

## PLANNING COMMITTEE

Wednesday, 11 September 2019

**Present: Councillor Noakes (Chairman)  
Councillors Bland (Vice-Chairman), Atwood, Backhouse, Bailey, Mrs Cobbold,  
Podbury, Poile, Mrs Thomas and Warne**

**Officers in Attendance:** Cheryl Clark (Democratic Services Officer), Peter Hockney (Development Manager), Lee Colyer (Director of Finance, Policy and Development (Section 151 Officer)), Jo Smith (Lawyer), Charlotte Oben (Planning Officer), James Moysey (Senior Planning Officer) and Antonia James (Principal Planning Officer)

**Other Members in Attendance:** Councillors McDermott, Barrington-King, Hayward and Reilly.

### CHAIRMAN'S INTRODUCTION

PLA54/19 The Chairman opened the meeting, introduced Committee members and officers in attendance, and outlined procedural matters of the meeting.

### APOLOGIES

PLA55/19 Apologies for absence were recorded from Councillor Pound.

### DECLARATIONS OF INTEREST

PLA56/19 No declarations of Pecuniary or Significant Other 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)

PLA57/19 19/01271/FULL – The White House, Highgate Hill, Hawkhurst  
All members of the Committee present advised they had been lobbied by supporters of the application.

19/01353/FULL – Chilford, Golford Road, Cranbrook  
All members of the Committee present, except Councillors Atwood, Cobbold and Backhouse, advised they had been lobbied by objectors to the application.

19/01497/FULL – Site of 141 and 151 London Road, Southborough  
No declarations of lobbying were made.

19/01696/FULL – Land adjacent to Stonecourt Farm Cottage, Stone Court Lane, Pembury  
All members of the Committee present, except Councillor Backhouse, advised they had been lobbied by objectors to the application.

19/01714/FULL – The Corn Exchange, The Pantiles, Royal Tunbridge Wells  
No declarations of lobbying were made.

19/01715/LBC – Corn Exchange House, 49 the Pantiles, Royal Tunbridge Wells  
No declarations of lobbying were made.

19/01815/FULL – Calverley Grounds, Mount Pleasant Avenue, Royal Tunbridge Wells  
No declarations of lobbying were made.

19/01869/FULL – former ABC Cinema site, Mount Pleasant Road, Royal Tunbridge Wells  
Councillor Podbury declared that she had been lobbied by an objector. All members of the Committee present, except Councillor Backhouse, advised they had been lobbied by supporters of the application.

## **SITE INSPECTIONS**

PLA58/19 Members of the Committee had the opportunity to visit sites in respect of applications 19/01271, 19/01353 and 19/01696.

## **TO APPROVE THE MINUTES OF THE MEETING DATED 14 AUGUST 2019**

PLA59/19 **RESOLVED** – That the minutes of the meeting dated 14 August 2019 be taken as a correct record, except that additionally it was noted that Councillors Hayward and Ellis were also in attendance to observe the meeting.

## **REPORTS OF HEAD OF PLANNING SERVICES**

PLA60/19 The order of business for the meeting to be item 7A followed by 7B, 7D, 7H, 7C, 7G, 7E, and 7F.

## **APPLICATION FOR CONSIDERATION - 19/01271 THE WHITE HOUSE, HIGHGATE HILL, HAWKHURST, CRANBROOK, KENT TN18 4LB**

PLA61/19 **Planning Report and Presentation** - The Head of Planning Services submitted a report in respect of application 19/0127/FULL and this was summarised at the meeting by Miss James, Principal Planning Officer, and illustrated by means of a visual presentation.

