

Minutes of the Withyham Parish Council **PLANNING COMMITTEE** meeting held at The Parish Office, Station Road, Groombridge on **11th NOVEMBER** at 7.00pm

PRESENT: Cllrs Allan Gaukroger, Di Kelly, Penny Lawne (Meeting Chairman), Jill Pardey and Beth Rhodes.

In attendance: Natalie Brett – Assistant Clerk (for Minutes)

Members of the public are encouraged to attend the meetings in person or via Zoom and there is a 10-minute opportunity at the start of the meeting for them to address the Planning Committee. There were no members of the public in attendance.

1. ENQUIRE WHETHER ANYONE PRESENT INTENDS TO FILM, PHOTOGRAPH AND/OR RECORD THE MEETING – recorded by the Clerk for the purposes of the minutes – to be destroyed when completed.

2. APOLOGIES – Cllr Gordon-James – Council Commitment
Cllr Parekh-Jones – Family Commitments

3. DECLARATIONS OF INTEREST - None

4. MINUTES

4.1 MINUTES OF THE MEETING HELD ON 14th October 2024 – Agreed.

RESOLVED that the minutes of the meeting held on 14th October 2024 be agreed and signed by the Chairman.

4.2 MATTERS OUTSTANDING FROM THESE MINUTES – None

5 ENFORCEMENT – The committee had been provided with the following update prior to the meeting which was noted:

*Update on Park Corner November 2024 from Wealden District Council
Enforcement*

Update on the position regarding the fencing and access concerns recently raised at the above site.

We've done a visit and also quite a bit of research into the previous position on both this part of the land and the rest of the land covered by the Article 4 Directions.

It is the case that Article 4 Directions were placed on this land in 2004 and one of these relates to the removal of permitted development rights that would otherwise have been in place here for the erection of gates, fences, walls and other means of enclosure unless planning permission is first obtained. However, it is also now clear from historical photographs including from Google Streetview and Google Earth that from as early as 2008 stock fencing had been erected throughout the land demarcating the boundaries of various plots. It is the case that all such fencing that is evident throughout this land as of 2008 has either been erected in breach of the Article 4 Direction placed on the land in 2004 restricting this or pre dates the imposing of that Article 4 Direction. In either case, this fencing would at

this time be immune from formal enforcement action as a result of the passage of time.

This fencing includes the fencing that is the subject of the concern that has been raised. Fencing here can be seen in Streetview photographs taken in 2008 and later in 2011. It was noted when we visited that some of this fencing, that closest to the access gate, has been replaced with new fencing that is higher than that previously in position there and the rest has been replaced with fencing of a similar height and type to that previously in place. Whilst this is technically a breach of planning control, it is not considered that any of this replacement fencing has resulted in any material planning harm being caused to the visual amenity of the surrounding area or any other planning consideration. Given the pre-existing fencing that was previously in place in this location and the absence of any planning harm that can be attributed to the replacement fencing, whilst not condoning any technical breach of planning control that may have occurred it is not considered in this instance that formal enforcement action seeking to remove this fencing is warranted, justifiable, or supportable on appeal. It should also be noted that it is only the presence of the Article 4 Direction imposed by this Council that makes this replacement fencing even require planning permission, and that no concerns were previously raised with regard to the erection of the fencing that this has directly replaced.

More broadly, given the information available concerning the long standing presence of stock fencing throughout this site since at least 2008 notwithstanding the 2004 Article 4 Direction restricting the its erection, it is considered that it would at this time not be possible or appropriate for us to pursue any formal enforcement action in respect of the presence of any fencing on this land unless it constituted the erection of new/replacement fencing that is substantively different in materials, design, location and size such that it would be considered to be causing material harm in a planning sense to the surrounding area.

With regard to the other concern raised regarding an unauthorised access, this only appeared to consist of a cleared area of ground on which no hard-surface had been created and that did not lead to the vehicular highway or anywhere else off site. Consequently, in the absence of any new crossover having been created onto the vehicular highway it is not considered that any breach of planning control has occurred with regard to this matter to date.

6 PLANNING APPLICATIONS

COMMENTS TO BE RETURNED TO WEALDEN DISTRICT COUNCIL

6.1 WD/2024/1965/F THE WHITE HOUSE, STATION ROAD, WITHYHAM, TN7 4BT

Description: THE ERECTION OF A 2 BAY TIMBER GARAGE

Wealden District Council Expiry date for comments: 11 November 2024

Link to documents on web: <https://planning.wealden.gov.uk/plandisp.aspx?recno=166728>

The committee noted that a neighbour was in support of the application, it was away from other properties and would not influence the street scene.

Withyham Parish Council Supports this Application

- 6.2 WD/2024/1800/LB** WARREN HOUSE, WARREN ROAD, CROWBOROUGH, TN6 1TX Description: REPAIRS TO ROOF UTILISING NEW SLATE WHERE NECESSARY, AND REPLACEMENT OF LEAD RIDGES. REPLACEMENT OF UNAUTHORIZED EPDM VALLEYS WITH LEAD. REPAIRS TO RENDERING ON CHIMNEY STACKS AND PARAPET WALLS.

