

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 Thursday, 28 April 2022

Present:

Councillors Backhouse (Vice-Chair, in the Chair), Atwood, Bailey, Bland, Fitzsimmons, Hamilton, Poile, Pound and Warne

Officers in Attendance: Peter Hockney (Development Manager), Tracey Wagstaff (Senior Lawyer), Jennifer Begeman (Principal Planning Officer), Kirsty Minney (Planning Officer), Marie Bolton (Principal Planning Officer) and Emer Moran (Democratic Services Officer)

Other Members in Attendance: Councillors McDermott, Scott and Rutland

CHAIRMAN'S INTRODUCTION

PLA158/21 The Chairman opened the meeting, introduced Committee members and officers in attendance, and outlined procedural matters of the meeting.

APOLOGIES

PLA159/21 Apologies were received from Councils Funnell, Patterson and Pope.

DECLARATIONS OF INTEREST

PLA160/21 Councillor Fitzsimmons declared that she had a close relationship with the family that owned the property of application PLA167/21 1 Hollyshaw Close, Camden Park, Royal Tunbridge Wells, Kent and withdrew from the Committee when 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)

PLA161/21 Councillor Pound advised that he had been lobbied by objectors on application PLA/166/21 2 Somerville Gardens, Royal Tunbridge Wells, Kent.

Councillor Backhouse advised that he had been lobbied by objectors on application PLA/167/21 1 Hollyshaw Close Camden Park Royal Tunbridge Wells Kent.

SITE INSPECTIONS

PLA162/21 Members had not undertaken any site visits.

TO APPROVE THE MINUTES OF THE MEETING DATED 6 APRIL 2022

PLA163/21 **RESOLVED** – That the minutes of the meeting dated 6 April 2022 be recorded as a correct record.

REPORTS OF HEAD OF PLANNING SERVICES (ATTACHED)

PLA164/21

**APPLICATION FOR CONSIDERATION - 21/01862/FULL CHURCH FARM AND LAND
CHURCH ROAD PADDOCK WOOD TONBRIDGE KENT**

PLA165/21 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA165/21 Church Farm and Land Church Road Paddock Wood Tonbridge 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 – Since publication of the agenda condition updated as shown below:

Changes to conditions/financial contributions as follows:

- **Condition 7** (Verification Report) amended to include specific reference to attenuation ponds:
“No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system, including the attenuation ponds, and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed. Unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.”

An additional condition 33 for at least 3 homes (5%) to be M4(3) compliant
“At least 3 homes (5%) or more, shall be built to M4(3) standard, and at least one of the M4(3) standard homes to be a social rent tenure property. Unless otherwise agreed in writing by the Local Planning Authority.

Reason: This information is required in order to ensure good quality design, and to ensure a satisfactory standard of development, which meets the needs of current and future generations.

The Primary Land figure was updated at committee, and is now £81,043.20 not £202,622 as stated in the committee report.

Registered Speakers – There were 2 speakers that registered in accordance with the Council’s Constitution (Planning Committee Procedure Rules)

Objectors:

- Mr Andy Mackie, on behalf of Paddock Wood Town Council.

Supporters:

- Mr Patrick Reedman, on behalf of the applicant Countryside Properties.

Matters of Clarification by Officers and Committee Members' Questions to Officers –

