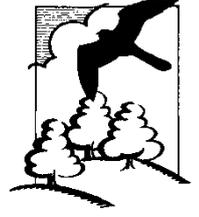


HAWKHURST PARISH COUNCIL



EXTRA ORDINARY GENERAL MEETING

AGENDA – 23rd November 2020

To the Members of Hawkhurst Parish Council: You are summoned to attend a meeting of Hawkhurst Parish Council to be held on

**Monday 23rd November 2020
commencing at 19:45pm ZOOM**

When it is proposed to transact the following business:

Present: Cllr Escombe (Chairman) Cllr Taylor –Smith (Vice Chairman) Cllr Green, Cllr Whittle, Cllr Cory, Cllr Hunt, Cllr Pyne, Cllr Blake, Cllr Fitzpatrick, Cllr Appelbe and Cllr Lusty joined late due to technical issue.

- 1. APOLOGIES AND REASON FOR ABSENCE:** Cllr Weeden away
TWBC Cllrs Thomson and Palmer apologised due to a clash of meetings – Cllr Bland joined later following another meeting.
- 2. DECLARATION OF INTERESTS:** *To receive notice of personal interests, whether of a prejudicial nature or otherwise, in respect of items on this agenda, in accordance with the Council's Code of Conduct. – Cllr Whittle – Item 3*
- 3 Consideration of planning application 20/02788/FULL. Land To East Of Highgate Hill And South Of Copthall Avenue Hawkhurst Cranbrook Kent TN18 4LS**

Development of the site to provide 74 dwellings, alongside car parking, cycle parking, sustainable drainage, internal road network, public open space and associated landscaping and including the demolition of an existing dwelling house, outbuildings and agricultural barn and alterations to the existing access from Highgate Hill.

Cllr Escombe set out the PAG report as follows;

Development in AONB

This application does not comply with the NDP. HD1 clearly states a preference for small-scale development, with HD1(b) only allowing for larger developments if there are exceptional

circumstances and it can be demonstrated that their impact on the sensitive AONB landscape setting and the considerable environmental constraints of Hawkhurst can be effectively mitigated. This has not been demonstrated with this application.

This site lies entirely within the AONB and, therefore, should be protected. Paragraph 172 states that the scale and extent of development in areas such as the AONB should be restricted, and planning permission should be refused for major development other than in exceptional circumstances.

There are no exceptional circumstances to justify a development of this size. The applicant relies on TWBC's inability to demonstrate a five-year housing supply to justify this development. However, when dismissing the Ockley/Heartenoak appeal (18/03976/OUT), the Inspector notes that the current supply in TWBC is a "marked improvement over the situation some 2 years ago" equating to a "shortfall of only around 220 dwellings across the Borough over 5 years". The Inspector's view was that the small shortfall could be expected to be addressed by the Council. He concluded that there were no exceptional circumstances to justify the development and that it conflicted inter alia with Paragraph 172 of the NPPF and HD1(b) of the NDP. HPC believes that this applies equally to this application.

The applicant refers to this site being included in the allocations in TWBC's draft Local Plan. However, it should be noted that HPC objected to the allocation of this site, as did local residents. The High Weald AONB Unit and CPRE objected on the grounds the proposal did not appear to be justified under paragraph 172. Natural England objected, advising that AONBs should not be considered as suitable locations for major development.

This is a greenfield site in a village within the AONB. It is not a suitable location for a development of this size. The applicant repeatedly mistakenly refers to Hawkhurst as a town.

In order to comply with the NDP, the applicant is required to demonstrate that the development of agricultural land for housing is necessary (7.9). If this can be demonstrated (it has not in this case), then development should be restricted to poorer quality land grade 4 or 5. This land is classified as a grade 3 and, therefore, is not appropriate for development.

HPC is concerned that insufficient attention has been placed on the impact on existing residents. Larger-scale sites are required to "respect the conditions enjoyed by existing residents" (7.20). there is nothing within this application that suggests this has been considered.

Despite the applicant's assertions, Hawkhurst is not inherently sustainable for growth and does not have the facilities outlined in the Planning Statement and Design & Access Statement. Nor does the application "propose to locate homes in an inherently sustainable location... without reliance on the private car" (5.53, planning statement). Much is made of the site being within walking distance of the facilities in the village centre. However, this site is at the very limit of the 800m defined in the NDP as walking distance, and completely ignores the topography of the site. It is a steep uphill walk from the site to the Rye Road. Future residents will have the option to walk up Highgate Hill, a busy A-road, with very narrow and poorly maintained pavements approaching the crossroads on the eastern side, or through All Saints which is congested with parked cars.

