

CAPEL PARISH COUNCIL

TO: Cllrs Saunders, Fenton, Mackonochie, Malpas & Patterson

ALL COUNCILLORS ARE HEREBY SUMMONED

to attend the **Planning Committee Meeting of CAPEL PARISH COUNCIL**
to be held in **Capel Village Hall on MONDAY 27 NOVEMBER 2023 at 7.00pm**

When it is proposed to transact the business shown in the agenda below.

The Meeting will be open to the press and public. (*Public Bodies (Admission to Meetings) Act 1960*)

Louise Goldsmith

Clerk

Date of Issue: 21 November 2023

AGENDA

Minute No	
	1. ADMINISTRATION - Fire Exits, Fire Meeting Point, Mobile Phones, Intention to record or film the meeting.
293.	2. APOLOGIES FOR ABSENCE - to receive and accept apologies for absence (<i>LGA 1972 s85 (1)</i>)
294.	3. DECLARATION OF INTERESTS - to receive declarations of pecuniary and non-pecuniary interests. Where any councillor has a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) in any matter to be considered at a meeting of the Council, a committee or sub-committee they must withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter unless a dispensation has been obtained from the Monitoring Officer.
295.	4. APPROVAL OF MINUTES Proposed that the minutes of the Planning Meeting held on the 30 October 2023 be signed as a true and accurate record. (<i>LGA 1972 sch. 12, para 41(1)</i>)
296.	5. OPEN SESSION To adjourn the meeting to enable any members of the public present to address the Council.
297.	6. NEW PLANNING APPLICATIONS <i>Planning applications to be decided by CPC</i> <ol style="list-style-type: none">23/03-25/FULL: Colt Cottage, Postern Lane, Tonbridge Removal of existing dwelling and barn. Erection of replacement dwelling; with associated parking, turning, landscaping, private amenity space and access.23/03038/FULL: Builders Yard, Badsell Road, Five Oak Green Variation of Condition 2 of 22/00261/FULL: Amend approved plan to insert two lightwells to the basement level.23/02834/FULL: 6 Oak Road, Five Oak Green Demolition of existing garage and erection of single storey rear/side extension to create studio for change of use a part Class E (d) & part Class C3, addition of rooflight to dining room.23/02787/FULL: Kings Head, Badsell Road, Five Oak Green Demolition of the former Kings Head pub and redevelopment of the site to form three new residential dwellings with associated parking, amenity and revised vehicular access. Recommend: Neutral. We recommend that consideration is given to the following points and that we have an opportunity to see these addressed before the application is determined. Firstly, we would like consideration to be given to the proposed fencing and confirmation that this will not be a barrier to flood water. We echo KCC Highways comments about pedestrian signage. We have concerns about the sight lines and would welcome the suggested additional signage given this development is sited on a dangerous bend. Design features should be in line with the emerging Capel Neighbourhood Plan and the Design Codes. If the Officer is mindful to approve this proposal we would ask that the application is considered by the Planning Committee. To consider amended plans.

