

**TUNBRIDGE WELLS BOROUGH COUNCIL****PLANNING COMMITTEE**

MINUTES of the meeting held at the Council Chamber, Royal Tunbridge Wells, Kent TN1 1RS, at 6.30 pm on Wednesday, 17 May 2023

**Present:**

**Councillors Neville (Vice-Chair), Britcher-Allan, Fitzsimmons, Le Page, Moon, Patterson, Pope and White**

**Officers in Attendance:** Peter Hockney (Development Manager), Carlos Hone (Head of Planning), Andrew McLachlan-Newens (Planning Officer), James Moysey (Principal Planning Officer), Charlotte Oben (Principal Planning Officer), Abby Shillingford (Senior Planning Officer), Tracey Wagstaff (Senior Lawyer Mid Kent Legal Services) and Emer Moran (Democratic Services Officer)

**Other Members in Attendance:** Councillors Pound

**CHAIR'S INTRODUCTION**

PLA147/22 In the absence of a Chair, as per the Constitution Members were required to vote a Chair. A proposal was made by Councillor Britcher-Allan, seconded by Councillor Neville for Councillor Godfrey Bland to Chair the meeting. This motion was carried.

**RESOLVED:** That Councillor Godfrey Bland Chair the Planning Committee on Wednesday 17 May 2023.

The Chair opened the meeting, introduced Committee members and officers in attendance, and outlined procedural matters of the meeting.

**APOLOGIES**

PLA148/22 Apologies were received from Councillor Johnson.

**DECLARATIONS OF INTEREST**

PLA149/22 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)**

PLA150/22 Councillors Bland, Britcher-Allan, Fitzsimmons, Le Page, Moon, Patterson, Pope, White and Neville advised that they had been lobbied by objectors and supporters on application PLA154/22 St Marks Recreation Ground, Frant Road, Royal Tunbridge Wells, Kent.

Councillors Pope, White and Neville advised that they had been lobbied by supporters on application PLA156/22 Ashdown House, 11 Hungershall Park, Royal Tunbridge Wells, Kent.

Councillors Britcher-Allan, Fitzsimmons, and Neville advised that they had been lobbied by Objectors on application PLA156/22 Ashdown House, 11 Hungershall Park, Royal Tunbridge Wells, Kent.

## **SITE INSPECTIONS**

PLA151/22 Members had not undertaken any site visits.

Councillor Le Page had visited the site of PLA154/22 St Mark's Recreation Ground, Frant Road, RTW and PLA155/22 Grosvenor Garage, 123-125 St James Road, RTW.

## **TO APPROVE THE MINUTES OF THE MEETING DATED**

PLA152/22 **RESOLVED** – That the minutes of the meeting dated Wednesday 12 April 2023 be recorded as a correct record.

## **REPORTS OF HEAD OF PLANNING SERVICES (ATTACHED)**

PLA153/22

## **APPLICATION FOR CONSIDERATION - 22/01866/FULL ST MARKS RECREATION GROUND, FRANT ROAD, ROYAL TUNBRIDGE WELLS, KENT.**

PLA154/22 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA154/22 St Marks Recreation Ground, Frant Road, Royal Tunbridge Wells, Kent and this was summarised at the meeting by James Moysey Principal Planning Officer and illustrated by means of a visual presentation.

**Updates and additional representation** – Since publication of the agenda report, the presenting officers updated:

- **Condition 15 is proposed to be amended to the following:**  
No external lighting shall be installed on the site other than that shown on the hereby approved plans or as approved under condition 14 without the prior written consent of the Local Planning Authority.

**Reason:** In the interests of amenity of adjoining residents.

**Registered Speakers** – There were 8 speakers that registered in accordance with the Council's Constitution (Planning Committee Procedure Rules)

### **Objectors:**

- Kenneth Arntvel, a local resident.
- Kirsty Souter, a local resident.
- Mark Brown, a local resident.

### **Supporters:**

- Mike Rigby, Chair of the TWRFC
- Paul Carnell
- Rory Joyce

### **Borough Councillors not on the Planning Committee:**

- Councillor Gavin Barrass, Pantiles and St Marks.
- Councillor Peter Lidstone, St John's.

