

CAPEL PARISH COUNCIL

Minutes of a Planning Committee Meeting held on Monday 27 March 2023 at Capel Village Hall, Falmouth Place, Five Oak Green TN12 6RD at 19:00hrs

Present: Cllrs. Patterson (Chair for this meeting), Fenton, Malpas, and Mackonochie
In attendance: Louise Goldsmith, Clerk, 6 members of the public

Minute No	
	1. ADMINISTRATION: Fire Exits, Assembly Point, Mobile Phones. No requests received to record the meeting.
221.	2. APOLOGIES FOR ABSENCE: An apology for absence was received from Cllr. Saunders and the reason for absence was accepted.
222.	3. DECLARATION OF INTERESTS: Cllr. Fenton declared a pecuniary interest in item 6 (k).
223.	4. APPROVAL OF MINUTES The minutes of the meeting held on the 27 February 2023 were signed as a true and accurate record subject to a correction to the date of the meeting in the title.
224.	5. OPEN SESSION It was resolved to lower Standing Orders to allow members of the public to comment on any agenda item during the meeting. Members of the public spoke in support of planning proposals 23/00632/FULL, 23/00507/FULL, 23/00631/FULL, 23/00504/TPO.
225.	6. NEW PLANNING APPLICATIONS <i>Planning applications to be decided by CPC</i> <ol style="list-style-type: none"> a. 23/00118/HYBRID Land West Of Queen Street Paddock Wood Tonbridge Kent TN12 6NP Full Application for erection of 170 homes and Waste Water Treatment Works together with temporary construction/haul road off Queen Street to enable the delivery of the Waste Water Treatment Works and up to 150 dwellings, Outline Application (appearance, landscaping, layout and scale reserved) for the erection of up to 430 additional homes, inclusive of associated infrastructure including land for a new primary school, play areas, allotments, network of new roads (and widening of existing roads), surface water drainage features, car and cycle parking and open space and associated works. b. 23/00086/HYBRID Land West Of Queen Street And Mile Oak Road Paddock Wood Tonbridge Kent TN12 6NP Full Application for erection of 160 homes. Outline Application (appearance, landscaping, layout and scale reserved) for the erection of up to 400 additional homes, inclusive of associated infrastructure including land for specialist accommodation for the elderly, land for secondary school expansion, a local centre, play areas, network of new roads (and widening of existing roads), surface water drainage features, car and cycle parking and open space and associated works. c. 23/00091/HYBRID - Land West Of Queen Street Paddock Wood Tonbridge Kent TN12 6NP Construction of bus, pedestrian and cycle link between land at Church Farm and Land West Of Queen Street, together with associated works. <p>Recommend: As many of the documents cover both applications and they cover one Strategic Site allocation in the Submission Draft Local Plan, Capel Parish Council is responding to them together.</p> <ol style="list-style-type: none"> 1. The Parish Council notes the failure to assess the effects of the additional vehicular traffic from the proposed developments on the B2017 beyond the Badsell Roundabout, which is the furthest west referenced in the Traffic Assessment. The B2017 through Five Oak Green to Tonbridge has been assessed as an arterial/distributable route by KCC and thus not suitable for physical traffic calming measures. As the quickest route to Tonbridge, and given the traffic issues on the A228, often to the A21, construction of 1160 homes to the east of the parish will undoubtedly lead to more pressure on this road which is already the subject of heavy traffic especially during rush hours, and has traffic speeding issues. Nowhere in the traffic assessment can we see a reference to this road beyond the Badsell roundabout. It is as if adjoining parishes do not exist and would not be affected

by this development. The submission TWLP has drawn up plans for a bypass of Colts Hill and Five Oak Green, but the inspector has cast doubt on this and on the Tudeley development which it was meant to serve. Given his comments of 14/11/22 on the Five Oak Green bypass were particularly critical the application should proceed on the assumption that it is unlikely to be built. Even if it did happen its construction would be at least a decade after this permission, and the impact of additional traffic has not been assessed on the B2017 in the meantime. When this was done for the Berkeley Homes development it was done using woefully outdated figures from 2001, and we cannot see why a proper assessment has not been done in this case.

Refuse unless there is a meaningful attempt to assess the impact of additional traffic on the B2017 which, it should be noted, is essentially a rural lane west of Five Oak Green and subject to queueing traffic in the morning rush hour at its junction with the A26 outside Tonbridge.

