

## Planning Committee

Wednesday the 16<sup>th</sup> November 2016 at 7.00pm



---

### Update Report for the Committee

The following notes and attached papers will be referred to at the meeting and will provide updated information to the Committee to reflect changes in circumstances and officer advice since the reports on the agenda were prepared

3. **Minutes** – to approve the Minutes of the Meeting of this Committee held on the 19<sup>th</sup> October 2016
4. Requests for Deferral/Withdrawal

### Part I – Monitoring/Information Items

None for this Meeting

### Part II – For Decision

5. **Site Visit - 16/01012/AS – Land west of the junction of Carters Wood and Ruckinge Road Hamstreet - Erection of three bungalows and associated access on land to the rear of 33-36 Carters Wood (Please bring papers previously despatched)**

Under Planning Policy add:

TRS5 – Exception Sites for specialist housing schemes

Under principle of residential development add:

Whilst this application was previously assessed against Policy TRS1, the borough council's housing department has submitted further evidence to the effect that this is a specialist housing scheme proposed to meet an identified local need. Policy TRS5 of the Tenterden and Rural Sites DPD is therefore also applicable.

This Policy reads as follows:

“Planning permission will be granted for specialist housing schemes within or adjacent to rural settlements as ‘exceptions’ to policies restraining general housing development provided that all the following are met:

- a) The local justification for the scheme has been clearly evidenced within the parish or group of parishes

(JDCM comment: See annex to this report)

- b) The proposal does not include general market housing

(JDCM comment: This is the case)

- c) The occupancy of the residential dwellings are managed and controlled to ensure the scheme is available to local people who have a requirement for such specialist housing in perpetuity

(JDCM comment: This will be controlled through the Section 106 agreement. A condition is also proposed requiring the units to be built to Part M of the Building Regulations (wheelchair user dwellings)

- d) The development is well designed and would not result in significant adverse impact on the character of the area or the surrounding landscape; and

(JDCM comment: See Visual Amenity section)

- e) There would be no significant impact on the amenities of any neighbouring residential occupiers.

(JDCM comment: See Residential Amenity section).

I consider that the proposal meets the requirements of policy TRS5. This approach is supported by the NPPF which requires local authorities to be responsive to local circumstances and plan housing to reflect local needs, including different groups, such as the elderly.

Under 'Proposal' add:

The proposed units would form part of the Carters Wood bungalow community which is linked to Cotton Hill House and the non-resident warden and communal facilities there. They have been designed to accommodate wheelchairs and include structural reinforcement to allow custom adaptation for residents, including hoists. The adaptations provided within each unit would follow an assessment of the individual to establish their needs. Due to the specialist nature of the accommodation, the units would be excluded from right to buy, thereby providing specialist housing to meet the needs of the village in perpetuity.

Under 'Consultation' add:

Two additional letters of objection have been received. Whilst these mostly make similar points to those already made, the following additional points have been expressed:

Children have played on the open space for at least 53 years (the time this objector has lived in Carters Wood) and when she first moved in she was told not to fence her garden as the green was compensation for their small size.

The open space on the other side of Ruckinge Road is waterlogged in the winter months rendering it unusable.

The idea that these 2-bed properties would support a full-time carer, if needed, is questionable due to the costs involved.

A letter has been received from an objector who attended the October planning committee who has serious concerns about issues raised in Cllr Bradford's letter and their emphasis on the proximity of the GP surgery to this development as a reason for supporting it. She makes the point that healthcare professionals assess patients and treat them on the basis of need, and not location. She therefore considers 'proximity' to be an erroneous claim. She adds that she works with adults who have special needs and are not always able to attend surgery. The care they receive is not diminished even though they live at least two miles away.

A further letter raising similar issues has been received from a district nurse who also challenges the assertion on the importance of proximity stating that care for the elderly in their own home is not delivered by local GP practices. She states that if an elderly person needs care at home then they are referred to the local authority and an assessor then carries out a needs assessment. She refers to the KCC website which states: "From 1<sup>st</sup> April 2015, the government set national eligibility criteria for adult care under the Care Act. This means people will get the same access to support wherever they live. In Kent, this means all those who would have previously been eligible for care will continue to be eligible." She refers also to a number of other documents/ emerging documents – nowhere does it mention proximity of the home to a GP surgery. Rather, they are all aimed at addressing the local population as a whole in a fair and consistent manner.

Concerns are expressed regarding other claims in Cllr Bradford's letter: That the majority of consultant appointments will be conducted in GP surgeries and not the William Harvey Hospital – this is an opinion and not a fact. Claims need to be backed up by references to white papers, named reports or government documents.

On Cllr Bradford's role as Portfolio holder for Health and Wellbeing - It is pointed out that health and wellbeing has as much to do with mental health as physical health and that this proposal would replace the outlook of the existing elderly care bungalows with fencing creating a feeling of claustrophobia and oppressiveness to the elderly residents.

Under 'Planning Obligations' amend table 1, Column 1 as follows:

The housing shall only be occupied by local people who require specialist housing and shall remain affordable for as long as it is part of the Cotton Hill House sheltered community. The housing shall be let at no more than 80% market rent.

Proposed additional condition (wheelchair user dwellings)

The development shall be carried out so that the requirements of paragraphs M4(3)1 and M4(3)(2)(a) of schedule 1 to the Building Regulations 2010 (category 3 - wheelchair user dwellings) are satisfied.

**Reason:** In order to ensure the optional requirement of the Building Regulations applies so that the development allows simple adaptation of dwellings to meet the needs of occupiers who use wheelchairs, pursuant to Core Strategy policy CS13,

consultation draft Local Plan policy HOU14, the Affordable Housing SPD and guidance in the NPPF.