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

- i. Officers referred to National Planning Policy Framework (NPPF), and reminded Members that paragraph 92.A, set out that planning decisions should promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other and paragraph 93.A, set out that decisions should plan positively for the provision and use of shared spaces and for community facilities and other local services.
- ii. The Council's Landscape and Biodiversity Officer had commented on the application from a landscape perspective and impact on the area of outstanding natural beauty (AONB) and they concluded that, having regard to the NPPF and the great weight afforded to the AONB in decision making, their view was that the level of harm, when taking into account the limited nature and extent of that harm, the site context and the nature of the proposal was likely to be acceptable. Consequently, provided then that the mitigation enhancements were properly secured, they did not object to the application on landscape grounds.
- iii. Conditions 5 and 6 largely related to tree protection, to preserve the existing boundary planting that existed.
- iv. Condition 7 required landscaping details to be submitted to the council for approval.
- v. Condition 8 required the approved landscape scheme to be fully implemented.
- vi. Condition 9 related to a landscape and ecological management plan.
- vii. The full wording of Condition 27 which related to levels and the visual impact was read for the benefit of Members.
- viii. Officers spoke in detail about floodlighting and potential overspill. Officers had consulted the Council's Environmental Protection Team, who had raised no objection subject to conditions which had been put in place at conditions 14, 15 and 16.
- ix. The Council's Ecologist was satisfied with findings that concluded that it would have a negligible impact upon bats.
- x. There were 55 parking spaces at the site and an additional 76 parking spaces were proposed for the site, therefore it was the Officers view that whilst it did not completely eradicate the current issue with parking in the area, it certainly helped to alleviate that. This was echoed by the Kent County Council (KCC) comments as shown within the report.
- xi. Given the separation distance between the pitch and the properties on Forest Road, along with the existing boundary treatments and additional boundary landscaping which was to be retained, Officer's did not consider on balance that the proposal would have such a detrimental impact upon residential amenity to warrant refusal.
- xii. Condition 12 required further details of cycle parking.
- xiii. The timings for floodlighting were discussed and Sport England had suggest a number of conditions which were part of the recommendation.
- xiv. Members were advised that it was possible to amend condition 14 to either specify the hours of operation or reference details of operating hours and that they shall be in accordance with condition 23.

- xv. The Environmental Protection Team were consulted and had not objected to the lighting proposed.
- xvi. Clarification was provided where a site or Planning Unit as a whole falls across two boroughs, they required to apply for permission from both authorities. Tunbridge Wells Borough Council had worked alongside Wealden Council and ensured that there was a level of consistency between the approach of both authorities.
- xvii. Condition 13 which came from KCC Highways addressed access and parking and was read in full for benefit of Members.
- xviii. It was difficult to restrict the use of the club and it was the Officer's opinion that by having improved facilities whilst it helped the club's current condition and assist in your growth it did not necessarily increase the pool of players or the catchment area.

**Committee Member debate and Officer clarification included:**

- i. Lighting and Parking were highlighted as the two main issues and points were raised, Members were reassured with conditions in place.
- ii. Members wondered whether they could encourage the rugby club to promote car sharing, this was addressed and it was possible to add as an informative.
- iii. The conditions related to coaches and access were welcomed.
- iv. Sport England's most recent comments were clarified at paragraphs 7.02 and 7.03 of the report and it was confirmed that they had withdrawn their objection.
- v. The mixed use of the pitches was highlighted as a point and the separation of the rugby and cricket meant that the ground would be better and safer for players to use.
- vi. Noise levels were highlighted and it was thought that the issues would not be as bad as residents feared as a lot of the noise would be in the winter evenings, people have to be inside.
- vii. The introduction of 3G pitches was felt to be important given the changeable weather.
- viii. It was felt that the application should be viewed as an improvement to the club rather than an extension of the club.
- ix. Amendments to conditions 14, 15 and 23 were suggested and Officers clarified the changes.
- x. Members sought to attach a further informative that recommended that the details to be submitted under condition 27 sought to create a pitch as low as possible in order to limit the impact beyond the site, Officers agreed.
- xi. Members sought to add an informative that the cycle bays be covered, Officers agreed.
- xii. Members were advised that the informatives were not enforceable like a condition, however it did form part of the decision notice and were used to strengthen or steer the applicant when submitting details for the conditions.

**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 Britcher-Allan seconded by Councillor Fitzsimmons and a vote was taken to approve the application in line with the officer recommendation.

**RESOLVED** – That application PLA154/22 be granted subject to the plans,

conditions and informatives as set out in the agenda report and the updated conditions and additional informatives below:

- **Amended Condition 14:**  
Prior to the first use of the hereby approved 3G/all-weather pitch, as shown on the approved plans, a detailed scheme of lighting shall be submitted to, and approved in writing by the Local Planning Authority. This scheme shall take note of and refer to the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005 (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The scheme of lighting shall be installed, maintained and operated in accordance with the approved scheme unless the Local Planning Authority gives its written consent to any variation.