Should the Council be minded to approve:

Capel Parish Council ask that this should be subject to the payment of Section 106 monies allocated as mitigation measures along the B2017. These should include:

- Speed cameras on Badsell Road east of Five Oak Green, and at Capel Primary School
- 20mph speed limits in the centre of Five Oak Green and at Capel Primary School
- A pedestrian road crossing east of Sychem Lane, Five Oak Green
- Funding towards additional or already planned safety measures

Capel Parish Council are also concerned about the impact of this development on the infrastructure in Capel including:

- Sewage
- Medical Services
- Educational Services
- Emergency Services (Fire & Rescue)

All construction traffic should not use local roads through Five Oak Green and the rest of Capel Parish in accordance with the existing signage which says that the roads are not suitable for HGVs.

2. The Transport Assessment of the **Badsell Road roundabout** A228/B2160 [pp.54-5 paragraphs 8.32-8.37 of the Traffic Assessment] is overly optimistic in our opinion and the implementation of previously promised improvements to the roundabout arising from the existing developments should be made a condition prior to works starting. As a principle, road infrastructure should precede the building of houses. The line of argument that any proposed road improvements should be linked with the developments in Tudeley and in East Capel west of Paddock Wood is not convincing. This development of 1160 homes is a major extension to Paddock Wood especially in combination with previously approved developments since 2015, and there is a clear link between these developments and the need to improve the road infrastructure west of Paddock Wood.

Should the Council be minded to approve:

Capel Parish Council ask that this should be subject to the payment of Section 106 contributions to be allocated towards a footpath and cycle path linking Five Oak Green to Paddock Wood along the B2017. (This is in line with the 'high quality environment for pedestrians and cyclists' promised in the Transport Assessment p.61). This would represent a move to a more sustainable transport mode and enable residents from this parish to more easily access Paddock Wood and vice versa. At present there is no connected footpath along the B2017; it is dangerous for pedestrians and cyclists and thus rarely used. The only alternatives are rural footpaths that are not accessible at night.

3. **A228 Colts Hill /Alders Road / Crittenden Lane staggered crossroads** (Traffic Assessment pp. 55-6 paras 8.38-8.42). The figures for traffic volumes may or may not be correct, but this misses the point. The junction itself is extremely dangerous and there has been a long history of accidents particularly because of traffic turning right out of Alders Road or turning left out of Crittenden Road and being forced to wait before turning into Alders Road. Any increase of traffic along the A228 would undoubtedly make the situation worse. It seems likely that this proposal will be built out

	<p>before the construction of a Colts Hill bypass proposed in the SLP, if indeed that ever comes to pass.</p> <p>Should the Council be minded to approve:</p> <p>Capel Parish Council ask that this should be subject to the payment of Section 106 contributions to a highway safety scheme agreed with KCC to improve this junction and mitigate the impact of additional traffic on the A228 in the interests of highway safety.</p> <p>d. 23/00632/FULL – Spring Farm, Colts Hill, Five Oak Green Erection of dwelling with integral garage, vehicular access and associated landscaping. Recommend: Support. 3 in favour, one neutral</p> <p>e. 23/00565/FULL – 36 Willow Crescent, Five Oak Green, TN12 6TD Increased size of existing single storey rear extension and removal of chimney. Recommend: Support.</p> <p>f. 23/00507/FULL – Spring Farm Oast, Colts Hill Five Oak Green, TN12 6SN Construction of single storey extension. Recommend: Support.</p> <p>g. 23/00506/FULL – Brambletye, Badsell Road, Five Oak Green, TN12 6QR Demolition of existing rear porch structure and construction of single storey, pitched roof rear extension and other associated minor alterations. Recommend: Support.</p> <p>h. 22/ 22/02970/FULL – Tricklebrook Fishery, Colts Hill, Five Oak Green, TN12 6SH Extension of existing fishing enterprise including a new fishing lake, four chalets, a new building and hard and soft landscaping. <i>Revised details</i> Recommend: Neutral. We have concerns about the responses from the statutory consultees particularly from Flood and Water Management at KCC. If minded to approve we would like to request that all the suggested conditions from both the Environment Agency and Flood and Water Management at KCC are adhered to.</p> <p>i. 23/00559/PNR – Carpenters Yard Workshops, Pembury Road, Capel, TN11 0QF Change of use of an agricultural building to a flexible use falling within Class E (Commerical/Business/Service). For its prior approval to: - Transport and Highway impacts – Noise impacts – Contamination Risk – Flooding risks. Recommend: Neutral.</p> <p>j. 23/00655/NMAMD – Silvercrest Construction Ltd., Builders Yard, Badsell Road Addition of basement floor only accessible internally. Recommend: No objection.</p> <p><i>Cllr. Fenton declared a pecuniary interest before this proposal was considered and left the room. Cllr. Fenton is married to the applicant.</i></p> <p>k. 23/00631/FULL – Capel Grange Lodge, Badsell Road, Five Oak Green, TN12 6QY Erection of additional storage/workshop building with associated entrance alterations. Recommend: Support. The Parish Council remains keen to support local businesses. <i>Cllr. Fenton returned to the meeting.</i></p> <p>l. 23/00504/TPO – 51 Sychem Place, Five Oak Green, Tonbridge, TN12 6TS Trees: Oak (T1/T2) - Removal of both trees. Recommend: We acknowledge the damage to the adjoining properties and await the very much urgent comments from the Tree Officer. The Parish Council would like to see a copy of the tree report.</p>
226.	<p>7. OUTSTANDING APPLICATIONS AWAITING TWBC RESPONSE Recommendation by CPC is in BOLD</p> <p>a. 23/00282/FULL – Queens Head, Five Oak Green Road, Five Oak Green, TN12 6RN Partial demolition of existing single storey rear extension. Loft conversion with three front dormers and one rear dormer. Addition of roof terrace. Reinstatement of existing side elevation fenestration.</p>