**Updates and Additional Representations** - Since publication of the agenda report, the presenting officer updated as follows:

- i. There had been 3 additional neighbour representations which raised similar issues to those already submitted;
- ii. A further representation had also been received alleging that the cumulative impact of the proposal along with other permitted developments and allocated sites in respect of congestion at village crossroads had not been considered.
- iii. Members' attention was drawn to paragraph 7.37 within the agenda report (KCC Highways comments of 28/06/19) which advised that with no mitigation scheme identified to improve the flow of traffic through the A229/A268 junction, the highway and planning authorities were seeking investment from developers into sustainable measures which would facilitate and encourage walking, cycling and travelling by public transport in order to reduce car-borne trips. Thus a contribution of £1,000 per dwelling towards public transport services, and improved bus infrastructure adjacent to the site was being sought. This figure had previously been sought by KCC for the same reasons and was accepted by the Committee at the meeting on 10 April 2019 in respect of application 18/02165/FULL (28 dwellings at Land East Heartenoak Road Hawkhurst

Cranbrook Kent )

- iv. Paragraph 117 of the agenda report quoted NPPF paragraph 109 (“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”) The report further noted at paragraph 119 that a proposal for 7 dwellings was refused here in September 2017 partly because KCC Highways had not developed a scheme alleviating pressure on the crossroads, towards which financial contributions might be sought. This was not now the case, as evidenced by the proposed contribution requested.
- v. KCC Highways had confirmed that in their view the development would not cause severe congestion to the crossroads, either in isolation or in combination with other development, so long as the mitigation payments towards public transport services, and improved bus infrastructure adjacent to the site were sought.
- vi. The applicant had provided a Reptile Survey Report and Mitigation Strategy. This had been required by condition 20. The Council’s Landscape & Biodiversity Officer had reviewed the submission and considered the survey and recommendations broadly acceptable. However it was recommended that the landscaping plan be altered to section off an area of the communal garden for reptile mitigation and enhancement. This could be addressed through the comprehensive landscaping sought under condition 21. Officers also recommended that condition 20 be amended to exclude the requirement for additional reptile surveys and that condition 2 be amended to include the submitted Reptile Survey Report and Mitigation Strategy within the list of approved plans.
- vii. Hawkhurst Parish Council had advised that they had appointed architects for their community hub project and had also provided costings for an Outdoor Gym. This is the project referred to at paragraphs 7.01 and 10.58 to 10.62 of the report. Officers remained of the view that, for the reasons set out in those paragraphs, both requests would not comply with the requirements of the CIL Regulations. The applicants had been made aware of the request and also did not consider it CIL compliant.
- viii. Condition 22 had read as though it would exclude a spouse, partner or companion aged less than 55 from remaining in one of the flats if they were predeceased by their qualifying spouse/partner. This was not the intention and it was proposed that the wording be amended to allow such a person to continue residing in the property in such circumstances.

**Registered Speakers** - There were 4 speakers who had registered and who spoke in accordance with the Council’s Constitution (Planning Committee procedure rules):

Public objectors

- Mrs R Taylor-Smith, a neighbour
- Mr D Warman, a local resident

Public supporters

- Mr I Hann, Planning Bureau, on behalf of the applicant

Parish/Town Council representative

- Councillor C Escombe, Chairman, Hawkhurst Parish Council

**Committee Member Debate:** Members of the Committee took account of the presentations made and raised a number of questions and issues within their

discussions. These included the level of priority given to local residents in respect of affordable housing, potential upgrading of local public transport, time limits on S106 funding, and the particular need for action relating to flooding and foul drainage. Notwithstanding the proposed demographic of the new development, members of the Committee also considered there would be an adverse impact on traffic on Highgate Hill and in particular at the crossroads in the centre of Hawkhurst, which KCC had previously confirmed was already at capacity. Mr Hockney reminded members, however, that without objections from KCC there was insufficient reason to justify a refusal in planning terms. Regret was also expressed over the loss of the White House within the street scene and the failure of the replacement development to respect the local context of the area.

**Decision/voting** - A motion was proposed by Councillor Bailey, seconded by Councillor Backhouse and a vote taken to approve the application in line with the officer recommendation as amended and with changes to conditions as updated within the officer presentation.