- (a) **16/01164/AS - Land south of junction of Beaver Road and Victoria Road, Ashford, Kent - Full planning application for a 120 bedroom hotel and associated parking, landscaping, substation and access works**

Proposed additional condition (fibre to the premises)

Prior to commencement of development details shall have been submitted to, and approved by, the Local Planning Authority in writing for the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (with a minimal internal speed of 100mbps) connections to the hotel hereby approved. The details shall provide for sufficient capacity, including duct sizing, to provide the development with sufficient flexibility to meet the needs of future guests and the hotel operator. Thereafter, the infrastructure shall be laid out in accordance with the approved details at the same time as other services during the construction process and be available for use on the first public opening of the building.

**Reason:** To ensure that users and operators of new developments in Ashford are provided with high quality broadband services enhancing Ashford as an attractive residential location in accordance with Policy EMP6 of the Ashford Local Plan 2030.

Proposed additional Note to the applicant (fibre to the premises)

The applicant should note that the BT GPON system is currently being rolled out in Kent by BDUK. This is a laid fibre optical network offering a single optical fibre to multi point destinations i.e. fibre direct to premises.

- (b) **16/00981/AS - Former Travis Perkins Trading Co Limited, Victoria Crescent, Ashford - Erection of 31 residential apartments with car parking, associated access and landscaping**

Proposed additional condition (fibre to the premises)

Prior to commencement of development details shall have been submitted to, and approved by, the Local Planning Authority in writing for the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (with a minimal internal speed of 100mbps) connections to the building hereby approved. The details shall provide for sufficient capacity, including duct sizing, to provide the development with sufficient flexibility to meet the needs of future residents. Thereafter, the infrastructure shall be laid out in accordance with the approved details at the same time as other services during the construction process and be

available for use on the first occupation of the building.

**Reason:** To ensure that residents of new developments in Ashford are provided with high quality broadband services enhancing Ashford as an attractive residential location in accordance with Policy EMP6 of the Ashford Local Plan 2030.

Proposed additional Note to the applicant (fibre to the premises)

The applicant should note that the BT GPON system is currently being rolled out in Kent by BDUK. This is a laid fibre optical network offering a single optical fibre to multi point destinations i.e. fibre direct to premises.

- (c) **16/00986/AS - Former Travis Perkins Trading Co Limited, Victoria Crescent, Ashford - Demolition of existing buildings and erection of 28 flats with car parking, access and associated landscaping**

Proposed additional condition (fibre to the premises)

Prior to commencement of development details shall have been submitted to, and approved by, the Local Planning Authority in writing for the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (with a minimal internal speed of 100mbps) connections to the building hereby approved. The details shall provide for sufficient capacity, including duct sizing, to provide the development with sufficient flexibility to meet the needs of future residents. Thereafter, the infrastructure shall be laid out in accordance with the approved details at the same time as other services during the construction process and be available for use on the first occupation of the building.

**Reason:** To ensure that residents of new developments in Ashford are provided with high quality broadband services enhancing Ashford as an attractive residential location in accordance with Policy EMP6 of the Ashford Local Plan 2030.

Proposed additional Note to the applicant (fibre to the premises)

The applicant should note that the BT GPON system is currently being rolled out in Kent by BDUK. This is a laid fibre optical network offering a single optical fibre to multi point destinations i.e. fibre direct to premises.

- (d) **16/01025/AS - Stafford Farm, Moons Green, Wittersham, Tenterden, TN30 7PR - Outline planning permission with all matters reserved for a new dwelling to replace an existing outbuilding in use for agriculture and the keeping of horses**

The applicant has raised an issue regarding whether a site notice was posted. I can confirm this was posted on the 1<sup>st</sup> August 2016 with a comment period up until 22<sup>nd</sup> August 2016 on a telegraph pole near to the site.

4no. further support comments have been received: 2 of these are from relatives of the applicants. The following points are made.

- Disappointed the application is for refusal.
- The landscape is not suitable for large-scale developments due to the AONB designation. The Council must therefore look at small scale developments, especially for local people.
- WKPS have made this point on the pressure for development in AONB's, where LPA's must look at creative ways of delivering houses.
- The scheme should be viewed in the context of an affordable home for a local family.
- A council house will be returned to housing stock. A rural local enterprise will be supported.
- There will be an enhancement to the AONB.
- There are economic, social and environmental benefits. The benefits of the scheme outweigh the negatives.
- Given the lack of a 5 year land-supply, the development should be approved unless adverse harm as per Para. 14 of the NPPF. The officer's report does not justify a refusal in these terms.
- The location is not isolated, as even villagers in Wittersham cannot rely on public transport.
- As per Para. 28 of the NPPF, LPA should support rural enterprise/economy. The LPA should support the family in developing their rural enterprise.
- I have known the Stafford family for years and they deserve the opportunity for a home locally.
- There are so many positives for this scheme; I feel the officer report is not justified. The LDC issued last year must support this position. As this is previously developed land, it should help to support the scheme.

A further comment has been submitted by the applicants stating "In the officers report it states there is no public transport. This is untrue as there is bus routes 5 mins walk from Staffords farm up the bridleway, where you come out at the main road ! You can get a bus to Tenterden Rye or Rolvenden. This is only 500 yards away to the bus stop."

(e) **16/01421/AS - Garages rear of 115 and 117, Noakes Meadow, Ashford - Construction of two 2-bedroom bungalows plus five parking spaces (resubmission of 13/00407/AS) Permission application ref: 13/00407/AS)**

None.