Wealden District Council Expiry date for comments: 13 November 2024

Link to documents on web: <https://planning.wealden.gov.uk/plandisp.aspx?recno=166532>

The committee was please that the building had a custodian willing to support a 200-year-old listed building. The heritage statement demonstrated a compelling need for the works.

Withyham Parish Council Supports this Application subject to the decision of the Listed Buildings Officer.

It was agreed to defer the 6.3 and 6.4 until the next meeting.

- 6.3 24/02715/LBC** Groombridge Place Groombridge Hill Groombridge Tunbridge Wells Kent TN3 9QG Proposal Listed Building Consent - Change of use & refurbishment of buildings to hotel, restaurant & spa; extensions to main barn, courtyard stables, covered walkway between buildings & associated development.

Link to documents on web <https://twbcpa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SLP9G0TY0US00>

Deferred to next meeting

- 6.4 24/02714/FULL** Groombridge Place Groombridge Hill Groombridge Tunbridge Wells Kent TN3 9QG Proposal Change of use & refurbishment of buildings to hotel, restaurant & spa; construction of yoga pavilion, restaurant & associated store, guest huts, sauna huts, & hydro pool; extensions to main barn & courtyard stables & covered walkway between buildings; relocation of owl & raptor centre; construction of car parking, footpaths, substations, plant stores/decks & bin store, boardwalk & jetty; erection of polytunnels, glasshouse & compost bays; landscaping; & ancillary development.

Link to documents on web <https://twbcpa.midkent.gov.uk/online-applications/caseDetails.do?action=dispatch&keyVal=SLP8Y4TY0US00&caseType=Application>

Deferred to next meeting.

Councillors commented that the effect on the Parish regarding the visual impact and traffic movements should be considered as part of the discussion.

- 7. TO NOTE AND AGREE ANY ADDITIONAL RESPONSE TO THE NOTICE OF APPEAL ISSUED UNDER THE TOWN AND COUNTRY PLANNING ACT 1990** LAND ADJACENT TO ADAMSWELL CROSSING, BROOM LANE, BROADWATER FOREST, TUNBRIDGE WELLS TN3 9JL Proposal: LOG CABIN FOR FORESTRY SHELTER AND POSSIBLE TOOL/EQUIPMENT STORE FOR USE ON SITE. Planning Inspectorate Ref: 3353550

It was question whether this appeal was in the Parish. The Assistant Clerk was asked to go back to the Planning team to query.

- 8. APPLICATIONS RECEIVED AFTER THE AGENDA BY THE CLERK – None**

002790 RESOLVED that the observations on the planning issues detailed in these minutes be submitted to the Planning Authority.

9 PLANNING DECISIONS FOR NOTING –Noted.

APPROVED

WD/2024/1722/FR PRIVATE WATER TREATMENT INSTALLATION
(RETROSPECTIVE APPLICATION) HIGHFIELDS FARM, BEECH GREEN LANE,
WITHYHAM, TUNBRIDGE WELL, TN7 4DB

WD/2024/2016/F CONSTRUCTION OF A SINGLE STOREY PITCHED ROOF
GARAGE AND GARDEN STORE WITH 6 x SOLAR PANELS CLOCK HOUSE,
ERIDGE ROAD, GROOMBRIDGE, TN3 9NJ

WD/2023/1197/F PROPOSED SITING OF 3 NO. GLAMPING PODS AND
ASSOCIATED DEVELOPMENT. BLACKHAM COURT, BEECH GREEN LANE,
WITHYHAM, TN7 4DB

WD/2024/1451/F CONSTRUCTION OF SELF-BUILD AGRICULTURAL
DWELLING CONSTANCE FARM, BEECH GREEN LANE, HARTFIELD, TN7 4DB

WD/2024/1441/F DEMOLITION OF EXISTING SINGLE-STOREY TIMBER AND
GLASS CONSERVATORY AT REAR OF PROPERTY AND REPLACE WITH
SINGLE-STOREY GLAZED EXTENSION WITH LEAD FLAT ROOF TO
EXISTING KITCHEN, PLUS EXTENSION TO RAISED TERRACE HAYLOFT,
OLD BUCKHURST, WITHYHAM ROAD, WITHYHAM, TN7 4BA

WD/2024/1442/LB DEMOLITION OF EXISTING SINGLE-STOREY TIMBER AND
GLASS CONSERVATORY AT REAR OF PROPERTY AND REPLACE WITH
SINGLE-STOREY GLAZED EXTENSION WITH LEAD FLAT ROOF TO
EXISTING KITCHEN, PLUS EXTENSION TO RAISED TERRACE HAYLOFT,
OLD BUCKHURST, WITHYHAM ROAD, WITHYHAM, TN7 4BA

**9. MATTERS OF URGENT IMPORTANCE FOR NOTING OR INCLUSION ON A
FUTURE AGENDA - None**

10. DATE OF MEETING – Noted the date of the next meeting is on **Monday 25th
November at 6.30pm** to be held at The Parish Office unless otherwise notified by
the agenda.

The meeting closed at 7.19pm