Recommend: We would like to make the following observations: It is not clear from the plans if the downstairs staircase is to remain and continue to give internal access to the first floor. The residential accommodation in the past has been used by the landlord and if this was separated we would be about concerned whether the business would be viable. The external staircase should remain as a fire exit only. The internal staircase from the ground floor needs to be retained and we would object strongly to the residential accommodation being separated from the business. We are also concerned about overlooking to the neighbouring property from the proposed balcony and would like a condition set to overcome this. We welcome the re-opening of this asset of community value whose designation was supported by the owner.

- b. **23/00148/PNQCLA – Barns adjacent to Postern View, Postern Lane, Tonbridge, TN11 0QP**
Prior notification for the Change of Use of a Building and Land within its curtilage from an Agricultural Use to a Use falling within Class C4 (2 dwelling houses) and Buildings Operations reasonably necessary to convert the building. For the change of use: - Transports and Highways impacts; Noise impacts; Contamination risk; Flooding risks; Whether locating or siting makes it impracticable or undesirable. For the operational development: - Design or external appearance
Recommend: No objection.
- c. **22/03684/FULL – Badsell Orchard, Badsell Road, Five Oak Green**
The conversion of existing agricultural buildings to office space (Use Class E) and raising of building roof to allow for 350mm of thermal insulation, parking and other associated works.
Recommend: Neutral. We suggest obscure glazing, if appropriate, to the windows on the yard side of the building.
- d. **22/03532/FULL – 1 Church Farm Barn, Crockhurst Street, Tudeley**
Alterations and extension to existing outbuilding to form holiday let.
Recommend: Refusal. We feel there is insufficient information for us to make a decision. There is no information on the disposal of the sewage and it is not clear whether there will be any parking for the proposed holiday let. We also believe that this outbuilding is within the curtilage of a Listed Building.
- e. **23/00179/LBC – West Barn, Ploggs Hall, Whetsted Road, Five Oak Green**
Listed Building Consent: Replacement of front door entrance timber frame and glazing.
Recommend: Refer to Listed Building Conservation Officer.
- f. **23/00175/FULL – Tudeley Brook Stables, Crittenden Road, Matfield**
Conversion and partial demolition of an existing redundant stable building to form a single dwelling house with associated parking and ecological enhancements.
Recommend: Neutral subject to the objections of the Environment Agency being satisfactorily discharged.
- g. **22/03563/FULL – Reeds Solar Farm, Alders Road**
Construction and operation of a solar photovoltaic (PV) farm and battery storage facility with all associated works, equipment and necessary infrastructure.
Recommend: Refusal.
We note that most of the professional statutory consultees object/have concerns to/about the proposal and have asked for additional information. We share their concerns and in particular in relation to the following:
1. Highway safety - Alders Road is a rural lane which is completely inappropriate for the construction traffic needed. The entrance to the site with a large dip in the ground adjoining a sharp bend in the road will present a danger to construction traffic and other users. Please note the junction with the A228 Colts Hill is dangerous and has a record of accidents. The Parish Council could not see how this could be mitigated.
 2. The site is adjoining and visible from the AONB - there seems to be no assessment of the impact of the site development on the AONB.
 3. Although there are assessments of the impact of the development on the listed buildings adjoining the site there is no assessment of the impact on the buildings of this historic rural farmstead taken as a whole. There is no mention of the heritage of this area which is referred to in our emerging Neighbourhood Development Plan. The assessment of harm posed by this development is therefore understated.
 4. The site is in the Green Belt and is the last producer of hops in the parish (far from being in decline it has expanded its acreage in the recent past). Although we cannot lay down which crops are produced we would draw you attention to the fact that 75% of the land is Category 2 or 3a best and most versatile land which would seem a waste, given the derelict heritage orchard next door. Capel