The proposal provides a cycle route that joins Copthall Avenue and Fieldways, but neither of these roads provides a safe cycling route into the village. Indeed, the applicant's own Transport Assessment indicates that cycling is unlikely to make a significant contribution (3.5.4).

The assertion in 5.55 of the planning statement that this will enhance the vitality of Hawkhurst's economy ignores the fact that the increase in traffic congestion, demand for parking, pressure on Hawkhurst's already struggling infrastructure will in all likelihood have the opposite effect.

Policy HD1(b) requires proposals to demonstrate effective physical integration with the existing settlement patterns found in and around Hawkhurst. This application does not do this as it erodes the separation between Highgate and The Moor. At present, Copthall Avenue and Fieldways provide a neat edge to the more built-up areas of the village. This proposal would extend out into open countryside. This is incompatible with the requirements of the NDP. This is particularly relevant for any development of parcels 2, 3, 4 and 5.

In the Ockley/Heartenoak appeal decision, the Inspector states that the site "would effectively become an urban- or suburban-type extension that would intrude into the wooded ghyll to the detriment of the character of the AONB in general and the Hawkhurst area in particular." This applies equally to this application site, with the added concern of the impact on Little Switzerland.

HD1(b) also requires that proposals meet the objectives of the High Weald AONB Management Plan. In para 60 of the Planning Statement, the applicant states that the High Weald AONB Unit supported a "significant number of aspects of the previous development". However, as outlined above the High Weald AONB Unit has objected to this site being allocated within TWBC's draft Local Plan.

Landscape

Policy LP1 of the NDP requires developers to demonstrate that their proposals will not have an unacceptable adverse visual impact on the landscape setting of the village of views of key landmarks. This application does not do this and should, therefore, be refused.

Paragraph 8.2 of the NDP sets out the importance of the relationship between the built elements of the parish and its landscape setting. The spire of All Saints Church is one such important element. Paragraph 4.1.3 of the LVIA references the view across the site towards the historic centre of Hawkhurst and the view of All Saints Church spire (e.g. Viewpoint 1). This is precisely the sort of view that is protected by policy LP1. A moderate adverse impact (Figure 10 LVIA) cannot in any way be considered to accord with policy LP1.

The LVIA understates the landscape importance of the site. As a location within the AONB, the sensitivity is high. There also appears to be a lack of understanding that the built environment is an intrinsic part of the High Weald AONB.

HPC strongly disagrees with the assessment that the effects of this development will be slight adverse.

Heritage

HPC shares residents' concerns about the impact on listed buildings in the vicinity of the site. As discussed above, we also have concerns about the impact on the setting of All Saints Church due to the effect on important long-distance views. The Built Heritage Statement does not appear to consider this, referring instead to views from within the site.

We cannot support the erosion of the gap between the conservation areas of Highgate and All Saints and the Moor.

Housing Mix

HPC is particularly concerned by the applicant's decision to depart from TWBC's SHMA by "delivering a higher proportion of family-sized four-bedroom properties compared with a lower proportion of two bedroom properties" (5.65 planning statement). This is the polar opposite of the requirements of policy HD2 of the NDP, which expressly states a need for smaller homes (7.23, NDP). Furthermore, there is nothing to indicate any consideration has been given to the needs of an ageing population (7.23, NDP). The lack of any bungalows or reference to accessible homes conflicts with HD3. The applicant's assertion that a higher quantum of one and two bedroom dwellings would inevitably lead to a higher proportion of apartments (5.626, planning statement) is incorrect. There is nothing inevitable about it. The applicant could

choose to incorporate one and two bedroom bungalows, in line with the NDP. Many traditional cottages have one or two bedrooms.

Design

Paragraph 5.69 of the planning statement rightly recognises that HD4 requires the design, form and detail of new developments to be principally informed by the traditional form, layout, character and style of the parish's vernacular architecture. However, despite much being made of this in both the Planning Statement and the Design & Access Statement, this was not apparent in the designs themselves, in many of which it has been impossible to find anything that links to Hawkhurst.

There is no doubt that some of the designs are attractive. However, this is not universal, and there were too many designs which not only did not reflect the vernacular architecture of Hawkhurst, but were also bland and uninspiring.