**Reason:** In the interest of visual and residential amenity.

- **Amended Condition 15:**  
No external lighting shall be installed on the site other than that shown on the hereby approved plans or as approved under condition 14 without the prior written consent of the Local Planning Authority.
- **Reason:** In the interests of amenity of adjoining residents.
- **Additional Informatives:**
  1. The use of public transport, cycling and car sharing in order to access the grounds for both players and spectators shall be promoted and encouraged.
  2. The hereby approved all-weather pitch, and details to be submitted in accordance with condition 27 (earthworks and levels), shall seek to construct the pitch on the lowest land level possible in order to reduce the visual and residential amenity impact.
  3. The on-site cycle parking/storage provisions shall be covered/sheltered.

**APPLICATION FOR CONSIDERATION - 22/03406/FULL GROSVENOR GARAGE, 123 - 125 ST JAMES ROAD, ROYAL TUNBRIDGE WELLS, KENT.**

PLA155/22 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA155/22 Grosvenor Garage, 123 - 125 St James Road, Royal Tunbridge Wells, Kent and this was summarised at the meeting by Charlotte Oben Principal Planning Officer and illustrated by means of a visual presentation.

**Updates and additional representation** – Since publication of the agenda report, the presenting officer updated:

- 11 additional representations from residents have been received

(10 against and 1 for). They have raised the following points:

Parking concerns

Increase in traffic/congestion

Loss of light/sunlight

Overlooking

Question borough contributions going to Hawkenbury

Design out of keeping with area

- Support the application: Need for high quality homes

**Registered Speakers** – There were 4 speakers that registered in accordance with the Council's Constitution (Planning Committee Procedure Rules)

**Objectors:**

- George Liley, a local resident.
- Chris Williams, a local resident.

**Supporters:**

- Duncan Parr, on behalf of the applicant.

**Borough Councillor not on the Planning Committee:**

- Councillor Rob Wormington, St. James' spoke in objection to the application.

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

- The Council's Urban Design Officer was involved in the pre application discussions prior to the submission of the application and her comments in paragraph 7.12 of the agenda demonstrated that she had no objection to the application and considered it was a suitable design.
- Comments from Kent County Council on the parking standards, correctly showed that it was one space per unit maximum. It was considered that the additional trips generated from the change in use was not likely to lead to any significant impact on the highway safety or congestion.
- Condition 9 addressed the potential overlooking from some of the windows to the rear.
- In response to concerns raised about the use of date parking ownership levels, it was understood that there were recent ones released from the 2021 census, but they had only been very recently been released, and so were unavailable before the application was submitted.
- It was clarified that in terms of social housing, the emerging policies 40% was the requirement for greenfield sites. Given that Members were looking at a brownfield site, the requirement for affordable housing was 30% on the basis of the emerging policies, which was why the calculations came out as they did.
- There was no social rent provision on site. It was advised that the applicant sought to engage with registered providers to provide some on-site affordable units, however it was notoriously difficult to get registered providers to take on units when they were part of a single block as they did not have control of the circulation and other communal areas. The Housing Officer also engaged with a number of registered providers and they were unwilling to take up

- any units at the site.
- vii. The wording of paragraph 10.45 of the agenda was clarified and discussed in detail.
  - viii. It was advised that the off site affordable housing Section 106 funding went go to a pool that was held by the Borough Council and the Housing Team allocated those monies to projects in the borough related to social housing that they had coming forward. That could be something that the Council were delivering themselves or in partnership.
  - ix. The application had met the parking standards and Kent County Council (KCC) had raised no objections.
  - x. The point was raised that the site was in a very sustainable location and so active travel should be promoted.
  - xi. It was advised that right to light was not a planning consideration, it was a separate part of legislation. With regard to the shadow studies, Officers had considered those and the impact on the residential amenity of nearby occupiers and were of the opinion that the threshold of significant harm had not been reached and therefore it was acceptable.
  - xii. Officers considered that as there was a provision of parking that met the standards and with a car club facility already in place on Quarry Road it was not appropriate to secure S106 money for the car club.
  - xiii. The access to the roof level car park for the existing site was onto Stratford street and that would be closed and no longer require a dropped kerb so will essentially increase on-street parking capacity there.
  - xiv. The Urban Design Officers comments outlined that the top floor would have a zinc cladding to the elevations which had been selected to reduce the visual impact of the additional floor.