- i. Members questioned drainage in great detail throughout the meeting. Officers advised that the matter had been investigated extensively by the Environment Agency, the Kent County Council Flood team and the Upper Medway Internal Drainage Board and all were satisfied that the surface water solutions on site ensured there was no increased flood risk to current surrounding residents or to future residents of the site.
- ii. It was confirmed that the change in the amount for the school contributions was a request from Kent County Council and was a correction to the original calculation not a reduction in the need.
- iii. With regard to highways issues that included Warrington Road and surrounding roads, highway modelling had been undertaken and it was advised that Kent County Council (KCC) Highways were satisfied that no other highway works were required as part of 60 units and highway improvements secured under the hybrid application were sufficient to accommodate additional traffic.
- iv. It was advised that the developable area remained the same and the additional housing was no closer to the sewage farm and Southern Water were satisfied with that.
- v. The letter from the Drainage Board summed up that the attenuation ponds were managed by the Management Company and the culverts under the railway line were managed by Network Rail.
- vi. Paddock Wood Town Council (PWTC) were consulted as a statutory consultee on the application. Issues raised were explored and it was explained as best as possible to PWTC the reasons behind why the application was acceptable when specialist consultees had raised no objections.
- vii. Condition 5 in the report required the provision and implementation of a timetable of drainage works and required any upgrade to be undertaken prior to the occupation of any dwelling.
- viii. Sequential modelling was technical information gained from the expertise of the Environment Agency and KCC Flood and Water.
- ix. Officers advised that based on the 60 dwellings Members were considering, KCC Highways considered that any further developments over and above what had already been approved under Section (S) 106 funds for the 300 dwellings already approved in 2018 were not justified.
- x. Officers advised that traffic calming was not justified. Calming measures may be considered in future master planning for the Paddock Wood area.
- xi. Paragraph 7.94 and Condition 14 in the report outlined the details related to EV charging points.
- xii. Officers confirmed issues related to ditch clearance was an ongoing conversation between TWBC, the developer, Network Rail and Drainage Board.
- xiii. Members queried whether it was possible to strengthen the

wording of Condition 7 to specifically reference the attenuation pond, Officers advised although already covered within the current condition this was possible.

- xiv. Officers confirmed that standard of building regulations M4(2), M4(3) was looked into as part of S106 process with the registered social landlord and the TWBC Housing team and if Members were minded they could request a condition to secure that.

Matters of Clarification by Officers and Committee Members' Questions to Officers –

- i. Members acknowledged local concerns raised related to overdevelopment in Paddock Wood.
- ii. The implications of appeal were considered.
- iii. Members advised they felt comfort that the master planning process going forward would fund infrastructure and address highways issues mentioned throughout discussions.
- iv. Members spoke again about Surface water and foul water issues and confirmed that they were satisfied at the level of seriousness the issue was dealt with by all agencies. Members advised local residents that conditions 5, 6 and 7 of the recommendation offered them protection and placed an incentive on the developer to get issues solved.
- v. Members were pleased that the developer had embraced the idea of 40% affordable housing, of which 60% was social rent.
- vi. The lack of innovative design was mentioned.
- vii. Members expressed disappointment that EV charging points were not at every property and suggested this was a disadvantage to some residents in affordable housing.
- viii. Members proposed an additional condition which stated at least 3 homes, 5% or more to be at a M4(3) standard, and of that number at least one of the M4(3) homes be in a property for social rent.
- ix. Members proposed to amend the wording of condition 7 (Verification Report) to include a specific reference to the attenuation ponds.

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 Fitzsimmons and a vote was taken to approve the application in line with the officer recommendation.

RESOLVED – That application PLA165/21 be granted subject to the completion of a Section 106 legal agreement, the plans, conditions and informatives as set out in the agenda report.

APPLICATION FOR CONSIDERATION - 21/04099/FULL 2 SOMERVILLE GARDENS ROYAL TUNBRIDGE WELLS KENT

PLA166/21 **Planning Report and Presentation –** The Head of Planning Services submitted a report in respect of application PLA166/21 2 Somerville Gardens Royal Tunbridge Wells Kent and this was summarised at the meeting by Ms Kirsty Minney Planning Officer and illustrated by means of a visual presentation.

Updates and additional representation – None.

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

Objectors:

- Mr Warrick Booth, a local resident
- Mr William Bourne, a local resident
- Mr Rob Lewtas, Chairman of local residents Committee

Borough Councillors not on the Committee:

- Councillor David Scott, Culverden spoke in objection to the application

Matters of Clarification by Officers and Committee Members' Questions to Officers –

- i. It was advised that the Tunbridge Wells Borough Council (TWBC) Conservation Officer was satisfied with the proposed dwelling size and scale and considered the design to be in keeping with the conservation area.
- ii. The windows to the rear elevation had been designed to limit the amount of overlooking onto Neville and Warwick House.
- iii. Officers provided details of previously refused applications from 2013 and 2016 by use of illustration to show comparison to proposed application.
- iv. With regard to parking, it was acknowledged that there would be displacement from the removed garages however the property was within a residential parking zone and in a sustainable area therefore officers were satisfied with the provision.
- v. It was confirmed that the measurements for the balcony to the rear was approximately 1.6 metres deep and the width approximately 3.7 meters wide.
- vi. The timeline of the development and the considerations at different aspects were discussed in detail.
- vii. It was advised that a construction management plan would not be suitable for development of this size.
- viii. It was confirmed that the proposed dwelling was the same height as the application in 2006 and the main difference was the removal of integral garages.