Policy HD4 requires that all developments should comply with the design guidance notes. This proposal fails to do so in many areas. For instance, there is a focus on fences as boundary treatments, rather than hedges as described in the NDP. Although the use of local materials is mentioned, this is caveated. This should be a requirement rather than a possibility. All new houses in Hawkhurst should have a working chimney. One key element of the NDP is the requirement for the village to evolve gradually - this is incompatible with a development of 74 new dwellings. The NDP also identifies the need for proper provision of off-road parking, as outlined below this requirement has not been met. There is an expectation that new development should be designed to give an impression of spaciousness. This is not the case for much of the development. We have some concerns that the footpath/cycle route from Copthall Avenue will reduce the security of the site, as this provides a direct link to the meadow from areas of the village that currently have an issue with antisocial behaviour.

The allowance for waste/recycling is not sufficient (HD3), as it does not account for the need for separate paper/card recycling in the houses. And there is no allowance for black garden waste bins for any of the dwellings.

Highways Safety

HPC is extremely concerned about the safety implications of adding another junction on Highgate Hill, a busy A-road and designated lorry route, in such close proximity to Copthall Avenue. If this development goes ahead, it will be third new development accessed of this stretch of road over the last few years. Due to the congestion at the Hawkhurst crossroads, residents already have great difficulty exiting and entering side streets and driveways along this

stretch of road. Increasing the use of the two existing access routes to this development will make this far worse.

The collision data used in the transport assessment is only up to 2018. This should be updated to include the latest data. We disagree that there is no need to obtain any further data, especially considering that Herschel Place only started to be occupied in the second half of 2018. This has increased the number of cars joining and leaving Highgate Hill in the vicinity of the proposed development.

The lack of up-to-date data is even more concerning, given that the KCC scoping correspondence (Appendix B of the Transport Assessment) makes it clear that the latest 3 years of crash data are required. Even back in March, this was available up to September 2019.

The swept path analysis appears to show that it would be necessary for a refuse vehicle to cross the centre line of the A229. This would be extremely problematic from both a practical perspective, the queuing traffic on Highgate Hill would make this manoeuvre impossible, and also a safety perspective.

Traffic

It is ridiculous to suggest that a further 74 dwellings would have a minimal impact on the Hawkhurst crossroads (5.82, planning statement). The suggestion that the Golf Club application would result in a "betterment" is disputed strongly by HPC. The Parish Council is particularly surprised to see a reference to a mini-roundabout replacing the current crossroads - this has never been discussed with HPC at any point. Moreover, given the fact that Hawkhurst's crossroads are a key part of its heritage, being the Crossroads of the Weald, the assertion by the applicant that the addition of a mini-roundabout would have benefits in terms of place-making is striking in its arrogance. At this stage, it would be premature to consider the impact of the Golf Course application, as this has not been decided.

HPC and residents are concerned that there is insufficient parking provision. An average of two spaces per unit is quite simply not enough to meet the needs of future residents in a village like Hawkhurst, as indicated in the Design & Access Statement. There are limited employment opportunities within the village. Public transport is limited. The extent to which Hawkhurst residents rely on their cars is seriously underestimated, as is evident from the issues with parking experienced across the village.

However, it is evident from the Transport Assessment, that the Design & Access Statement

overstates the level of parking. Once visitor spaces and garages are removed from the figures, there is an average of only 1.7 spaces per unit.

Having underestimated the requirement for parking, it seems highly likely that the applicant will have also underestimated the amount of traffic this development will generate. The number of vehicle movements in Table 5-1 of the Transport Assessment seems very low for 74 dwellings.

When considering the Hawkhurst crossroads, the queue length summary in Table 3.2 of the Transport Assessment appears to understate the existing situation, particularly on Highgate Hill, when compared to the figures put forward by KCC Highways in the Ockley/Heartenoak appeal. Table 7-3 also understates the current situation.

Table 6-1 does not include all of the committed developments, even though KCC Highways made it clear that all committed development should be included.

The requirement for a £1000 public transport contribution per dwelling has no beneficial impact on Hawkhurst. This is retained centrally by KCC and, as far as we are aware, none of it has been allocated to buses serving the village, and there is no requirement or intention for it to do so.