	<p>is really the historic heart of hop growing and to lose the last hop garden and its very fertile soil is not just a big loss for the cultural history of the parish, but also for Kent as a whole.</p> <ol style="list-style-type: none"> 5. We would draw your attention to the comments of KCC Flood and water management on the inadequacy of the surface water drainage strategy prepared by AECOM. In addition, we would point out that the root structure of the hops (some of which are forty years old) are very water demanding. Their removal would increase the likelihood of surface flooding. This seems not to have been taken into account. 6. We would echo the comments of KCC Archaeology on the weakness of the Archaeological DBA, which like many of the assessments seems to have been done as desktop exercises with little familiarity with the site. 7. We would draw your attention to the comments from Kent Police that the proposed fencing is not suitable for providing the necessary security. 8. We feel there is insufficient screening of the area and do not agree for with their calculations for biodiversity. 9. We are concerned about the cumulative impact of 3 solar farms on the landscape and footpath network in our parish. The Parish Council also request that if TWBC are minded to approve, despite the above, that it be subject to a Section 106 request for a contribution to leisure facilities (planned new village hall) and/or highways (planned 40 mph speed limit on Alders Road) given the extra burden this will place on the community.
227.	<p>3. TUNBRIDGE WELLS BOROUGH COUNCIL DECISIONS. <i>Outstanding planning applications decided by TWBC shall appear once decided.</i> Recommendation by CPC is in BOLD. *TWBC Planning Decision is in Italics</p> <ol style="list-style-type: none"> a. 22/00083/LBC – Tatlingbury Farm House, Five Oak Green Road, TN12 6RG Listed Building Consent: Brick boundary wall dismantling and replacement. Recommend: Refer to Listed Building Conservation Officer. *Permitted b. 23/00180/TPO – Rose Cottage, Five Oak Green Road, Five Oak Green, TN12 6RL Trees: Willow – reduce growth and spread of willow tree canopy by 5 metres. Recommend: No objection subject to the approval of the Tree Officer. *Permitted. c. KCC/TW/0019/2023 – Capel Primary School, Five Oak Green Road, Five Oak Green Demolition of the existing stand-alone timber mobile classroom unit to the rear of the main school building. Installation of a new modular single classroom building in the same location. Recommend: Support. *Permitted. d. 22/03151/FULL – Bouncers Bank, Half Moon Lane, Tudeley, TN11 0PR Construction of pond. Recommend: Approval subject to no objections being received from the Environmental Agency and we question whether this proposal also requires a change of use application. *Permitted e. 22/02846/FULL – Fish Lodge, Pembury Road, Capel, TN11 0NB Variation of condition 7 (Number of events) with application 19/00950/FULL – To increase the permitted number of events at the site from 25 to 50. To remove the limit of events from March to October to year-round (12 months). To increase the permitted number of guests from 80 to 150. Recommend: Refusal. We are concerned about the noise impacting the neighbouring properties and would like KCC Highways to consider the impact of the increase in vehicle movements and to assess whether any improvements are required to the road markings, signage and lighting. *Permitted.
228.	<p>4. OTHER MATTERS None to consider.</p>
229.	<p>8. DATE OF NEXT MEETING – Monday 24 April 2023 at 20:03hrs</p>

With no further business to discuss the meeting closed at 20:03hrs

Signed:

Dated: