

PLANNING COMMITTEE

Wednesday, 13 May 2020

**Present: Councillor Noakes (Chairman)
Councillors Bland (Vice-Chair, in the Chair), Atwood, Backhouse, Mrs Cobbold,
Hamilton, Podbury, Poile, Pound, Mrs Thomas and Warne**

Officers in Attendance: Peter Hockney (Development Manager), Ellouisa McGuckin (Graduate Planning Assistant), Mark Stephenson (Principal Conservation Officer), Jo Smith (Senior Lawyer) and Emer Moran (Democratic Services Officer)

Other Members in Attendance: Councillor McDermott

CHAIRMAN'S INTRODUCTION

PLA153/19 Due to technical issues the meeting started at the later time of 11.15am. The Chairman opened the meeting, introduced Committee members and officers in attendance, and outlined procedural matters of the meeting.

APOLOGIES

PLA154/19 There were no apologies for absence.

DECLARATIONS OF INTEREST

PLA155/19 Councillor Warne declared that she had a disclosable pecuniary interest in relation to agenda item PLA155/19 Charity Farm Country Store, Swattenden Lane, Cranbrook. Councillor Warne advised she was an employee of the business and as her brother is the applicant it may be perceived that she had fettered her discretion. Councillor Warne subsequently withdrew from the meeting before the application was discussed.

DECLARATIONS OF LOBBYING (IN ACCORDANCE WITH THE PROTOCOL FOR MEMBERS TAKING PART IN THE PLANNING PROCESS, PART 5, SECTION 5.11, PARAGRAPH 6.6)

PLA156/19 No declarations of lobbying were made.

SITE INSPECTIONS

PLA157/19 Due to the current restrictions Members had not undertaken any site visits.

TO APPROVE THE MINUTES OF THE MEETING DATED

PLA158/19 RESOLVED – That the minutes of the meeting dated 15 April 2020 be recorded as a correct record.

REPORTS OF HEAD OF PLANNING SERVICES (ATTACHED)

PLA159/19

APPLICATION FOR CONSIDERATION - 19/02617/FULL 67A WARWICK PARK ROYAL TUNBRIDGE WELLS KENT

PLA160/19 **Planning Report and Presentation** – The Head of Planning Services

submitted a report in respect of application PLA160/19 67A Warwick Park Royal Tunbridge Wells Kent and this was summarised at the meeting by Mr Moysey, Senior Planning Officer and illustrated by means of a visual presentation.

Updates and additional representations – None

Registered Speakers – There were 4 speakers who had registered and who spoke in accordance with the Council's Constitution (Planning Committee Procedure Rules):

Public Objectors

- Mr Neil Williams, Chairman of the Warwick Park Area Residents Association, provided a statement which was read out by Mrs Moran the Democratic Services Officer.
- Mr Geoff Richards, a neighbour provided a statement which was read out by Mrs Moran the Democratic Services Officer.
- Mr John Whitlock - from DMP, Architectural Consultants and Building Surveyors, acting on behalf of Mr and Mrs Richards of Birchmead provided a statement which was read out by Mrs Moran the Democratic Services Officer.

Public Supporter

- Mrs Glenda Egerton from John Bullock Design (Agent), acting on behalf of the applicant.

Matters of Clarification by Officers and Committee Members' Questions to Officers – Members raised a number of questions officers confirmed the following:

- i. Notwithstanding the officer's acknowledgement of flood issues in the area e.g. The Pantiles, it was advised that the site does not fall within a designated Environment Agency flood risk zone.
- ii. The proposal offers a 0.5 metre buffer in addition to the 2 metre separation distance required.
- iii. Officers have continuously liaised with KCC Flood and Water Management who have not objected to the scheme and recommended condition 4 which must be discharged before works were carried out and this was enforceable.
- iv. The wording of condition 4 is that given by KCC Flood and Water Management and their measurement guidelines may be subject to change, therefore the specific measurement of 2 metres is not included for this reason.
- v. It was the current land owner and any subsequent owners' responsibility to maintain the culvert.

Committee Member Discussion – There were no matters of significance raised.

Decision/voting – On the basis that members were satisfied that all relevant planning considerations had been covered within the report and the debate, a motion was proposed by Councillor Pound, seconded by Councillor Backhouse to approve the application in line with the officer recommendation.

RESOLVED – That application PLA160/19 be granted subject to the plans, conditions and informatives as set out in the agenda report.

**APPLICATION FOR CONSIDERATION - 19/03426 FULL - TADPOLES, 6
BLATCHINGTON ROAD, RTW**

PLA161/19 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA161/19 Tadpoles, 6 Blatchington Road, Royal Tunbridge Wells, Kent and this was summarised at the meeting by Ms McGuckin, Planning Officer, and illustrated by means of a visual presentation.