The planning statement (5.82) indicates that the additional traffic through the Hawkhurst junction would be one vehicle every two minutes. This equates to 30 additional vehicles an hour, above the 22 additional trips that KCC considered would have a severe residual cumulative impact at Ockley/Heartenoak. The Inspector concurred, considering "that there would be significant adverse impacts from the development on the transport network (in terms of capacity and congestion), and harm to general highway safety in the area. It would therefore conflict with Policy CP3 of the CS and Policy TP4 of the LP, and with paragraphs 108 and 109 of the Framework."

In the White House Judicial Review, the judge recognised that Hawkhurst crossroads was over capacity. He stated that HPC's fears of an ever-increasing material worsening of the Junction were not inevitable as each case would still need to be judged on its own merits. He judged that "KCC's actions in objecting to the greater impacts of the Ockley application and to the emerging Local Plan allocations as a whole illustrate that KCC itself is continuing to scrutinise closely the effects of further development on the Junction. The fact that they consider that this particular application does not cause any material impact (given the very low level of traffic generated) does not mean that it will allow the Claimant's concern of "death by

a thousand cuts” to materialise.”

In light of this, it seems only reasonable that this application should be refused on Highways grounds.

Whilst the issue of the proposed AQMA has been considered, the assumption appears to be that the increase in traffic resulting from this development will have no impact. The conclusion that there is no Air Quality Action Plan for Hawkhurst is hardly helpful given that this is scheduled to be produced in 2021.

Flood Risk and Drainage

As TWBC is aware, this is a very sensitive issue in Hawkhurst generally, and this site is particularly badly affected. The stream that this site abuts regularly floods with sewage and has to be pumped out by Southern Water. This is despite Southern Water's view that it is operating within capacity; a view that is not shared by the residents of the village.

It is extremely concerning that the Flood Risk Assessment has not identified this issue. There also seems to be a lack of awareness that the sewers in Hawkhurst are combined foul and surface water.

HPC made the developer aware of the particular issues with flooding/drainage in this location. Therefore, we are surprised to see that only the parking areas will be constructed using permeable paving. More consideration needs to be given to this aspect of the design. We suspect that the gradient of the site also increases the likelihood of issues with flooding. Properties at the bottom of Highgate Hill already suffer from flooding, and there is nothing in this application that reassures us that this development will not make this worse.

In their response to the consultation on the draft local plan, Southern Water made it clear that there was currently insufficient capacity in the wastewater network to serve this development and that reinforcement of the network would be required. "This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation. Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and

does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019)." In light of this, it is extremely concerning that Southern Water had not been notified of this application (12th November) when HPC contacted them.

This statement relates to capacity within the network and does not address the lack of capacity at the treatment plant. In 2019, Southern Water indicated that Hawkhurst's southern treatment plant had capacity for less than 70 new houses.

Environmental Concerns

This development will impact on wildlife - bats, badgers, birds, GCN, other reptiles and dormice. HPC requests that all of the outstanding surveys should be undertaken before a decision is made in respect of this application.

HPC objects to the demolition of buildings that have been confirmed as bat roosts. We find it hard to see how this application meets the requirements of paragraphs 170 and 174 of the NPPF to minimise impacts on and provide net gains for biodiversity.

We were surprised that we could not find a Landscape & Ecology Management plan within the documentation. Presumably, this will be provided before the application is determined?

Policies HD3 and HD4 of the NDP both require the efficient use of water (including grey water storage), electricity and energy. HPC considers that this application shows a lack of ambition in this respect and, therefore, does not comply with the NDP. The lack of consideration of biomass is disappointing, especially considering this was one of the elements that the High Weald AONB Unit considered favourably in the previous application. It is also evident that very few of the dwellings include provision of working log burners/chimneys as required by the NDP.

HPC strongly **objects** to this application for the reasons outlined above and the many relevant points raised by residents of the village in their objections.

However, if TWBC are minded to approve this application, HPC would like to see the following amendments/requirements:

- An increase in affordable housing to the minimum of 40% as proposed for greenfield land in the draft local plan and a requirement that affordable housing will be provided on the basis of a local connection cascade.
- Names of the new roads should reflect the history and site's current name so as to be clearly placed in Hawkhurst.

