

TUNBRIDGE WELLS BOROUGH COUNCIL

PLANNING COMMITTEE

MINUTES of the meeting held at the Council Chamber, Town Hall, Royal Tunbridge Wells, TN1 1RS, at 5.00 pm on Wednesday, 8 December 2021

**Present: Councillor Godfrey Bland (Chairman)
Councillors Backhouse (Vice-Chairman), Atwood, Dr Hall, Funnell, Poile, Pound,
Warne, Fitzsimmons, Patterson and Pope**

Officers in Attendance: Peter Hockney (Development Manager), Richard Hazelgrove (Principal Planning Officer), Tracey Wagstaff (Senior Lawyer) and Caroline Britt (Democratic Services Officer)

Other Members in Attendance: Councillor McDermott

CHAIRMAN'S INTRODUCTION

PLA85/21 The Chairman opened the meeting, introduced Committee members and officers in attendance, and outlined procedural matters of the meeting.

APOLOGIES

PLA86/21 Apologies were received from Councillor Hamilton. Councillor Fitzsimmons arrived at 5.15pm, Councillor Warne at 5.25pm. Councillor Bill Hills was not present.

DECLARATIONS OF INTEREST

PLA87/21 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)

PLA88/21 No declarations of lobbying were made.

NOTIFICATION OF PERSONS REGISTERED TO SPEAK

PLA89/21 Details of Members and members of the public who have registered to speak will be given under the respective planning applications.

SITE INSPECTIONS

PLA90/21 Due to the current restrictions Members had not undertaken any site visits.

TO APPROVE THE MINUTES OF THE MEETING DATED 20 OCTOBER 2021

PLA91/21 Members reviewed the minutes. No amendments were proposed.

RESOLVED – That the minutes of the meeting dated 20 October 2021 be recorded as a correct record.

REPORTS OF HEAD OF PLANNING SERVICES (ATTACHED)

PLA92/21

APPLICATION FOR CONSIDERATION - 21/01637/OUT - BENHALL MILL DEPOT, BENHALL MILL ROAD, ROYAL TUNBRIDGE WELLS.

PLA93/21 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA 21/01637/OUT and this was summarised at the meeting by Richard Hazelgrove, Principal Planning Officer and illustrated by means of a visual presentation.

Updates and additional representation – With reference to paragraph 1.08 – the exhumation and reinterment of burials was the responsibility of the Ministry of Justice and not a matter for the Council. An additional informative had been recommended that should any human remains be discovered, (and particularly if the site was sold on), the exhumation and reburial must be undertaken by the Ministry of Justice in accordance with all relevant legislation and Ministry of Justice licences.

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

Applicant

- Mr Bryn Warlow

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

- The description of the development was for the destruction of existing buildings and the construction of 9 dwellings. The 9 dwellings was a fixed number.
- In terms of the Constitution, unless the Council still owned the site at the point of submission, there was no requirement for the reserve matters (including the design elements) to be referred back to the Committee.
- Under the terms of the scheme of delegation, it allowed for reserve matters and full applications up to 20 units without referral to Committee.
- If a Member wished to call the reserve matters in (which included the number of units in the application), then they were able to do so.
- The only reason the application was before the Committee today was because the Council owned the land.
- In deciding the appropriate number of units suitable for this piece of land, the case officer would have explored the options through pre application discussions. This would have included constraints on the site e.g. wildlife, access arrangements, visibility and it being on the edge of an urban area. It was considered that a number higher than 9 was not possible.
- There was a requirement for the provision of parking spaces and amenity areas. As such, 9 units was deemed appropriate for the amount of land available.
- The pattern and development in the immediate area was also a consideration when determining the number of units that were

- appropriate.
- Also a consideration was the need to provide a new cemetery depot that was located to the west of the site.
 - It was agreed that a condition for the provision of electric charging points would be included.
 - The application was before the Committee as the Local Planning Authority and not as the land owner and not as the Council.
 - Decisions on who would be building the houses was not a planning consideration and was therefore not a question for the Local Planning Authority.
 - The only issue before the Planning Committee was the planning application as detailed in the agenda pack.
 - A request to negotiate a different number of units couldn't be dealt with under the existing application but instead would require a new planning application.

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

- It was suggested this application should be refused and a new application submitted. The reason for refusal was because it was the view of some Members of the Committee that the proposed number of units was an underdevelopment of the site.
- This view was contradicted by some Members of the Committee who stated that whilst sympathetic to the need for social housing, this site was not suitable for any additional units.
- The proposed site would comprise, 3 x 5 bedroom houses, 2 x 4 bedroom house and 4 x 3 bedroom houses. It was suggested that the 3 x 5 bedroom houses could be something different. No explanation was given as to the reasons for including 5 bedroom houses.
- An alternative configuration should be submitted for consideration by the Committee.
- The Committee had previous experience of considering planning applications for 9 units and therefore no requirement to include social housing. However, in this case, it was suggested the site was quite crowded and 9 houses was not a patent attempt at underdevelopment.
- It was further suggested that the developer would have considered the market place and assessed the ability to be able to sell 5 bedroom houses before including them as part of the planning application.
- Neighbouring houses located in Cypress Grove had more properties in a similar space. It should therefore be possible to do the same for this site.
- A more intense development might have consequences on the availability of amenities.
- The Planning Officer commented that if the layout of Cypress Grove was replicated, more units could be accommodated. The concern was that if there were a greater number of dwellings there would be less scope to arrange the windows so that they did not overlook the properties in Cypress Grove. The current application allowed for angled windows that would look away from Cypress Grove. A change that would cause the properties to overlook Cypress Grove would likely result in objections being raised by the residents.
- There were two distinct issues raised, the first that the site was being underdeveloped and should be referred back to the developer. The

second, that more dwellings would result in overlooking on Cypress Grove resulting in objections being raised by its residents.

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 Dr Hall and a vote was taken to refuse the application against officer recommendations. The motion was carried

RESOLVED – That application PLA 21/01637/OUT, Benhall Mill Depot, Benhall Mill Road, Royal Tunbridge Wells be refused on the grounds that the site was being under developed and therefore was of insufficient yield.

APPEAL DECISIONS FOR NOTING

PLA94/21 **RESOLVED** – That the list of appeal decisions provided for information, be noted.

URGENT BUSINESS

PLA95/21 There was no urgent business for consideration.

DATE OF NEXT MEETING

PLA96/21 The next Planning Committee meeting was scheduled for Wednesday 12 January 2022.

APPLICATION FOR CONSIDERATION - 20/02788/FULL - HIGHGATE HILL, HAWKHURST, KENT

PLA97/21 **RESOLVED** – That pursuant to section 100A (4) of the Local Government Act 1972 and the Local Government (Access to Information) (Variation) Order 2006 the public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Part I, Schedule 12A of the Act, by virtue of the particular paragraph shown on the agenda and on the attached report.

Planning Report and Presentation – The Head of Planning Services submitted a report in respect of application PLA 20/02788/FULL, Highgate Hill, Hawkhurst and this was summarised at the meeting by Peter Hockney, Development Manager.

Updates and additional representation –. None

Registered Speakers – There was 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 – Members raised a number of questions and officers confirmed the following:

- Members raised a number of questions in relation to the application.
- Officers were able to provide clarification to the issues raised and Members were content to agree the recommendations detailed in the

report.

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 Patterson and a vote was taken

RESOLVED – That application PLA 20/02788/FULL, Highgate Hill, Hawkhurst, Kent be supported as set out in the agenda report.

NOTE: The meeting concluded at 6.45 pm.