Updates and additional representations – Officers advised that a newspaper advertisement was required and the period for representations had not yet expired therefore a change to the recommendation was made to:

Delegated Powers to the Head of Planning to Grant Planning Permission subject to the expiry of the newspaper advert and no new planning issues being raised.

Registered Speakers – There were 2 speakers who had registered and who spoke in accordance with the Council's Constitution (Planning Committee Procedure Rules):

Public Objectors

- Mr Neil Williams, Chairman of the Warwick Park Area Residents Association, provided a statement which was read out by Mrs Moran the Democratic Services Officer.
- Mr Colin & Mrs Louise Atkins, neighbours provided a statement which was read out by Mrs Moran the Democratic Services Officer.

Matters of Clarification by Officers and Committee Members' Questions to Officers – Members raised a number of questions and officers confirmed the following:

- i. A drainage strategy had not been submitted and was not considered necessary at this stage by KCC Flood and Water Management and could be submitted as part of building regulations at a later date.
- ii. The measurement guidelines of KCC Flood and Water Management are subject to change and are in line with KCC guidance at the time of submission hence no specific mention of 2 metres included in the condition.
- iii. There is a lack of inspection chambers which makes the exact route of the culvert difficult to identify. The exact location of the culvert is believed to be on the western side of the site under the existing garage and would be under the proposed garage therefore the 2m separation distance would not be possible.
- iv. That it was the land owners' responsibility for the maintenance of the culvert.
- v. Existing issues at the site could not be resolved through the planning system and the purpose of the application is to ensure that any issues caused by the proposed development are

- mitigated by the conditions.
- vi. In order to protect the culvert the proposed building may need to be less than, or the same size as what is already there.
 - vii. In terms of the Council not having a policy regarding building over culverts, each case has to be taken on it's merits at the time of submission.

Committee Member Discussion – Members proceeded to discuss the application and the principal issues as follows:

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- Concerns were raised about the location and access to the culvert.
- It was acknowledged that the proposal in 2016 albeit expired had previously been approved.

Decision/voting – On the basis that members were satisfied that all relevant planning considerations had been covered within the report and the debate, a motion was proposed by Councillor Backhouse, seconded by Councillor Podbury to give Delegated Powers to the Head of Planning to Grant Planning Permission subject to the expiry of the newspaper advert and no new planning issues being raised.

RESOLVED – That application PLA161/19 be granted subject to the plans, conditions and informatives as set out in the agenda report.

APPLICATION FOR CONSIDERATION - 19/00430/FULL - CHARITY FARM COUNTRY STORE SWATTENDEN LANE CRANBROOK KENT

PLA162/19 Councillor Warne left the meeting at the start of this item and did not return.

Councillor Noakes stated that he visited Charity Farm and bought a small amount of pet food on a regular basis, although this was not his main pet food supplier. The legal officer confirmed that this did not amount to a significant interest and he could take part in the decision making.

Planning Report and Presentation – The Head of Planning Services submitted a report in respect of application PLA162/19 Charity Farm Country Store, Swattenden Lane, Cranbrook, Kent and this was summarised at the meeting by Mr Hazelgrove, Principal Planning Officer, and illustrated by means of a visual presentation.

Updates and additional representation – None

Registered Speakers – There was 1 speaker who had registered and who spoke in accordance with the Council's Constitution (Planning Committee Procedure Rules):

Public supporter

- Mr Patrick Durr, provided a statement on behalf of the applicants which was read out by Mrs Moran the Democratic Services Officer

Matters of Clarification by Officers and Committee Members' Questions to Officers – Members raised a number of questions and officers confirmed the following:

- i. If Members were minded to approve the application, building 'L' mentioned on page 26 of the report would be regularised and still used for the same purpose.
- ii. There were currently 69 parking spaces on site with an additional 2 proposed to the rear of the property to bring total to 71. There would be capacity for 14 additional spaces to the rear if necessary. Final details regarding parking were subject to conditions.

Committee Member Discussion – Members proceeded to discuss the application and the principal issues as follows:

- i. Attention was given to the principle policies and paragraph 83 of the NPPF which sets out that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. It also encourages the retention and development of accessible local services and community facilities, such as local shops.

Decision/voting – On the basis that members were satisfied that all relevant planning considerations had been covered within the report and the debate, a motion was proposed by Councillor Pound, seconded by Councillor Poile to approve the application in line with the officer recommendation.

RESOLVED – That application PLA162/19 be granted subject to the plans, conditions and informatives as set out in the agenda report.

APPEAL DECISIONS FOR NOTING

PLA163/19 **RESOLVED** – There were no appeal decisions for noting.

URGENT BUSINESS

PLA164/19 **RESOLVED** – That there was no urgent business for consideration.

DATE OF NEXT MEETING

PLA165/19 The next Planning Committee meeting takes place on Wednesday 10 June 2020, at 10.30am.

NOTE: The meeting concluded at 1.39 pm.