7. **OUTSTANDING APPLICATIONS AWAITING TWBC RESPONSE**

Recommendation by CPC is in BOLD

- a. **23/01726/OUT – Capel Grange Farm, Badsell Road, Five Oak Green**
Outline permission (All matters reserved) - erection of up to 6 dwellings.
Recommend: We understand that this site is a brownfield site and on this basis would be happy to approve the proposal. If it is deemed that this is not a brownfield site we would object to the proposal as we would maintain our strong stance to not support development in the greenbelt.
- b. **23/01615/FULL: The Barn, Pembury Road, Capel**
Conversion of barn to a 4 bedroom dwelling house.
Recommend: Support (4 in favour, 1 neutral)
- c. **23/02699/FULL: North View, Five Oak Green Road, Five Oak Green**
Three storey extension to front, side and rear of existing house, creation of garage, installation of No. 8 rooflights.
Recommend: Refusal. We are concerned about the bulk and mass of the proposed extension and the effect of this on the residential amenity of the neighbouring properties. We would like to be notified if the Officer is mindful to approve this proposal.
- d. **23/02588/TPO: 51 Sychem Place, Five Oak Green**
Trees: Oak (T1, T6) Remove.
Recommend: Refer to Tree Officer and remind the Officer that the Parish Council would like to see a copy of any Tree Report as previously requested.
- e. **23/00118/HYBRID: Land West Of Queen Street, Paddock Wood**
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. **Recommend: Object.**
- f. **23/00086/HYBRID: Land West Of Queen Street And Mile Oak Road, Paddock Wood**
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.
Recommend: Object.
- g. **23/00091/HYBRID: Land West Of Queen Street, Paddock Wood**
Construction of bus, pedestrian and cycle link between land at Church Farm and Land West Of Queen Street, together with associated works.
Recommend: Object.
- h. **22/03563/FULL: Reeds Solar Farm, Alders Road, Capel**
Revised details. Construction and operation of a solar photovoltaic (PV) farm and battery storage facility with all associated works, equipment and necessary infrastructure.
Recommend: Refusal. We do not feel that our previous concerns, listed below, nor those of the statutory consultees have been addressed. We agree with the conclusions of the Landscape and Biodiversity Officer. We also echo the comments from the CPRE. The boundary of the High Weald Area of Outstanding Natural Beauty runs along Alders Road. The proposed solar farm is in the High Weald National Character Area and forms part of the setting of the AONB. We would like to reminder TWBC that Alders Lane is designated as a historic routeway and that the proposed alterations to provide the necessary visibility splay for the access to the site would have a seriously detrimental effect on the character of the area.
Previous Comments: Recommend Refusal. We note that most of the professional statutory consultees object/have concerns about to 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 your 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 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.
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

- 299.
8. **TUNBRIDGE WELLS BOROUGH COUNCIL DECISIONS.**
Outstanding planning applications decided by TWBC shall appear once decided.
Recommendation by CPC is in BOLD. *TWBC Planning Decision is in Italics
 - a. **23/02326/FULL: Sholden, Five Oak Green Road, Five Oak Green**
Demolition of existing dwelling, construction of a replacement dwelling.
Recommend: No objection. *Permitted.
 - b. **23/01870/FULL: Spring Farm, Colts Hill, Five Oak Green**
The erection of a 3no. bedroom dwelling, integral garage, vehicular access and landscaping.
Recommend: Support. We agree with the conclusions in the Supplementary Planning Statement. If the proposal is to be decided within delegated powers we would like to be notified. *Refused.
 - c. **23/02339/FULL: Capel Court Oast, Alders Road, Capel**
Single storey rear extension (amendments to approved scheme 22/03109/FULL).
Recommend: No objection. *Permitted.
 - d. **23/02396/FULL: Land to South of Redwings Lane, Pembury**
Change of use of land from agriculture to equine and erection of 3 stable block.
Recommend: No objection but would like to draw attention to the fact the site is uphill of Alders Stream which is a critical water course to Five Oak Green. *Application withdrawn.
 - e. **23/02397/FULL: Land to South of Redwings Lane, Pembury**
Change of use of land from agriculture to equine and erection of 2 stable block.
Recommend: No objection but would like to draw attention to the fact the site is uphill of Alders Stream which is a critical water course to Five Oak Green. *Application withdrawn.

300.	<p>9. OTHER MATTERS</p> <p>a. Deldean Yard, Five Oak Green Road, Five Oak Green: Enforcement issues.</p> <p>b. Top Lodge, Pembury Road, Capel: Appeal against Enforcement Notice T018570 – without planning permission the construction of a gymnasium outbuilding within the curtilage of a listed building (ref: 21/03419/FULL)</p>
301.	10. DATE OF THE NEXT MEETING: Monday 18 December 2023 at 7pm