**RESOLVED** - That application 19/0127/FULL be approved subject to the completion of a legal agreement under section 106 of the town and country planning act 1990 (as amended), in a form to be agreed by the Head of Legal Partnership Mid Kent Legal Services by 30 October 2019 unless a later date be agreed by the Head of Planning Services) to secure the following:

- £27,936.00 towards new general practice premises for Northridge Medical Practice & Wish Valley Surgery;
- £15,227.16 towards the social care element of the new Cranbrook Hub providing additional social care capacity for the rural Weald area of Tunbridge Wells Borough;
- £43,000.00 towards the cost of improving public transport services in the Hawkhurst area;
- £25,000.00 towards a replacement street tree within land controlled by KCC Highways;
- £780,000.00 as a contribution towards affordable housing off-site;
- £2500.00 to cover the costs for an extension to a Traffic Regulation Order which would allow the highway and parking authorities to manage any overspill parking on the highway;
- Payment to cover the Council's legal costs.

Subject also to the plans, conditions and informatives as set out in the agenda report with those conditions also subject to such reasonable change as necessary to ensure accuracy and enforceability. Also subject to amended conditions as updated at the meeting.

**APPLICATION FOR CONSIDERATION - 19/01353 - CHILFORD, GOLFORD ROAD, CRANBROOK, KENT TN17 3NW**

PLA62/19 **Planning Report and Presentation** - The Head of Planning Services submitted a report in respect of application 19/01353/FULL and this was summarised at the meeting by Miss Oben, Senior Planning Officer, and illustrated by means of a visual presentation.

**Updates and Additional Representations** - Since publication of the agenda report, the presenting officer updated as follows:

- i. The Parish Council had asked that it be reiterated that they support the application.
- ii. Additional comments and queries in the form of a late representation had been received from the neighbour at The Homestead. In response Miss Oben advised that distances on the plans had been checked and found to be correct. Miss Oben also confirmed that an additional building on the neighbours property and permitted development previously undertaken were not considered relevant to the current application. The relationship between all of the various buildings concerned had been visible to members during their site visit.. A further question had been raised about the failure to re-consult on a change to the 2016 permission where it was agreed for the property to be set down lower within the site than originally proposed. Miss Oben advised that it had not been deemed necessary to re-consult on this previous application as it had resulted in less of an impact. The current application had been based on the lower site level from the start and had not been changed. As a one for one replacement dwelling, it was noted that drainage matters would be a matter for 'Building Control'.

**Registered Speakers** - There were 2 speakers who had registered and who spoke in accordance with the Council's Constitution (Planning Committee procedure rules):

Public objectors

- Dr P Jackson, a neighbour

Borough or ward members (not Committee members)

- Mr B Jackson, a resident read a statement on behalf of Councillor Dr Hall, who was unable to attend.

**Committee Member Debate:** Members of the Committee took account of the presentations made and raised a number of questions and issues within their discussions. This included the retention of boundary hedges and the considerable increase in volume and depth of the proposal. It was clarified in relation to the increase in size, however, that the appropriate test of Policy H10 was whether or not the proposal resulted in a greater impact ie whether it would be more obtrusive within the landscape. This application was not in the Green Belt and percentage increases relative to extensions were not relevant Policies in this case. Member comments included points that the view from the front of the property would appear to fit in with the current street scene and otherwise the impact to the neighbour would be sufficiently mitigated.

**Decision/voting** - On the basis that members were satisfied that all relevant planning considerations had been covered within the report and the debate, a motion was proposed by Councillor Podbury, seconded by Councillor Mrs Cobbold and a vote was taken to approve the application in line with the officer recommendation.

**RESOLVED** - That application 19/01353/FULL be approved subject to the conditions as set out in the agenda report with those conditions also subject

to such reasonable change as necessary to ensure accuracy and enforceability.

