

CAPEL PARISH COUNCIL

Minutes of a Planning Committee Meeting held on Monday 29 January 2024 at Capel Village Hall, Falmouth Place, Five Oak Green TN12 6RD at 19:00hrs

Present: Cllrs. Saunders (Chair), Fenton, Mackonochie, Malpas and Patterson
In attendance: Louise Goldsmith, Clerk, 2 members of the public

Minute No	
	1. ADMINISTRATION: Fire Exits, Assembly Point, Mobile Phones. No requests received to record the meeting.
311.	2. APOLOGIES FOR ABSENCE: None.
312.	3. DECLARATION OF INTERESTS: None received.
313.	4. APPROVAL OF MINUTES The signing of the minutes of the meeting held on the 18 December 2023 was deferred to the next meeting.
314.	5. OPEN SESSION No comments made.
315.	6. NEW PLANNING APPLICATIONS <i>Planning applications to be decided by CPC</i> <ol style="list-style-type: none"> a. 23/03499/FULL: Hunters Lodge, Badsell Road, Five Oak Green Erection of dwelling following removal of existing caravan and outbuildings, hard and soft landscaping. Recommend: No objection. b. 24/00066/FULL: Badsell Orchard, Badsell Road, Five Oak Green Erection of car barn in association with ref: 23/02215/FULL. Recommend: No objection. c. 24/00033/FULL: Orchard View, Half Moon Lane, Tudeley Erection of detached garage. Recommend: No objection. d. 24//00179/FULL: Land to the north of the Oast Barn, Whetsted Road, Five Oak Green Proposed new barn, repositioned access, track and associated works. Recommend: Approval. e. 24/00032/FULL: Dislingbury Farmhouse, Half Moon Lane, Tudeley Erection of detached garage and store. Recommend: No objection.
316.	7. OUTSTANDING APPLICATIONS AWAITING TWBC RESPONSE <ol style="list-style-type: none"> a. 23/03311/FULL: Capel Cottage Garden Nursery, Maidstone Road, Whetsted Demolition of existing building and change of use of the land for the stationing of a mobile home for residential purposes in association with the existing garden nursery business. Recommend: Approval as long as the proposed mobile home is ancillary to the business. b. 23/01726/OUT: Capel Grange Farm, Badsell Road, Five Oak Green Outline permission (All matters reserved) - erection of up to 4 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.

- c. **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.
- d. **23/02787/25/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.
Recommend: No objection. We would like a condition set that no further residential building works take place within the existing curtilage.
- e. **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.
Revised plans.
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 receive confirmation that this will not be a barrier to flood water. We echo KCC Highways comments about pedestrian signage. We continue to 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. We would encourage the use of solar or ground source heating. If the Officer is mindful to approve this proposal we would ask that we are given 3 days notice.
- f. **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.**
- g. **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.
- h. **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.
- i. **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 remind 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.

	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>7. We would draw your attention to the comments from Kent Police that the proposed fencing is not suitable for providing the necessary security.</p> <p>8. We feel there is insufficient screening of the area and do not agree for with their calculations for biodiversity.</p> <p>9. We are concerned about the cumulative impact of 3 solar farms on the landscape and footpath network in our parish.</p> <p>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.</p>
317.	<p>8. 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> <p>a. 23/03034/FULL: 9 Willow Crescent, Five Oak Green Extension to car port area. Recommend: Neutral. We are concerned about the proximity of the proposed extension to the boundary and would recommend that there is a minimum of a one metre gap between the proposed extension and the boundary to allow for the flow of flood water. We are also concerned about emergency access and the ability to move bins down the side of the house. <i>*Permitted.</i></p> <p>b. 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. Recommend: No objection. <i>*Permitted.</i></p> <p>c. 23/01615/FULL: The Barn, Pembury Road, Capel Conversion of barn to a 4 bedroom dwelling house. Recommend: Support (4 in favour, 1 neutral). <i>*Permitted.</i></p> <p>d. 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. Recommend: No objection. <i>*Permitted.</i></p>

318.	<p>9. OTHER MATTERS:</p> <p>a. FS-Case-547362832 Deldean Yard, Five Oak Green Road, Five Oak Green: Enforcement has advised that the container has recently been lowered and moved to the location shown in the approved plans of application ref. 22/02111/FULL. Enforcement has also advised that an investigation is ongoing into the requirement for an ICNIRP certificate. The Clerk was asked to voice Member's concerns to Enforcement about possible radiation from the site.</p> <p>b. Capel Court Yard, Alders Road: Alleged breach of planning conditions: Cllr. Patterson has reminded Enforcement that the owners of the yard are in breach of a Section 52 Order, dating back to the 1970's, which allows them to use some but not all of the southern area of the site for open storage. Various equipment including scaffolding is being wrongly stored in this area.</p> <p>c. Top Lodge, Pembury Road, Capel: It was noted that an appeal has been lodged 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>
310.	<p>10. DATE OF NEXT MEETING: Monday 26 February 2024 at 19:00hrs</p>

With no further business to discuss the meeting closed at 19:18hrs

Signed:

Dated: