

TUNBRIDGE WELLS BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at the Council Chamber, Town Hall, Royal Tunbridge Wells, TN1 1RS, at 6.30 pm on Wednesday, 18 January 2023

Present: Councillor Trevor Poile (Chair)

Councillors Neville (Vice-Chair), Atwood, Bailey, Bland, Fitzsimmons, Le Page, Moon, Patterson, Pope, Wakeman and White

Officers in Attendance: Jennifer Begeman (Principal Planning Officer), Richard Hazelgrove (Principal Planning Officer), Peter Hockney (Development Manager), Jo Smith (Senior Lawyer) and Emer Moran (Democratic Services Officer)

Other Members in Attendance: Councillors

CHAIR'S INTRODUCTION

PLA81/22 The Chairman opened the meeting, introduced Committee members and officers in attendance, and outlined procedural matters of the meeting.

APOLOGIES

PLA82/22 Apologies were received from Councillors Britcher-Allen and Johnson.

DECLARATIONS OF INTEREST

PLA83/22 No declarations of interest were made.

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

PLA84/22 Councillor Bland advised that he had been lobbied by objectors on application PLA88/22 Brook House, Cranbrook Road, Hawkhurst, Cranbrook, Kent.

SITE INSPECTIONS

PLA85/22 Members had not undertaken any site visits.

TO APPROVE THE MINUTES OF THE MEETING DATED WEDNESDAY 7 DECEMBER 2022

PLA86/22 **RESOLVED** – That the minutes of the meeting dated Wednesday 7 December 2022 be recorded as a correct record.

REPORTS OF HEAD OF PLANNING SERVICES (ATTACHED)

PLA87/22

APPLICATION FOR CONSIDERATION - 22/01017/REM BROOK HOUSE, CRANBROOK ROAD, HAWKHURST, CRANBROOK, KENT.

PLA88/22 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA88/22 Brook House,

Cranbrook Road, Hawkhurst, Cranbrook, Kent and this was summarised at the meeting by Ms Jennifer Begeman Principal Planning Officer and illustrated by means of a visual presentation.

Updates and additional representation – None.

Registered Speakers – There were 3 speakers that registered in accordance with the Council's Constitution (Planning Committee Procedure Rules)

Supporters:

- Mr Andy Wilford, Head of Land and Planning at Esquire Developments.

Parish Council Representative:

- Ms Clare Escombe, spoke in objection to the application on behalf of Hawkhurst Parish Council.

Borough Councillors not on the Planning Committee:

- Councillor Beverley Palmer, Hawkhurst and Sandhurst provided a statement that was read out by the Clerk.

Matters of clarification by Officers and Committee Members' questions to Officers included:

- i. There were 2 minor corrections in the committee report: 1) Correction at para 10.04 – 3rd bullet point, at the top of page 32: (Insertion required) "There are no Tree Preservation Orders affected by the development, and the layout and design of the development ..." 2) Correction at para 10.56 - first sentence of that paragraph, page 39: (date correction) The first sentence, the date should say "this came into force in December 2021." not 2020 as stated in the report.
- ii. The affordable housing (AH) allocation was as set out in the outline consent there was no proposal to change that and that was as agreed by the Planning Inspector.
- iii. Paragraph 12 of Appendix A showed the Planning Inspectors decision related to the Highway Access.
- iv. Works to the access, Cranbrook Road, the installation of the traffic lights and crossing points were agreed with Kent County Council (KCC) Highways under their separate legislation along with the extent of adoptable road needed outside of the application. It was stated that further discussions may be held with KCC Highways related to the access however the Planning Committee had no way to insist those discussions took place.
- v. Section 7.27 of the report highlighted concerns from the Council's Landscape and Biodiversity Officer, this was addressed and Officers considered that conditions 6 and 8 in the report had dealt with those concerns with further details to be provided.
- vi. It was advised that there was no requirement under the outline consent to close off the northern access. The Planning Inspector considered the Brook House as a separate access to the wider allocation. The Council and KCC Highways highlighted that as a concern at the appeal however the Inspector disagreed.
- vii. If there were private rights of access that did not allow people to cross parts of the site there may be internal separation to prevent potential short cuts, that was outside planning controls and would