**Committee Member debate and Officer clarification included:**

- i. The principle of development on this site was considered good.
- ii. Parking was raised as a concern, however Members noted the sustainability of the site and the need to promote active travel.
- iii. It was considered by some that overlooking was an issue and that it was over intensive in that particular area.
- iv. It was questioned why more time and effort was not made to get a registered provider on board.
- v. It was felt that parking had been discussed in sufficient detail and the policy was to starve the motorist and undersupply parking to encourage active travel.
- vi. It was acknowledged that the applicant made an effort to reduce the mass of the building.

**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 Patterson, seconded by Councillor Neville and a vote was taken to approve the application in line with the officer recommendation.

**RESOLVED** – That application PLA155/22 be granted subject to the plans, conditions, Planning agreement and informatives as set out in the agenda report.

**APPLICATION FOR CONSIDERATION - 23/00562/FULL ASHDOWN HOUSE, 11 HUNGERSHALL PARK, ROYAL TUNBRIDGE WELLS, KENT.**

PLA156/22 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA156/22 Ashdown House, 11 Hungershall Park, Royal Tunbridge Wells, Kent and this was summarised at the meeting by Abby Shillingford Senior Planning Officer and illustrated by means of a visual presentation.

**Updates and additional representation** – None.

**Registered Speakers** – There were 6 speakers that registered in accordance with the Council's Constitution (Planning Committee Procedure Rules)

**Objectors:**

- Melanie Taylor, a local resident.
- Mark Taylor, a local resident.
- Daniel Frazer, a local resident.

**Supporters:**

- Simon Walker, the applicant.
- Eimear Murphy, on behalf of the applicant.
- Jim Richardson, on behalf of the applicant.

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

- i. Paragraph 10.08 set out the size of the extension in relation to Policy H 11, and at paragraph 10.14, it was acknowledged that the extension was large in terms of its size, but that it was not considered excessive in relation to the main dwelling as it was a less than 50% increase.
- ii. Paragraph 10.11 set out that a volumetric increase was not the sole criteria on which applications were to be judged, and if the volumetric limits were breached, then it was necessary to judge if the proposal causes visual harm.
- iii. The Council's Conservation Officer confirmed and further reaffirmed that any previous heritage concerns had been addressed and also that there would not be any harm to the Arcadian area.
- iv. Clarification was provided on the windows to the side and front of the property, Officers did not consider that there would be an impact on overlooking and privacy.

**Committee Member debate and Officer clarification included:**

- i. It was considered to be a vastly improved scheme when they look at the previous application was refused.
- ii. Members were not persuaded that it was harming the residential amenities of the neighbours.
- iii. It appeared that the applicant had listened to the objections of the Planning Committee on the occasion where the previous application was refused and had adapted their plans to meet the objections.
- iv. It was noted that the Council's Conservation Officer did not object to the application.

**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 White, seconded by Councillor Patterson and a vote was taken to approve the application in line with the officer recommendation.

**RESOLVED** – That application PLA156/22 be granted subject to the plans, conditions and informatives as set out in the agenda report.

**APPLICATION FOR CONSIDERATION - 23/00368/FULL 38 ALL SAINTS ROAD, HAWKHURST, CRANBROOK, KENT.**

PLA157/22 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA157/22 38 All Saints Road, Hawkhurst, Cranbrook, Kent and this was summarised at the meeting by Andrew McLachlan-Newens Planning Officer and illustrated by means of a visual presentation.

**Updates and additional representation** – None.

**Registered Speakers** – There was 1 speaker that registered in accordance with the Council's Constitution (Planning Committee Procedure Rules)

**Supporter:**

- Clare Escombe, Hawkhurst Parish Council.

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

- i. The report was taken as read.

**Committee Member debate and Officer clarification included:**

- i. No matters of significance were raised.

**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 Britcher-Allan, seconded by Councillor Pope and a vote was taken to approve the application in line with the officer recommendation.

**RESOLVED** – That application PLA157/22 be granted subject to the plans, conditions and informatives as set out in the agenda report.

**APPEAL DECISIONS FOR NOTING 1 APRIL 2023 TO 9 MAY 2023**

PLA158/22 **RESOLVED** – That the list of appeal decisions provided for information, be noted.

**URGENT BUSINESS**

PLA159/22 There was no urgent business for consideration.

**DATE OF NEXT MEETING**

PLA160/22 The next Planning Committee meeting was scheduled for Wednesday 21 June 2023.

NOTE: The meeting concluded at 10.30 pm.