

PLANNING COMMITTEE

Wednesday, 23 September 2020

**Present: Councillor Noakes (Chairman)
Councillors Bland (Vice-Chairman), Atwood, Backhouse, Mrs Cobbold, Funnell,
Dr Hall, Hamilton, Poile, Pound and Warne**

Officers in Attendance: Stephen Baughen (Head of Planning Services), Kevin Bown (Highways England), Peter Hockney (Development Manager), Vicki Hubert (KCC Highways), Kevin Hope (Principal Planning Officer), David Scully (Landscape and Biodiversity Officer), Jo Smith (Senior Lawyer) and Emer Moran (Democratic Services Officer)

Other Members in Attendance: Councillor McDermott

CHAIRMAN'S INTRODUCTION

PLA39/20 The Chairman opened the meeting, introduced Committee members and officers in attendance, and outlined procedural matters of the meeting.

APOLOGIES

PLA40/20 Apologies were received from Councillor Mrs Thomas.

DECLARATIONS OF INTEREST

PLA41/20 No declarations of interest were made. However, Councillor Poile advised that he knew the joint applicant Sheridan Bowie. Councillor Poile's acquaintance with Mr Bowie was solely through Mr Bowie's time as a Southborough Town Councillor from 2007 until May 2019. Councillor Poile confirmed that he had not fettered his discretion with regard to application PLA45/20 and he had not predetermined the application.

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

PLA42/20 Councillors Atwood, Mrs Cobbold, Dr Hall, and Poile declared that they had been lobbied by objectors on application PLA45/20 Land East Of Kingstanding Way, Royal Tunbridge Wells, Kent.

Councillors Backhouse, Funnell, Hamilton, Pound, Warne, Bland (Vice-Chairman) and Noakes (Chairman) declared that they had been lobbied by supporters and objectors on application PLA45/20 Land East Of Kingstanding Way, Royal Tunbridge Wells, Kent.

SITE INSPECTIONS

PLA43/20 Due to the current restrictions Members had not undertaken any site visits.

REPORTS OF HEAD OF PLANNING SERVICES (ATTACHED)

PLA44/20

APPLICATION FOR CONSIDERATION - 19/02267/OUT LAND EAST OF KINGSTANDING WAY, ROYAL TUNBRIDGE WELLS, KENT

PLA45/20 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA45/20 Land East Of Kingstanding Way, Royal Tunbridge Wells, Kent and this was summarised at the meeting by Mr Kevin Hope, Principal Planning Officer and illustrated by means of a visual presentation.

Updates and additional representation – None.

Registered Speakers – There were 10 speakers that registered in accordance with the Council's Constitution (Planning Committee Procedure Rules)

Public Objectors

- Mr Lance Goodship, a neighbour.
- Mr Anthony Silverstone, a neighbour.
- Ms Claire Campbell, a neighbour.
- Mr John Luke, a neighbour.

Public Supporters

- Ms Denise Hamilton, Children's Salon.
- Mr Jason Lewis, Stantec, Transport Consultant to the applicant.
- Mr David Price, Hyland Edgar Driver, Landscape Consultant to the applicant.
- Mr Malcolm Hockaday, on behalf of the applicant.

Borough Councillors

- Councillor Jane March, Cabinet Portfolio Holder for Culture, Leisure and Economic Development supported the application.
- Councillor Paul Barrington-King, Pembury objected to the application.

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

- i. That all Section 106 obligations to be secured under a planning application must be relevant to the development and be necessary to mitigate the impact of the development. The nature of this employment development would not create a need for more school places and capacity and therefore contributions for primary education provision could not be secured.
- ii. It was advised that Skinners Kent Primary School had been granted consent through Kent County Council for a Two Form Entry School secured as part of a Housing Scheme in 2013 where approximately 3 million pounds was given secured through the Section 106 agreement and a further approximately 200,000 pounds was secured as part of the approval for phase 4 of the development.
- iii. The high standard of the development would provide accommodation for a variety of scales and types of businesses such as Children's Salon who intended to expand on to the site should it go ahead.

