish Councils will also be speaking at the Appeal.**
- 4.3 **Q: Do we talk to Maidstone Borough Council too regarding the impact on Hermitage lane?**

A: it was confirmed that this is the duty of Tonbridge and Malling Borough Council.

- 4.4 **Q: Concerns were raised about the lack of time to organise the speakers meeting?**

A: The Clerk will contact all the volunteers with meeting details for next week.

Clerk

- 4.5 **Q: Will need to split the 'Open Space' section in two to cover dog walkers and nature/habitat issues.**
A: This will be dealt with at the speakers meeting.
- 4.6 **Q: When will the result of the Appeal be announced?**
A: Not sure when the Planning Inspectorate will announce this but likely to be in the new year. Tonbridge and Malling Borough Council will inform the Parish Council when they have received the result.
- 4.7 **Q: Has there been any talk of changing the use of the commercial area to schools?**
A: There has been talk of a secondary school on Broadwater Farm.
- 4.8 **Q: Can we send out instructions on how to respond to the Parish Council with comments in a bullet point format? Concern was also raised on how the developments might affect mental and physical health issues.**
A: Residents are invited to send all their comments to the Parish Council Clerk at: clerk@kingshillparish.gov.uk
- 4.9 **Q: Ancient woodland, is there not something that includes protection of habitat for protected animals within this legislation? Liberty Property Trust have recently been mowing meadows flat and removing hedgerows – is this evidence that can be used at the Appeal.**
A: Yes, pictures to evidence this will be useful.

5. Summary and meeting close

Cllr Barker summarised the points of the meeting and confirmed that the Clerk will email the residents who had volunteered to speak at the Appeal to take preparations forward.

Clerk

The concern and issues regarding the Parish Council's recent decision on the proposed yellow lines in Amber Lane will also be investigated and a Special Motion sought to reverse that decision.

**Cllr
Barker**

Cllr Barker rallied residents to take pro-active action in the Appeals process as the power was with them to challenge the development proposals in Kings Hill.

The Planning Appeal will be held on 3rd December 2019 at 10am at The Orchards, New Road, East malling, ME19 6BJ

All residents are invited to send any further comments directly to the Clerk at clerk@kingshillparish.gov.uk