- viii. be part of individual private rights of way agreements. It was advised that the application was in keeping with the outline proposal in terms of stories and heights.
- ix. Condition 6 and condition 8 addressed landscaping and full details were due to be delivered at a later date.
- x. Condition 5 addressed full details of external materials which would be used and once the information was submitted the Council's Conservation and Urban Design Officer, would be consulted.
- xi. The social and affordable housing was discussed with the Council's Housing Officer at the appeal and it was not possible to revisit that.

Committee Member debate and Officer clarification included:

- i. Concerns were raised about the use of entry/exit at the Vets.
- ii. Members enquired why the AH had been put on the site separately, this was addressed and it was confirmed that in terms of blocks, flats and apartments the AH is separated to allow the housing association to have control.
- iii. Members felt that the allocation of affordable housing was pathetic at 25%.
- iv. The access proposal to Cranbrook Road was thought to be ludicrous.
- v. Members felt frustrated at the Planning Inspector's decision which they felt was poor and left them with no option to overturn.

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

RESOLVED – That application PLA88/22 be granted subject to the plans, conditions and informatives as set out in the agenda report.

APPLICATION FOR CONSIDERATION - 22/03442/LDCEX SITE OF 141 AND 151 LONDON ROAD, SOUTHBOROUGH, KENT.

PLA89/22 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA89/22 Site Of 141 And 151 London Road, Southborough, Kent and this was summarised at the meeting by Mr Richard Hazelgrove Principal Planning Officer and illustrated by means of a visual presentation.

Updates and additional representation – None.

Registered Speakers – There were no speakers that registered in accordance with the Council's Constitution (Planning Committee Procedure Rules)

Matters of clarification by Officers and Committee Members' questions to Officers included:

- i. It was confirmed that the Committee was being asked to determine whether the work was carried out, whether it was in accordance with the approved plans and whether it was done before the planning permission was due to expire.
- ii. The matter of what the developer or future owner may do with the

- site was for a separate application. It was not possible to enforce what a developer can do with the land.
- iii. There were 3 planning conditions as set out in section 10.23 in the report related to the Water Margin. The wording of the conditions allowed demolition to take place before those conditions were required to be discharged.
 - iv. Officers advised that they were happy to contact the applicant with a view of getting the conditions discharged and agreed that it would be good to see it progress.
 - v. It was unknown whether the sale of the site had gone through, however when last contacted the applicant had intended on purchasing the site and Officers considered that the application before Committee Members was a signal of intent.
 - vi. Officers advised that CIL was not operated in the borough.
 - vii. It was advised that the Section (S) 106 agreement had been agreed in 2018 and all S106 agreements have indexation included.

Committee Member debate and Officer clarification included:

- i. No matters of significance were discussed.

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

RESOLVED – That application PLA89/22 be granted subject to the plans, conditions and informatives as set out in the agenda report.

ENFORCEMENT REPORT APRIL 2022 TO SEPTEMBER 2022

PLA90/22 **RESOLVED** – That the Enforcement Report April 2022 to September 2022 provided for information, be noted.

APPEAL DECISIONS FOR NOTING 28 NOVEMBER 2022 TO 9 JANUARY 2023

PLA91/22 **RESOLVED** – That the list of Appeal Decisions for Noting 28 November 2022 to 9 January 2023 provided for information, be noted.

URGENT BUSINESS

PLA92/22 There was no urgent business for consideration.

DATE OF NEXT MEETING

PLA93/22 The next Planning Committee meeting was scheduled for Wednesday 8 February 2023.

NOTE: The meeting concluded at 8.09 pm. Councillor Atwood joined the meeting at 6.37pm.