

Minutes of The Planning Committee of Speldhurst Parish Council

Meeting held in The Committee Room, Langton Green Village Hall
On Tuesday, 4th March 2008 at 7.45pm

Present : Cllr. Palmer (Chairman)
Cllr. Crundwell
Cllr. Ellis
Cllr. Mrs Podbury
Cllr. Stevens

Apologies: Cllr. Dixon (recovering from operation)
Cllr. Jukes (prior meeting)
Cllr. Wheeler (away on business)

3. The Minutes of the Meeting held on 27th February 2008, having previously been distributed to Committee Members, were approved and signed.

4. Planning applications for discussion and recommendation :

07/01939/FULMJ/RCC

Declarations: None were disclosed
Address: Middlefield (Edward Stret) & Rusthall Elms (Langton Road) & 31 The Boundary, Langton Green
Proposal: Revised Planning Application
Decision: See attached

07/03998/FUL/NR2

Declarations: None were disclosed
Address: Groombridge Place, Groombridge Hill, Groombridge
Proposal: Variation of Condition 15 of TW/92/01311 to allow for the holding of special events
Decision: See attached

08/000682/FUL/SW3

Declarations: None were disclosed
Address: Highfield, Penshurst Road, Speldhurst
Proposal: Two-storey rear extension and conversion of existing garage to games room and guest room; erection of new double garage
Decision: Remain Neutral
Comment : if the planners are minded to approve the application we request that a non severance clause be instituted to prevent the garage building being split from the main dwelling.

5. The Meeting Noted the Appeal Decisions – 55 & 57 Dornden Drive, Langton Green, Tunbridge

6. No further items were raised

The meeting closed at 10.10pm

CHAIRMAN

Application Reference : TW/07/01939/FULMJ/RCC – Middlefield (Edward Street) & Rusthall Elms (Langton Road) & 31 The Boundary, Langton Green, Tunbridge Wells

We refer to your letter dated 20th February 2008.

The recommendation of Speldhurst Parish Council remains to refuse this application.

1. We reiterate the grounds previously stated in our responses of 17th and 23rd November, specifically :
 - The arguments rehearsed by the applicant`s consultants in their letter of 28th September 2005 as to why the existing roadway could not be considered for the major access to the site are not insuperable as they can be ameliorated by a combination of mitigations and exceptions which can be obtained.
 - The contention that the existing road would not be suitable for traffic to and from the site when the development is completed contradicts the prior use of the road by KCC when Rusthall Elms was in full use, and indeed the stated intention to use it for the many hundreds of movements by the contractors during construction.
 - The report by Odyssey on Highways and Acceptability is meaningless for Planning purposes as we believe it to be flawed by inaccurate, misleading and incorrect data.
 - We are concerned that this application has major conflicts of interest between the vendor (KCC), the applicants, and KCC Highways; to the extent that the situation can only be clarified by an **independent** review of the issues
 - Speldhurst Parish Council are so concerned by the issues raised in this application that we hereby request a deferment of the determination of this application to enable us to seek legal advice and consider retaining legal representation should a legal challenge be made.
2. We are concerned that due to the relationship between the vendors of the site (KCC) and KCC Kent Highways doubt is cast on the independence of the Highways Report and are mindful that the report is not only transparent but is seen to be truly independent.
3. The objections to using the existing access road to the site are not convincing and all criteria of Policy EN15 can be satisfied by utilising this access.
4. We reiterate the points made by Buss Murton on our behalf in their letter to TWBC dated 18th December, specifically :
 - The access via The Boundary will run a distance of 1km 528m as opposed to the road via The Common which measures 170m. Clearly the road via The Common will have less impact environmentally and will also reduce congestion around The Boundary and linking roads.
 - The road via The Common will cause less nuisance and disturbance to the current residents in the local area and will also ensure that the young children and elderly that reside around The Boundary and linking roads will not be subject to an increase in heavy traffic.
 - It is well known that the current road via The Common has always been used to access Rusthall Elms and based on the size of development there will be no increase in the traffic that has previously used this route.

- A report provided by Messrs Borehams Highway Consulting Engineers confirmed that The Common road would be adequate for the development on the assumption that it was upgraded to 4.1m shared surface.
 - It is also apparent that there will be no problems with line of sight at the entrance of the road via The Common to the A264. The foliage and trees have already been cleared on the opposite side of this road.
5. We are not convinced by the statements in the Odyssey Response to Residents Objections (Highways and Accessibility Report) as follows :
- KCC Policy TP12 is quoted as a reason not to use the existing access but overlooks the use of this access for many years by the public to a commercial nursery on the site. Policy TP12 is, therefore, not a restriction to the potential use of the existing access to the proposed development.
 - The Anticipated Traffic Movements to the site via the proposed access in The Boundary do not reflect the mix and type of movements in this area for the number of dwellings proposed.
 - The position of The Commons Conservators must be re-visited as The Common is under new ownership and the requirements regarding the width and type of access appear to have changed. A single track with passing places is proposed for vehicular movements within the site, which if utilised for the access via the existing access would be materially different to the proposition previously put to the Conservators.
 - The loss of trees from any proposed use of the existing access would have a minimal impact to the nature of the surrounding woodland which is mainly formed of scrub species and which has recently been extensively thinned opposite the entrance to the proposed development site.

Application Reference : TW/07/03998/FUL/NR2 – Groombidge Place, Groombridge Hill, Groombridge, Tunbridge Wells

We refer to the above planning application.

The recommendation of Speldhurst Parish Council is to REFUSE this application.

1. The hours of use as requested in the application for a Premises License are excessive when compared with the supporting letter of 18th December and seeks a blanket license for alcohol and music up to 1am on Fridays and Saturdays.
2. The current conditions of use are restricted in respect of amplified sound systems and PA systems and require a specific application to be made for each event using them; as a result of the representations previously made and the recommendation of TWBC Environmental Services Department. The application seeks to remove this restriction.
3. The current conditions require prior written consent for Firework events as a result of representations previously made and the representations of TWBC Environmental Services Department. This application seeks to remove this restriction.