

**Minutes of the EXTRA ORDINARY MEETING of BIRLING PARISH  
COUNCIL held on  
Tuesday 4<sup>th</sup> February 2025 at 8pm at All Saints Church, Birling**

**Present:** Councillors Mrs J Westwood (Chair)  
Mr S Hirst  
Mrs H Walker  
Mr G Nevill  
Mr D Yates  
Miss H Wright

Also in attendance: J Miller, Clerk; Cllrs Boxall and Cllr Banks and twenty-two members of the public.

**143. Apologies for absence**

It was **RESOLVED** to receive and approve apologies for absence from Cllr Hewett. Cllr Hohler also sent apologies.

**144. Declarations of Pecuniary or Non-Pecuniary Interests**

Cllr Nevill declared an interest in the application.

**145. Open Forum – Public Participation Session**

Cllr Westwood summarised the issues raised at the previous council meeting. This included the top land and toxic waste, the position of social housing, the environmental and safety issues, open access to the sports facilities for the community, the access to public footpaths, the encroachment of the PLUTO pipeline and the impact on infrastructure such as schools and NHS.

The following matters were raised by members of the public:

**1. Housing Development & Future Expansion Concerns**

- There is uncertainty about whether the “up to 150 dwellings” proposed in the outline permission will be a final cap. Concerns were raised that future applications could increase this number significantly.
- The application does not provide clarity regarding the “blue area” on the plan, raising concerns about additional future developments. The previously referenced “Phase 2” of 400 homes has not been mentioned.

**2. Access & Traffic Concerns**

- Questions were raised about the total number of access points once the site is fully developed. The current plan suggests a single access off the A228, which is deemed insufficient for a development of this scale.
- Concerns exist that the addition of traffic lights on the A228 will lead to gridlock, further exacerbating congestion in the area.
- Additional concerns about the layby and potential displacement of local businesses, such as Sue’s Snack Bar, were raised. Questions remain about what rights the business owner has regarding potential removal.
- Insufficient parking provision on the site could lead to vehicles parking on local roads and residents’ driveways, causing disruption.
- Heavy Goods Vehicles (HGVs) may use private roads to access the development site, raising safety and access concerns.

- The impact of match-day traffic was not adequately assessed, and no research appears to have been conducted on how the development will affect local traffic patterns on event days.
- The junction at Legge Lane is already subject to gridlock, arguments, and engine idling, and further development will worsen these issues.

### **3. Infrastructure Strain**

- Residents expressed concern over GP services, highlighting the difficulty in booking appointments at existing practices. It was noted that the GP surgery has requested funds to expand services.
- Reference was made to a previously promised GP practice on Leybourne Chase, which was never delivered, leading to scepticism about whether adequate healthcare provisions will be made for this development.
- The Parish Council was asked to obtain data on the number of GP appointment requests per day to better assess the strain on local healthcare services.

### **4. Environmental & Biodiversity Impact**

- Concerns were raised that the land has rewilded and now supports significant biodiversity, including nightingales, slow worms, newts, kestrels, buzzards, red kites, and ravens. The impact on these species is unclear.
- The planning application lacks sufficient detail regarding biodiversity impact assessments, particularly for bats and birds.
- The protection of ancient pathways and public footpaths running through the site was emphasized. The Parish Council was encouraged to explore adoption of these paths to safeguard them.
- Residents highlighted that new legislation on biodiversity net gain requires that any loss of habitat be compensated locally rather than offset elsewhere.

### **5. Construction Disruption**

- Lorries accessing the site for construction will cause major disruption, and concerns were raised about what is beneath the land. The adequacy of current ground surveys was questioned.
- Reports of HGVs already using residential driveways to turn around indicate potential future problems during construction.
- There is uncertainty surrounding a proposal to excavate sand and aggregates from the “blue part” of the site in collaboration with Tarmac.

### **6. Impact of Sports Facilities**

- Noise from the football pitches will be disruptive to local residents, potentially extending to 10 PM on most nights.
- Floodlighting will have a significant impact, with concerns raised about light pollution affecting both residents and local wildlife.
- Questions were raised about whether the sports facilities will be genuinely accessible for the community or reserved for higher-level league football. There is a concern that children and local groups may not be allowed to use the pitches for fear of damaging the professional-standard surface.
- Insufficient parking provision for a 250-seat stand is likely to cause additional parking and congestion issues.

### **7. Green Belt Protection & Political Involvement**

- Residents inquired about the involvement of Green Party representatives in protecting Green Belt land and whether expert consultation has been sought.
- The financial feasibility of the development was questioned, with residents noting that the land cost £5 million and significant additional investment has

been made. Many expressed concern that the project may not be viable without expansion into a larger second phase.

- If the application were to go to appeal, questions were raised about the potential financial and legal implications for the Parish Council.

#### **8. Call for Independent Expert Review**

- Cllr Boxall urged residents to focus on the immediate application rather than potential future phases. However, he also emphasized the importance of robust evidence to support objections.
- Cllr Banks suggested that the Parish Council commission an independent specialist report to professionally challenge the access proposals and assess biodiversity impact. Residents expressed concern that obtaining professional advice is too costly.
- The Parish Council was encouraged to lobby Kent County Council regarding access concerns and to gather more substantive information to support objections.

*The public session closed at 20:45pm*

#### **(a) Planning Applications to be considered**

24/02078/PA

PROPOSAL: Outline application: All matters reserved except access for a phased residential development consisting of the erection of up to 150 market dwellings (Use Class C3), golf driving range and padel tennis courts (Use Class F2), with associated parking, access (internal circulation), landscaping, open space and associated works

LOCATION: DEVELOPMENT SITE AT OAST PARK GOLF CLUB,  
Malling Road, Snodland, ME6 5LG

The council discussed the application and decided to respond with the following points:

Birling Parish Council wishes to formally object to planning application 24/02078 concerning the proposed hybrid development at the former Oast Park Golf Course. While we recognise the potential benefits of the application concerning the sports facilities, however we have significant concerns regarding its impact on our community, the environment, and infrastructure. Our primary objections are outlined below:

The proposal includes a new signal-controlled junction on the A228, an already congested route. The traffic impact assessment claims negligible effects aside from driver delay, but increased congestion is likely to encourage rat-running through Birling and neighbouring villages, affecting tranquillity and causing increased pressure on local roads.

Whenever there is driver delay, there is a significant impact on Birling and Ryarsh due to rat-running this will be exacerbated by the development. Emergency vehicles will also face delays, potentially affecting response times. The report does not thoroughly consider the impact on the wider road network. Additionally, lorry movements during development raise concerns, and we suggest restrictions be placed on construction vehicle movements. Previous traffic surveys on the A228, conducted for the travelling showman's site, illustrate the expected issues.

We acknowledge that we cannot comment on the potential future phase two (400+ homes in the area illustrated in blue on the masterplan), but it would greatly exacerbate access problems.

The proposed development is largely situated within the Metropolitan Green Belt (MGB), and much of it qualifies as “inappropriate development” under the National Planning Policy Framework (NPPF). The applicant has not sufficiently demonstrated the existence of “very special circumstances” necessary to justify granting permission. Furthermore, the “Golden Rules” set out in the latest NPPF regarding the release of Green Belt land have not been fully met.

The remaining areas of the site may be classified as “grey belt,” but it is unclear whether it truly qualifies as a previously developed site. The loss of habitat, especially given the rewilding process, is a major concern.

National Landscape guidance states that development should conserve and enhance quality. The land has naturally re-wilded, and the proposed development threatens this process.

The Landscape and Visual Impact Assessment (LVIA) determines that houses on Legge Lane and the Downs will have visibility of the development, resulting in a significant impact on the area, homes, and the nearby Site of Special Scientific Interest (SSSI), a future National Nature Reserve. The introduction of large-scale built structures in a predominantly rural and natural setting will dramatically alter the character of the area, leading to a loss of scenic beauty and tranquillity.

While some buildings may be partially screened, floodlights associated with the sports facilities will cause substantial light pollution, disrupting the countryside’s dark sky environment. This will not only diminish the enjoyment of the landscape for local residents and visitors but could also impact nocturnal wildlife, including bats and birds, which rely on dark conditions for foraging and navigation. The LVIA does not adequately assess the cumulative impact of these elements on the long-term landscape character and biodiversity of the area.

The applicant argues that the development is an extension of Snodland, yet it remains physically separated by the A228 and open space. Future residents will likely rely on private cars, contrary to NPPF policies promoting sustainable transport options. The train stations are too far to walk, and there is no strong link between the site, Birling, or Snodland, making it an unsustainable location.

GP facilities in Snodland and West Malling are already overstretched and unable to sustain the additional population created by this development without additional clinicians and infrastructure.

Biodiversity reports are unclear on what will be disturbed. Key surveys on bats and birds have not been completed, despite local knowledge confirming the presence of nightingales, kestrels, buzzards, red kites, and ravens. The potential biodiversity loss would be devastating, and there is insufficient detail to provide confidence that wildlife will not be disrupted.

The protection of trees is vital, yet there are no strong assurances regarding tree preservation.

Flooding and water management details are inadequate. Images should be uploaded to demonstrate that the site consists of crushed concrete rather than topsoil, raising concerns about drainage and flood risk.

There has been a lack of thorough investigation into site contamination. Testing has been insufficient, and the requirements for contamination assessment have not been met. A more comprehensive study should be mandated. As can be seen from the photographs provided, the area has been filled with crushed concrete which has created further flooding issues.

The applicant's proposed S106 contributions focus primarily on Snodland, overlooking potential impacts on Birling. No discussion has been provided on how the development might integrate with the parish. We strongly request that S106 contributions be allocated to mitigate effects on Birling, including traffic management, green space enhancement, and infrastructure improvements. Our parish infrastructure report provided to TMBC previously is below:

Priority Level	Name and Type of Open Space	Location	Identified need and evidence base	Cost estimate (£)	Funding source
1	Birling Church	Snodland Road	Birling has a lack of usable Community meeting facilities. The Village Hall is run by a trust and is booked out five days a week as a Montessori School, the organiser leaves all the equipment out in the hall and uses the hall on some weekends. This means that if residents wish to use the hall they must work around the school <u>and also</u> arrange for a clear down of the equipment. There are different levels therefore the hall is not a clear space for immediate <u>use, and</u> can have equipment out on display during hire. Birling Church is relatively unused throughout the week. The parish council would like to assist the church in converting its space to a usable community room area, giving residents access to a usable space for clubs and meetings. The works required include the installation of kitchen and toilet facilities, as both do not exist at present.	£250k	S106
1	Highways Improvement Plan	Ryarsh Rd, Bull Road, Snodland Road	Birling is severely impacted by traffic due to the increase of housing surrounding the parish. The parish lanes are not suitable for the volume of traffic that is created by "rat running" to avoid incidents on the motorway or main roads. Birling has a successful Highways Improvement Plan in conjunction with KCC and would like funding from S106 to provide highways works to manage and control the flow of traffic on roads in the parish, to mitigate the impact of further development.	£50k	S106
2	Motorway Verges	M20	The increased traffic movements due to housing development has caused an increase in noise pollution from the M20 motorway. The mitigation supplied by National Highways is not sufficient to protect residents from the increase in noise. The parish council would like to explore further noise mitigation.	Unknown at this stage	S106
3	Climate Change		We are developing a Climate Action Plan and would like to explore how s106 can help us put in place some methods to protect Birling from the effects of climate change, such as flooding.	Unknown at this stage	S106
4	Childrens Play Area		There are no facilities whatsoever in Birling for children and young people. We have identified a small area of land that could be used as a children's play area.	£100k	S106

Kent Wildlife Trust should also be consulted for their expert opinion on the biodiversity impacts of this application.

While we appreciate the advantages of new sports facilities for the football club, concerns remain regarding lighting, noise, and true community accessibility. Previous experiences suggest that similar facilities have not been fully utilised by the local community

Further, the scale of the proposed football facilities raises concerns that they are designed primarily for future league football rather than true community use. There is a real risk that children and local groups may be excluded from using the pitches due to concerns over maintaining a professional standard playing surface. Large-scale, high-quality facilities are often restricted to elite-level use, leaving local residents unable to benefit from them.

Additionally, there is insufficient parking provision for a 250-seat stand, which would likely lead to overflow parking in unsuitable areas, further exacerbating congestion and traffic issues in the surrounding villages.

Given the significant adverse impacts on the Green Belt, local traffic, the AONB, and sustainability concerns, Birling Parish Council urges Tonbridge & Malling Borough Council to refuse planning application 24/02078. If the application is to be considered further, we strongly

request additional scrutiny on traffic impacts, ecological assessments, contamination risks, and S106 contributions to mitigate the effects on our parish.

**146. Date of next meeting: Tuesday 11<sup>th</sup> February 2025**

*Meeting closed at 21:42pm*

**Signed.....**

**Date.....**

DRAFT