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**APPLICATION FOR CONSIDERATION - 19/01696 - STONECOURT FARM, STONE COURT LANE, PEMBURY, TUNBRIDGE WELLS KENT**

PLA63/19 **Planning Report and Presentation** - The Head of Planning Services submitted a report in respect of application 19/01696/FULL and this was summarised at the meeting by Charlotte Oben, Senior Planning Officer, and illustrated by means of a visual presentation.

**Updates and Additional Representations** – None since the publication of the agenda report.

**Registered Speakers** - There were 5 speakers who had registered and who spoke in accordance with the Council's Constitution (Planning Committee procedure rules):

Public objectors:

- Mr T Cload, on behalf of a number of local residents
- Mr D Knight, on behalf of DJ & VL Knight, Pippins Farm

Parish/Town Council representative:

- Councillor A Gaukroger, on behalf of Pembury Parish Council

Borough or ward members (not Committee members)

- Councillor P Barrington-King, Pembury Ward
- Councillor D Hayward, Pembury Ward

**Committee Member Debate:** Members of the Committee took account of the presentations made and raised numerous questions and issues within their discussions including: the unsuitability of the site for allocation within the 'call for sites', ownership of the access, public and other rights of way, conversion versus new build on the site, precedence, location of Green Belt and AONB boundaries. Miss Oben and Mr Hockney provided responses to queries and confirmed NPPF policy and guidance relating to the re-use of buildings in the Green Belt and conversions under Class Q. It was also confirmed that rights of access were a civil matter outside the planning process but accessibility, width and potential of passing places on Stone Court Lane were discussed and had been evidenced in part following the earlier site visit. Miss Oben confirmed removal of the cold store formed part of the application and also explained the process relating to and location of site notices. and re-visited several of the matters raised at length.

**Decision/voting** – Members of the Committee were divided in their views. A motion was proposed by Councillor Poile, seconded by Councillor Mrs Cobbold and a vote was taken on the Chairman's casting vote to approve the application in line with the officer recommendation.

**RESOLVED** - That application 19/01696/FULL be approved subject to the conditions as set out in the agenda report with those conditions also subject

to such reasonable change as necessary to ensure accuracy and enforceability

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**APPLICATION FOR CONSIDERATION - 19/01869 - FORMER ABC CINEMA SITE  
MOUNT PLEASANT ROAD ROYAL TUNBRIDGE WELLS KENT TN1 1PN**

PLA64/19 **Planning Report and Presentation** - The Head of Planning Services submitted a report in respect of application 19/01869/FULL and this was summarised at the meeting by Antonia James, Principal Planning Officer, and illustrated by means of a visual presentation.

**Updates and Additional Representations** – None.

**Registered Speakers** - There were 3 speakers who had registered and who spoke in accordance with the Council's Constitution (Planning Committee procedure rules):

Public supporters:

- Mr M Curry, Planning & Development Director, Elysian on behalf of the applicant.
- Mr R Collado, Architect on behalf of the applicant
- Mr J Leefe-Griffiths, Tunbridge Wells Hotel

**Committee Member Debate:** Members of the Committee took account of the presentations made and raised a number of questions and issues within their discussions including the demographic of the intended occupants, queries over the adequacy of the reduced number of car parking spaces and sewage capacity. It was also noted that due to the minor nature of the changes proposed within this revised application, it was not considered necessary for any review of the previous viability assessment. For the most part members of the Committee supported the proposal and were particularly keen to see development go ahead on this sustainable and key town centre site.

**Decision/voting** - On the basis that members were satisfied that all relevant planning considerations had been covered within the report and the debate, a motion was proposed by Councillor Mrs Thomas, seconded by Councillor Backhouse and a vote was taken to approve the application in line with the officer recommendation.

**RESOLVED** - That application 19/01869/FULL be approved subject to the conditions as set out in the agenda report, with those conditions also subject to such reasonable change as necessary to ensure accuracy and enforceability.

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## ROAD, SOUTHBOROUGH, TUNBRIDGE WELLS KENT

PLA65/19 **Planning Report and Presentation** - The Head of Planning Services submitted a report in respect of application 19/01497/FULL and this was summarised at the meeting by James Moysey, Senior Planning Officer, and illustrated by means of a visual presentation.