Committee Member Debate and Officer Clarification –

- i. Members outlined the details in Planning Policies EN1, EN3, EN5 and EN7 and expressed their belief that the proposed development did not meet those requirements.
- ii. It was considered that the proposed development would not make the street scene worse considering there were 3 disused garages there.
- iii. Members were reminded that each application should be considered on its own merits there was no precedent in Planning.
- iv. Concerns were raised about the drop in height and the overlooking impact.

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 Bland to refuse the application against the officers recommendation, this motion was not carried.

A motion was proposed by Councillor Fitzsimmons, seconded by Councillor Atwood and a vote was taken to approve the application in line with the officer recommendation.

RESOLVED – That application PLA166/21 be granted subject to the plans, conditions and informatives as set out in the agenda report.

**APPLICATION FOR CONSIDERATION - 21/03795/FULL 1 HOLLYSHAW CLOSE
CAMDEN PARK ROYAL TUNBRIDGE WELLS KENT**

PLA167/21 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA167/21 1 Hollyshaw Close Camden Park Royal Tunbridge Wells Kent and this was summarised at the meeting by Ms Marie Bolton 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)

Objectors:

- Ms Sally Manning, Secretary Camden Park Limited.
- Mr Tim Harper, Chairman Camden Park Limited.

Supporters:

- Mr Simon Whitehead, on behalf of Simon Whitehead Architects Ltd.

Matters of Clarification by Officers and Committee Members' Questions to Officers –

- i. It was confirmed that the Tunbridge Wells Borough Council (TWBC) Conservation and Urban Design Officer reviewed the amended drawing which included minor façade changes and was able to provide support to the application. The Conservation Officer believed that they related well to the character and appearance of the conservation area.
- ii. Condition 15 ensured that the first floor side windows were obscure glazed, and it was confirmed that those rooms were dressing rooms and bathrooms.
- iii. Notwithstanding the conditions and informatives already in place to mitigate the harm to bats, Members were keen to add more specific wording to the conditions to enhance the mitigation.
- iv. Officers confirmed they were satisfied with the good quality and appropriate design of the application.
- v. The report included details of the objections received and how local concern was dealt with.
- vi. Members enquired whether a condition could be secured which ensured the flat roof of the permitted dwelling could not be used as a balcony or for amenity space by future occupiers of the property.
- vii. It was confirmed that the living accommodation above the garage was a bedroom but relied on the remaining property for amenities.

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 Poile, seconded by Councillor Hamilton and a vote was taken to approve the application in line with the officer recommendation.

RESOLVED – That application PLA167/21 be granted subject to the plans, conditions and informatives as set out in the agenda report and updated conditions.

APPLICATION FOR CONSIDERATION - 22/00830/LBC THE AMELIA SCOTT MOUNT PLEASANT ROAD ROYAL TUNBRIDGE WELLS KENT

PLA168/21 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA168/21 OS The Amelia Scott Mount Pleasant Road Royal Tunbridge Wells Kent and this was summarised at the meeting by Ms Marie Bolton 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:

- i. No matters of significance were discussed.

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 Hamilton, seconded by Councillor Fitzsimmons and a vote was taken to approve the application in line with the officer recommendation.

RESOLVED – That application PLA168/21 be granted subject to the plans, conditions and informatives as set out in the agenda report.

APPEAL DECISIONS FOR NOTING 30 MARCH 2022 TO 20 APRIL 2022

PLA169/21 **RESOLVED** – That the list of appeal decisions provided for information, be noted.

URGENT BUSINESS

PLA170/21 There was no urgent business for consideration.

DATE OF NEXT MEETING

PLA171/21 The next Planning Committee meeting was scheduled for Thursday 9 June 2022.

NOTE: The meeting concluded at 8.24 pm.