- iv. It was confirmed that the site was within the AONB, and the extent to which the existing employment units on Kingstanding Way were in the AONB was indicated.
- v. Ongoing proactive discussions were being held with KCC Highways and Highways England in terms of what would be the specific mitigation package, however it was advised that the COVID-19 pandemic had a significant impact on the provision of additional data for this assessment work.
- vi. Planning conditions would be secured to ensure that the size and heights of the buildings in the development would be kept within parameters as referenced in paragraphs 10.85 to 10.87 of the report.
- vii. Member's attention was brought to paragraph 10.111 of the report and it was acknowledged that although this was not typical recommendation to Committee, the number of reasons why it was appropriate and pertinent that the application came before Committee were highlighted.
- viii. Members were reminded of the alternative recommendation that in the event that the matters cannot be resolved to the Head of Planning's satisfaction within the period of time as set out, then consent would be refused under delegated powers.
- ix. Highways England and KCC Highways both acknowledged that although it was not guaranteed that the highways issue could be resolved they were happy to move forward with TWBC and the applicant and positive steps had been taken.
- x. It was advised that the final and formal comments made from Natural England in January 2020 were highlighted in section 7.18 of the report and earlier comments to these should be disregarded.
- xi. Notwithstanding concerns raised by the Council's Landscape and Biodiversity Officer and Tree Officer related to irreplaceable habitat the opportunity to safeguard the ancient woodland on site which was currently under threat was recognised and this would include the veteran trees.
- xii. It was advised that there was confidence that a biodiversity net gain could be achieved and there would be ongoing monitoring of the site.
- xiii. It was stated that the report was very clear on the position in relation to the consideration of AONB paragraph 172 test, and it was entirely within scope of the planning system to consider a planning application outside or ahead of a Local Plan. Attention was drawn to the NPPF policy which set out that arguments for a refusal on the basis that an application was premature could seldom be justified.
- xiv. Officers confirmed that it was considered that the substantial positive economic impact and associated public benefits gained from this proposal would outweigh the moderate to substantial impact on the environment.
- xv. Members were reminded that as the Local Plan was still at Regulation 18 stage, it should not be given significant weight with regard to the proposal which was being considered under the policies of the NPPF.
- xvi. The potential for a bridge linkage was a suggestion that would be taken forward and investigated as part of the package being examined under delegated powers.
- xvii. An explanation of the adopted cycle and pedestrian strategy was

- given.
- xviii. The suggestion of a shuttlebus to Knights Wood would depend on the need for the service in the future and considerations on this, and whether it could be up scaled as part of the development once the site became operational, would be made.
 - xix. It was advised that Officers would investigate the provision of a footway/cycleway bridge over Longfield Road.
 - xx. Members were reminded that they were being asked to consider the proposal in front of them rather than try to secure land outside of applicant's control.

Committee Member Debate – Members of the Committee took account of the presentations made and raised a number of questions and issues within their discussions. Points raised included:

- i. Doubts were raised about current arrangements in place related to access mitigation.
- ii. Acknowledgement was given to potential employment and economic development that could come from this development and the bonus this would be for residents of the borough.
- iii. If Members were minded to grant delegated powers, a suggestion was made that Members may wish to create a working party made up of one or two Members of the planning Committee to be involved with Officers in ongoing discussions, this suggestion was rejected by Members.
- iv. Members acknowledged their duty to consider the balance between the potential economic development and the protection the Green Belt and AONB.
- v. The recommendation would mean the Head of Planning would have a high level of responsibility
- vi. A request was made for Officers to keep all Members and in particular Councillors Backhouse, Pound and Williams informed of discussions with KCC Highways and Highways England so that as local Councillors for areas mostly affected by the development they could keep their residents informed.

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 Pound, seconded by Councillor Backhouse and a vote was taken to delegate approval of the application in line with the officer recommendation as set out within the report and subject to investigation into the feasibility to direct the 218/219 Arriva Bus Service in to the site at a 30 minute frequency once the site is operational and subject to investigation into the provision of a footway/cycleway bridge over Longfield Road.

RESOLVED – That delegated powers be given to grant subject to the resolution of the highway matters to the satisfaction of the Head of Planning Services, subject to conditions and subject to the prior completion of a Section 106 Agreement.

URGENT BUSINESS

PLA46/20 There was no urgent business for consideration.

DATE OF NEXT MEETING

PLA47/20 The next Planning Committee meeting was scheduled for Wednesday 7

October 2020, at 10.30am.

NOTES: The meeting concluded at 1.16 pm.