

TUNBRIDGE WELLS BOROUGH COUNCIL

PLANNING AND TRANSPORTATION CABINET ADVISORY BOARD

MINUTES of the meeting held at the Council Chamber, Town Hall, Royal Tunbridge Wells, TN1 1RS, at 6.30 pm on Monday, 15 November 2021

**Present: Councillor Alan McDermott (Chairman)
Councillors Bland (Vice-Chairman), Bailey, Backhouse, Lewis, Lidstone, Roberts,
White, Fitzsimmons and Rands**

Officers in Attendance: Stephen Baughen (Head of Planning Services), Ellen Gilbert (Principal Planning Officer), Louise Kellam (Democratic Services Officer) and Caroline Britt (Democratic Services Officer)

CHAIRMAN'S INTRODUCTION

PT29/21 The chairman opened the meeting and outlined procedural matters of the meeting. The chairman noted a change in the agenda, that agenda item 8 (Benenden Neighbourhood Plan) would be heard before agenda item 7 (Goudhurst Neighbourhood Development Plan).

APOLOGIES

PT30/21 Apologies were received from Councillor Willis.

DECLARATIONS OF INTERESTS

PT31/21 No declarations of interest were made

NOTIFICATION OF PERSONS WISHING TO SPEAK

PT32/21 Hazel Strouts, on behalf of the Friends of the East End, registered to speak in relation to item PT35/21.

Nicola Thomas, Chair to Benenden Parish Council, provided a statement to be read out in relation to item PT35/21.

MINUTES OF THE MEETING DATED 12 JULY 2021

PT33/21 No amendments were proposed.

RESOLVED – That the minutes of the meeting dated 12 July 2021 be approved as a correct record.

FORWARD PLAN AS AT 27 OCTOBER 2021

PT34/21 No amendments were proposed. A question regarding a future report on electric vehicle charging was referred to the relevant officer for a response at a later date.

RESOLVED – The Forward Plan as at 27 October 2021 be noted.

BENENDEN NEIGHBOURHOOD PLAN

PT35/21 Mr Stephen Baughen, Head of Planning, introduced the report set out in the agenda.

Mrs Hazel Strouts, on behalf of Friends of the East End, registered to speak in opposition of the Plan. Points raised included:

- In their opinion there were no amenities or infrastructure in the area around the East End site and so the development of new housing in this area was not sustainable, in comparison to sites near Benenden which was 3 miles way.
- The Independent Examiner and the Neighbourhood Development Plan (NDP) relied on provision of hospital facilities for the communities' use, but the hospital wanted to decrease it's contribution to community facilities and reduce the number of affordable houses, as well as refuse public use of its café.
- The Hospital site contained 4 local wildlife sites which were of national importance in relation to rare grassland fungi, which required undisturbed land, which the Hospital/Plan proposed to destroy.

Statement of Benenden Parish Council Chairwoman Nichola Thomas, read out by the Clerk, in support of the Plan. Points raised included:

- Volunteers for the NDP group and the Parish Council have worked on the Plan since October 2017, ensuring that every aspect and detail was considered in the preparation of the plan to encompass the vision as set by parishioners, that in 2038 the Parish of Benenden was to be a "thriving, peaceful and rural place to live, work and rest.....offering everyone the chance to be part of an inclusive and vibrant community".
- The biggest challenge was how to manage development while having minimal impact on an area that held such an abundance of natural beauty and providing an adequate and affordable housing supply for the needs of the elderly, single people and young families.
- The plan was put to the test in June at a Public Hearing called by the Independent Examiner, specifically for the Examiner to explore a number of specific issues regarding the two site allocations at East End. The Examiner set out his findings from this hearing in his Final Report, concluding that "the basis for the decisions taken have been robust and based on sound planning principles, particularly the extent concentrating development on brownfield sites...."

In response to the speaker, Mr Baughen made some points of clarification, which included:

- Points raised by the speaker Mrs Hazel Strouts had already been raised during the independent examination hearing by the barrister instructed by the Friends of the East End. The Examiner had put questions to Benenden Hospital regarding the points that Mrs Strouts raised and had been satisfied by their responses.
- As per point 3.16 of the report, which set out the conclusions of the examiner, the examiner was clear there was merit in the allocations made within the Plan and confirmed he felt they were appropriate.

Discussion and questions from Members included the following:

- Concerns regarding the environmental aspects and sustainability of the NDP were voiced.
- It was clarified that it was not for the Borough to scrutinise the NDP or its process, as this role had already been undertaken by the

Independent Examiner, but to agree for the NDP to move forward to next stages.

- It was up to the Parish Council to decide to produce a NDP and the Plan came from the community itself.
- If Cabinet did not approve the NDP to go to referendum, they would have to explain clear reasons why the Plan, despite rigorous independent examination to meet the basic conditions tests and its results, was not being taken to referendum, as per point 4.3 of the report.
- During the initial independent Examination, the Examiner (38.45) thoroughly scrutinised the issue of impact on wildlife and sustainability. The allocated site was outside the Area of Outstanding Natural Beauty on previously developed land. The Examiner did recommend that the policy be amended to say clearly state “up to” the number the dwellings, rather than a range that the Local Plan (and the initial draft NDP) had set out, meaning that if a detailed assessment on the impact on the particular wildlife species took place at the time of the Planning application and the number of dwellings were originally envisaged couldn’t be appropriately planned without harm to the wildlife, then consent wasn’t to be granted. NDP (and Examiner’s changes) modified Local Plan in respect to allocations and future applications, so the changing of the wording “up to” was important to prevent overdevelopment and protect biodiversity.
- In the referendum Residents would be given the altered “up to” wording regarding dwellings in allocated sites.
- Concern was raised that denying residents the right to a referendum would be wrong given the NDP was made for and by the local community.
- The Independent Examiner was very well qualified to conduct the investigation and was independent of TWBC and Benenden Parish Council.
- There was no minimum turnout required for the Benenden referendum.

RESOLVED - That the recommendations to Cabinet as set out in the report be supported.

GOUDHURST NEIGHBOURHOOD DEVELOPMENT PLAN

PT36/21 Ellen Gilbert, Principal Planning Officer, introduced the report set out in the agenda.

Discussion and questions from Members included the following:

- The Independent Examiner considered the evidence and policies used to back the Plan regarding allocation of green spaces. Two packets of green space were removed from the Plan as they did not, in his opinion, meet the high tests set when considering their special significance for allocation.
- Community were to be given the opportunity to decide on the Neighbourhood Development Plan by referendum.

RESOLVED - That the recommendations to Cabinet as set out in the report be supported.

URGENT BUSINESS

PT37/21 There was no urgent business.

DATE OF THE NEXT MEETING

PT38/21 The next meeting is scheduled for 24 January 2022

NOTE: The meeting concluded at 7.35 pm.