**Updates and Additional Representations** – None.

**Registered Speakers** – None.

**Committee Member Debate:** There were no significant additional matters discussed.

**Decision/voting** - A motion was proposed by Councillor Backhouse, seconded by Councillor Podbury and a vote was taken to approve the application in line with the officer recommendation.

**RESOLVED** - That application 19/01497/FULL be approved subject to the conditions as set out in the agenda report, with those conditions also subject to such reasonable change as necessary to ensure accuracy and enforceability.

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## APPLICATION FOR CONSIDERATION - 19/01815 - CALVERLEY GROUNDS MOUNT PLEASANT AVENUE ROYAL TUNBRIDGE WELLS KENT TN1 2SH

PLA66/19 **Planning Report and Presentation** - The Head of Planning Services submitted a report in respect of application 19/01815/FULL and this was summarised at the meeting by Mr Moysey, Senior Planning Officer, and illustrated by means of a visual presentation.

**Updates and Additional Representations** – None.

**Registered Speakers** – None.

**Committee Member Debate:** It was clarified that the period of operation would be for 9 weeks each year for 3 years. Other works that might take place within Calverley Grounds were not a factor for consideration in respect of this application. Members noted the increasing success of the ice rink.

**Decision/voting** - A motion was proposed by Councillor Mrs Thomas, seconded by Councillor Warne, and a vote was taken to approve the application in line with the officer recommendation.

**RESOLVED** - That application 19/01815/FULL be approved subject to the conditions as set out in the agenda report, with those conditions also subject to such reasonable change as necessary to ensure accuracy and enforceability.

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**APPLICATION FOR CONSIDERATION - 19/01714 - THE CORN EXCHANGE, THE PANTILES, ROYAL TUNBRIDGE WELLS, KENT**

PLA67/19 **Planning Report and Presentation** - The Head of Planning Services submitted a report in respect of application 19/01714/FULL and this was summarised at the meeting by Miss Oben, Senior Planning Officer, and illustrated by means of a visual presentation.

**Updates and Additional Representations** – None.

**Registered Speakers** – None.

**Committee Member Debate:** Notwithstanding concerns over the lack of car parking, it was remarked that the proposal provided a good alternative use of the building.

**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 Podbury, seconded by Councillor Mrs Thomas and a vote was taken to approve the application in line with the officer recommendation.

**RESOLVED** - That application 19/01714/FULL be approved subject to the conditions as set out in the agenda report, with those conditions also subject to such reasonable change as necessary to ensure accuracy and enforceability.

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**APPLICATION FOR CONSIDERATION - 19/01715 - CORN EXCHANGE HOUSE 49 THE PANTILES ROYAL TUNBRIDGE WELLS TN2 5TE**

PLA68/19 **Planning Report and Presentation** - The Head of Planning Services submitted a report in respect of application 19/01715/LBC and was presented at the meeting by Miss Oben, Senior Planning Officer.

**Updates and Additional Representations** – None.

**Registered Speakers** – None.

**Committee Member Debate:** No further matters were raised.

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

**RESOLVED** - That application 19/01715/LBC be approved subject to the conditions as set out in the agenda report, with those conditions also subject to such reasonable change as necessary to ensure accuracy and enforceability.

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**APPEAL DECISIONS FOR NOTING - 31 JULY 2019 TO 30 AUGUST 2019**

PLA69/19 The list of appeal decisions provided for information was duly noted.

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**DATE OF NEXT MEETING**

PLA70/19 **RESOLVED** – That the next Planning Committee meeting take place on Wednesday 9 October 2019, at 5pm.

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**URGENT BUSINESS**

PLA71/19 **RESOLVED** – That there was no urgent business for consideration.

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**NOTES:**

1. An audio recording of the full proceedings of this meeting is available on the Tunbridge Wells Borough Council website
2. The meeting concluded at 8.40 pm.