

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, 8 November 2023

Present: Councillor Godfrey Bland (Chair)
Councillors Fitzsimmons (Vice-Chair), Britcher-Allan, Johnson, Le Page, Moon, Neville, O'Connell, Osborne, Patterson, Pope and White

Officers in Attendance: Marie Bolton (Principal Planning Officer), Emma Franks (Senior Planning Officer), Carlos Hone (Head of Planning), Andrew McLachlan-Newens (Planning Officer), David Scully (Landscape and Biodiversity Officer), Tracey Wagstaff (Senior Lawyer Mid Kent Legal Services) and Emer Moran (Democratic Services Officer)

Other Members in Attendance: Councillor Pound

CHAIR'S INTRODUCTION

PLA221/23 The Chair opened the meeting, introduced Committee members and officers in attendance, and outlined procedural matters of the meeting.

APOLOGIES

PLA222/23 There were no apologies for absence.

DECLARATIONS OF INTEREST

PLA223/23 Cllr Neville declared that prior to becoming a member of the Borough Council, she posted a comment about application PLA228/23 Land North Of Birchfield Grove, Hawkhurst, Cranbrook, Kent on the portal online which may have been perceived as a pre determination of her decision on the matter. Councillor Neville spoke for an allocated 3 minutes and then withdrew from the meeting while that application was discussed.

Cllr Patterson declared that he had fettered his discretion on application PLA229/23 Spring Farm, Colts Hill, Five Oak Green, Tonbridge, Kent. Councillor Patterson spoke for an allocated 3 minutes and then withdrew from the meeting while that 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)

PLA224/23 Councillors Britcher-Allan, Johnson, Le Page, Moon, Neville, O'Connell, Osborne, Patterson, Pope, White, Fitzsimmons and Bland advised that they had been lobbied by objectors on application PLA228/23 Land North Of Birchfield Grove, Hawkhurst, Cranbrook, Kent.

Councillors Neville, O'Connell, Osborne, Patterson, Pope, White, Fitzsimmons and Bland advised that they had been lobbied by supporters on

application PLA228/23 Land North Of Birchfield Grove, Hawkhurst, Cranbrook, Kent.

Councillors Britcher-Allan, Moon, O'Connell, Osborne, Pope, Fitzsimmons and Bland advised that they had been lobbied by supporters on application PLA229/23 Spring Farm, Colts Hill, Five Oak Green, Tonbridge, Kent.

Councillor Johnson advised that they had been lobbied by objectors on application PLA229/23 Spring Farm, Colts Hill, Five Oak Green, Tonbridge, Kent.

SITE INSPECTIONS

PLA225/23 Members had the opportunity to visit the site of PLA228/23 Land North Of Birchfield Grove, Hawkhurst, Cranbrook, Kent.

TO APPROVE THE MINUTES OF THE MEETING DATED

PLA226/23 **RESOLVED** – That the minutes of the meeting dated 11 October 2023 be recorded as a correct record.

REPORTS OF HEAD OF PLANNING SERVICES (ATTACHED)

PLA227/23

APPLICATION FOR CONSIDERATION - 22/02664/HYBRID LAND NORTH OF BIRCHFIELD GROVE HAWKHURST CRANBROOK KENT

PLA228/23 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA228/23 Land North Of Birchfield Grove Hawkhurst Cranbrook Kent and this was summarised at the meeting by Marie Bolton 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:

Amended conditions as set in the updated list shown to Members.

- 2 additional comments were received raising matters that had been addressed within the Committee report.
- Further representation from a member of the public regarding representations made to Natural England.
- Update in relation to the car club and cost of bus shelter.
- Crossing on Rye Road crossing/MOVA
- Southern Water update.

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

Objectors:

- Nancy Davies, a local resident.
- Derek L Gregory, a local resident.

- Laurence Faulkner, a local resident.

Supporters:

- Peter Rainier of DMH Stallard spoke on behalf of the applicant.
- Dr Clive Dewing on behalf of the Doctors of Hawkhurst.
- Mr Peter Felton, a local resident.
- Dr Frank Van Der Plas MRCGP, Weald View Medical Practice, Hawkhurst.

Town/Parish Council Representative:

- Clare Escombe, on behalf of Hawkhurst Parish Council.

Borough Councillors not on the Committee:

- Borough Councillor Beverley Palmer, Hawkhurst and Sandhurst provided a statement in objection to the application and it was read by Councillor Neville.

Councillors on the Committee:

- Borough Councillor Ellen Neville spoke in objection to the application and withdrew from the meeting while the application was discussed.

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

- i. A list of revised planning conditions were circulated to Members.
- ii. Concerns raised from speakers which included the medical centre and the Local Plan and the Inspector's initial findings letter were addressed in great detail.
- iii. Following a review of 16 other sites across Hawkhurst, as well as the Cottage Hospital site it was considered that the Birchfield site was appropriate as it was the only one that could be delivered.
- iv. The Hawkhurst Neighbourhood Development Plan (NDP) highlighted a strong desire for a medical centre to be retained within the Parish however a precise location was not identified.
- v. Members were advised that the application before them was considered on its merits in terms of the contribution of the housing and the various benefits of the medical centre, safeguarded school land and the country park.
- vi. It was advised that the housing supply situation had worsened since the application was first brought in and as of April the figures were 4.29 years supply.
- vii. Southern Water confirmed that they were aware of capacity issues, that the tankering was 3 times a week and further details of timescales were as set out in the report.
- viii. Concerns raised by Kent County Council (KCC) Highways were addressed and therefore there were no objections.

- ix. The key differences on the previously refused scheme in 2013 was access and the history of the site.
- x. Concerns raised about the medical centre not coming forward were addressed and Condition 5 sought details of the phasing and timetable of the entire site; dwellings, medical centre and country park. The wording of this was clarified for Members.
- xi. Kent County Council (KCC) Highways had spent considerable time considering this application and had raised no objections after concerns raised had been addressed.
- xii. It was advised that some funds towards the medical centre had already been contributed from various schemes with a current total of £53,149.63 as well as the Cophall contribution of £68,724 plus indexation.
- xiii. The Council's Environmental Health Officer was satisfied with the report and considered that the scheme would not be detrimental to air quality in regards the crossroads, therefore concluded that there was is no reasonable basis to object on air quality grounds.
- xiv. The Council's Landscape and Biodiversity Officer spoke at length to address concerns raised which included: Communication with Natural England concerning the possible presence of wood pasture and parkland habitat. It was confirmed that the pasture was not irreplaceable habitat. The 2014 Fowlers Park appeal was referred to noting the many changes since that appeal and the work done on the Local Plan.
- xv. In terms of affordable housing the applicant was providing a 40% contribution as per the emerging plan, that meant 28 dwellings of which 60% would be social rent. The Council's Housing Officers were able to assist the developer in making enquiries with registered providers. The S106 secured those affordable homes.
- xvi. The number of conditions assigned the application was normal for a site that size, some of the conditions referred to reserved matters and would be monitored and assessed in the normal way in terms of enforcement.
- xvii. It was advised that condition 5 and the S106 agreement were there to ensure that the land for the medical centre was handed over and this was binding. It was still up to the CCG to prepare a planning application to resolve the reserved matters for the scheme outline consent.
- xviii. The history of the site was provided for Members which provided clarification to the link of the proposed dwellings and the medical centre. Given that the need for a medical centre was so acute and the planning application must be considered on its own merits, Officers felt that there were exceptional circumstances in place that would allow the recommendation to be for approval.
- xix. Officers provided Members with a list of alternative sites investigated as a potential site for the medical centre and the

- reasons for their unsuitability.
- xx. The applicant spent considerable time with KCC Highways in relation to junction movements through Hawkhurst junction. The movements were as set out in the transport assessment and the Highways Officer agreed with the scope of the modelling.
 - xxi. Condition 29 asked for servicing deliveries and car parking at the medical centre.
 - xxii. Condition 35 covered external lighting and further clarification on that was provided.
 - xxiii. It was highlighted that the area closest to the development was the main amenity area the three fields to the north and east were primarily about conservation and landscape. Condition 31 was the detailed landscape and ecological management plan which showed that reports had to be submitted by competent professionals and ecologist to show how they were delivering all the biodiversity they've said they're going to deliver. It was advised that the site was to be managed by a management company, funded through the development, and monitored.
 - xxiv. Conditions 22 and 23 secured timescales for road works carried out at the MOVA and puffin crossing as well as speed reducing measures.
 - xxv. Officers considered there were significant exceptional circumstances with regards to the application because it had a medical centre, school expansion as well as the housing, affordable housing and public open space.

Committee Member debate and Officer clarification included:

- i. Concerns were raised about Hawkhurst losing medical services and it was felt it would be a disaster for the town.
- ii. Thanks were given to the Officers for the report.
- iii. The need for affordable housing could not be ignored as it was desperately needed in the Borough. The mix of the social housing throughout the development was welcomed.
- iv. Thanks were given to the Council's Landscape and Biodiversity Officers contribution.
- v. It was felt that the developer had worked closely with the Local Planning Authority (LPA).
- vi. It was thought that the small schools would benefit from the proposal given that there was potential for the school to become 2 form entry and more likely to remain open.
- vii. The demand for housing was there no matter what the target.
- viii. Age of population and accessibility of facilities were mentioned.
- ix. The increased footfall in shops with potentially 70 more families was thought to be a benefit to the town.
- x. Compliance with green standards was considered to be high.
- xi. It was felt that consideration should be given by the builders to making sure that that tarmac matched permeability

- or balanced with the amount of traffic.
- xii. For some Members it was not the social housing development expected for the area given the waiting list.
 - xiii. Concerns were raised about Southern Waters ability to deliver.
 - xiv. Speed surveys requested by KCC were acknowledged as part of a condition.
 - xv. The potential social impact of the development to the area was mentioned.
 - xvi. The testimony of the 2 doctors were acknowledged and the comments that the development would be particularly beneficial for the less fortunate of patients that lived locally.
 - xvii. It was felt by some that the benefits of the potential development outweighed the damage caused to the landscape.
 - xviii. Concerns were raised about the AONB, the infrastructure, sewage, impact on highways.
 - xix. The application before Members tied the medical centre to the 70 additional houses and needed to be considered.
 - xx. It was acknowledged that the 70 dwellings would make a significant difference to the Council's 4.29 years housing supply position.

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

It was confirmed that the proposer and seconder were in favour of the list of circulated revised planning conditions.

The Chair requested a recorded vote.

Councillors Britcher-Allen, Johnson, Le Page, Osborne, Patterson, Pope, White, Fitzsimmons and Bland voted in favour of the Officers recommendation for approval.

Councillors Moon, O'Connell voted against the Officers recommendation for approval.

RESOLVED – That application PLA228/23 be granted subject to the completion of a Section 106 legal agreement and subject to the plans, conditions and informatives as set out in the agenda report and the list of circulated revised planning conditions..

APPLICATION FOR CONSIDERATION - 23/01870/FULL SPRING FARM, COLTS HILL, FIVE OAK GREEN, TONBRIDGE, KENT.

PLA229/23 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA229/23 Spring Farm,

Colts Hill, Five Oak Green, Tonbridge, Kent and this was summarised at the meeting by Emma Franks Senior 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)

Supporters:

- Mr Lee Ginger, the applicant.
- Mr Mark Jones, the agent for the applicant.

Borough Councillor on the Committee:

- Councillor Patterson, Capel, spoke in favour of the application and withdrew from the meeting while it was discussed.

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

- i. Officers considered that similar to the two previous refusals on the site, the application remained unsustainable, it was isolated and was not within the limits to build development.
- ii. It was the opinion of the Officers that although the design of the property was good it did not meet the exceptional level test set by the National Planning Policy Framework (NPPF).
- iii. Officers were happy to have ongoing discussions about the design of the proposed property in terms of the exceptional quality and expected an enhanced design as to what was before Members.
- iv. A full clarification on what made the location unsustainable was provided to Members.
- v. It was confirmed that the previous refusals on the site were made by an Officer delegated decision, it had not been brought before Committee before.

Committee Member debate and Officer clarification included:

- i. It was felt that it was not in a sustainable location.
- ii. Members acknowledged the officers report where reference to restrictions on build within that area were made. Members felt if they were minded to approve the application it potentially created an open season for building within the area.
- iii. Although Members felt the applicant was moving towards an exceptional design with various applications it was felt that it still needed more to enhance it. Members encouraged the applicant to go the extra step with the design and return to Committee.

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

RESOLVED – That application PLA229/23 be refused in accordance with the reason for refusal and informative as set out in the agenda report.

APPLICATION FOR CONSIDERATION - 23/02411/FULL 47 HOPWOOD GARDENS, ROYAL TUNBRIDGE WELLS, KENT.

PLA230/23 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA230/23 47 Hopwood Gardens, Royal Tunbridge Wells, 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:

- Councillor Peter Lidstone spoke as the applicant.

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

- i. Concerns raised about potential overlooking neighbouring property number 49 were addressed and was no longer an issue.
- ii. Clarification as to why the application came before Planning Committee was provided.

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

RESOLVED – That application PLA230/23 be granted subject to the plans, conditions and informatives as set out in the agenda report.

APPEAL DECISIONS FOR NOTING 03 OCTOBER 2023 TO 25 OCTOBER 2023

PLA231/23 **RESOLVED** – That the list of appeal decisions provided for information, be noted.

URGENT BUSINESS

PLA232/23 There was no urgent business for consideration.

DATE OF NEXT MEETING

PLA233/23 The next Planning Committee meeting was scheduled for Wednesday 6 December 2023.

NOTE: The meeting concluded at 10.16 pm.