- In order to limit the amalgamation of Highgate and the Moor, and to limit the impact on Little Switzerland, a much-loved designated green space, development should be restricted to parcels 1, 8, 6 and 7.
- Any removal of trees and hedgerows should be replanted at least in line with Hawkhurst's Tree and Hedgerow policy.
- The £1000 public transport contribution per dwelling needs to make a meaningful difference to transport within the village. HPC would be willing to work with TWBC & KCC to explore options for this, but strongly objects to the current proposals.
- A robust condition that will not allow development to commence until Southern Water has put in place the necessary improvements to both their network and the treatment plant.
- The PAG report recommends refusal does any Cllr have any comments

Cllr Holden expressed his support regarding traffic congestion and recent events show a glimmer of light regarding KCC highways considerations regarding Highgate Crossroads – he will raise these with KCC. Also on behalf of Cllr Thomson the lack of community infrastructure especially capacity in the sewage network.

Cllr Blake felt it was an excellent report and fully supported it.

Cllr Escombe proposed and Cllr Pyne seconded to object to the planning application 20/02788/Full – agreed (object 10 – Support 0 – Abstain 0 (note Cllr Whittle did not take part))

Cllr Escombe introduced the Section 106 report, in case the application is approved or wins on appeal. It was felt best to concentrate on seeking funding for the Community and Sports Centre at KGV plus an outdoor gym. - £200,000 for the Community and Sports centre project plus £10,000 for an outdoor gym. The full S106 request is below;

If the planning application **20/02788/FULL** is approved, or wins an appeal and is granted permission, Hawkhurst Parish Council request a section 106 contribution of:

1. £200,000 or £719 per bedspace as Recreation Open Space SPD appendix iv, TWBC Local Plan 2006, Hawkhurst Parish Council Five-year Strategy 2019 – 2014 (adopted 11th March 2019) towards Hawkhurst Community Centre, sports pavilion, playing pitches, car parking and Adult Social Care Services. Note that the Architect and Project Manager have been appointed, pre-application meetings with TWBC planning have taken place and a planning application is due in in December 2020.
2. £10,000 towards an outdoor gym at King George V playing fields – based on recent costs in the area.

We strongly support Southern Water in seeking contributions towards the efficiency of the sewage network and system in Hawkhurst.

In terms of affordable housing, we would request that the draft TWBC Local Plan Housing policy is adopted a focus on providing social housing with a mix of 2-bed and 3-bed social housing for either rent or purchase with a priority for Hawkhurst families. The remaining affordable housing also being designated for Hawkhurst residents.

We also support TWBC seeking measures to improve air quality in Hawkhurst.

We support Kent County Council requesting educational contributions for Hawkhurst Primary School, requesting contributions for Hawkhurst Library, improvements to traffic management

at Highgate Hill crossroads and Economic Development requesting contributions towards the delivery of Business Recovery Plan for Hawkhurst including the upgrade of broadband to FTTP throughout Hawkhurst.

We believe these requests are necessary to make the development acceptable, appropriate, fair and reasonably in relation to a development of this scale and kind.

There was some discussion about car parking and local survey's but decided that national planning guidance would take precedence.

Cllr Bland – who joined the meeting late due to other commitments - confirmed that the application would be called in to Committee at TWBC

Cllr Escombe proposed and Cllr Green seconded the Section 106 request – agreed 10 -0 -1 Cllr Whittle did not take part

4 Tunbridge Wells Agreement – approve amendments (note Cllr Lusty joined the meeting)

Cllr Escombe introduced the amendments – already circulated and suggested we approve them.

Cllr Escombe proposed and Cllr Pyne seconded to approve the amends as per report. Agreed unanimously

Item 5 It update

Cllr Taylor-Smith introduced the item in that the final quote for the iPads was slightly less than that quoted at Council as the figures had been rounded down rather than up.

The issue of iPad covers had been raised and a number of options considered and circulated. The main concern was that we need to protect Council property from accidental damage.

The conclusion was to order 14 iPad covers up to £18 each, but review offers if any cheaper ones could be found (RFO). If a Cllr want to purchase their own, then they are free to do so.

Cllr Taylor-Smith proposed and Cllr Green seconded to purchase 14 iPad covers up to £18 each – Approved 10 – abstain 1 (Cllr Cory) 1 Against (Cllr Escombe)

Cllr Taylor-Smith introduced the software support for ongoing management of the apps on the iPad. As we have a business account the set-up is free of charge but the ongoing management is required – Mobile Device Management.

A number of options were circulated, after a healthy debate.

Cllr Taylor-Smith proposed and Cllr Lusty seconded to use Jamf for a Mobile Device Management – approved for 10 against 2 (Cllr Escombe and Cllr Cory)

Closed 8:32

Signed Chairman