

## Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **14th December 2016**.

### Present:

Cllr Burgess (Chairman);

Cllr Link (Vice-Chairman);

Cllrs Apps, Bartlett, Bennett, Mrs Blanford, Bradford, Clarkson (ex officio), Clokie, Dehnel, Farrell, Hicks, Ovenden, Sims, Webb.

In accordance with Procedure Rule 1.2 (iii) Cllrs Bartlett, Hicks, Sims and Mrs Webb attended as Substitute Members for Cllrs Wedgbury, Heyes, Galpin and Krause respectively.

### Apologies:

Cllrs Galpin, Heyes, Krause, Powell, Waters, Wedgbury.

### Also Present:

Joint Development Control Manager; Chilmington and Design Team Leader; Director of Development ; Senior Solicitor (Strategic Development); Member Services and Ombudsman Complaints Officer.

## 240 Declarations of Interest

Councillor	Interest	Minute No.
Mrs Blanford	Made a Voluntary Announcement as she was a Member of the Campaign to Protect Rural England, who had not commented on any item on the agenda, and the Weald of Kent Protection Society.	243 – 15/01555/AS
Bennett	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	243 – 15/01555/AS
Burgess	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	243 – 15/01555/AS
Clarkson	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	243 – 15/01555/AS

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<b>Councillor</b>	<b>Interest</b>	<b>Minute No.</b>
Clokie	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	243 – 15/01555/AS

## **241 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of this Committee held on the 16<sup>th</sup> November 2016 be approved and confirmed as a correct record.**

## **242 Northdown House, 4 Station Road, Ashford, Kent TN23 1PT**

The Leader explained that this was an important information item. The Government had made a decision to allow offices to be converted into residential accommodation. Whilst this was an admirable idea in principle, the execution and implementation were unsatisfactory. The lack of Government guidance on space standards in relation to these conversions would lead to developments in the Borough which were not in line with the Council's space standards. He intended to write to the Secretary of State to explain that whilst the Council supported the rationale for the decision, it was concerned at the lack of specific regulations regarding the execution and implementation of subsequent conversions. He considered that the Planning Committee should be united in opposing the current state of affairs.

Another Member said that the Council's Planning decisions were informed by quality of development. This proposal did not meet the Council's minimum space standards, but the Council was unable to prevent such conversions taking place.

He moved that the Planning Committee support the 'Prior Approval' approach to the conversion of offices to residential, but strongly urge that the Government apply its own minimum space standards, to avoid creating extremely substandard residential accommodation, that was both cramped and unable to provide for even the most basic accommodation needs.

### **Resolved:**

**That the Planning Committee support the 'Prior Approval' approach to the conversion of offices to residential, but strongly urge that the Government apply its own minimum space standards, to avoid creating extremely substandard residential accommodation, that was both cramped and unable to provide for even the most basic accommodation needs.**

## **243 Schedule of Applications**

**Resolved:**

**That following consideration of (a), (b) and (c) below,**

- (a) Private representations (number of consultation letters sent/number of representations received)**
- (b) The indication of the Parish Council's/Town Council's views**
- (c) The views of Statutory Consultees and Amenity Societies (abbreviation for consultee/society stated)**

**Supports 'S', objects 'R', no objections/no comments 'X', still awaited '+', not applicable/none received '-'**

**decisions be made in respect of Planning Applications as follows: -**

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<b>Application Number</b>	15/01555/AS
<b>Location</b>	Halden Field, Tenterden Road, Rolvenden, Kent
<b>Grid Reference</b>	84558/31389
<b>Parish Council</b>	Rolvenden
<b>Ward</b>	Rolvenden & Tenterden West
<b>Application Description</b>	Reserved matters application for the erection of 40 dwellings, of which 14 are affordable, together with associated roads, car parking, infrastructure, landscaping and earthworks pursuant to outline planning permission 13/00755/AS
<b>Applicant</b>	Taylor Wimpey South East
<b>Agent</b>	Barton Willmore LLP
<b>Site Area</b>	1.72 ha

#### First Round of consultation

- (a) 36/2R                      (b) R                      (c) EHM(EP) X, KHS R, RAM X, KCC Drainage X, SW X, KCC Ecology X, AONB Unit X, WKPS R

#### Second round of consultation

- (a) 36/7 R                      (b) R                      (c) KHS X, KCC Ecology X

The Joint Development Control Manager drew Members' attention to the Update Report. There was a deletion of several conditions, some minor amendments to others and the addition of new conditions. Further information and additional comments were also included.

In accordance with Procedure Rule 9.3, Mr Barham, a neighbour, spoke in support of the application. He pointed out that he was the owner of the site. The site had been chosen for development by the whole community and there had never been any question that it should one day be developed. The issue at hand was now aspects of detail. This development would bring direct benefits to the community through investment in local facilities by virtue of the S106 agreement. Rolvenden now had some of the best sporting facilities of any local village, with two football pitches and

additional funding for sport, library, schools and infrastructure. The Parish Council wished to provide housing for local residents, and up to 14 village families who qualified would be able to move into the social housing element of the development. Mr Barham commended the Parish Council for this achievement. The consultation process had involved the community from the outset and the developer should be applauded for his efforts. Mr Barham had worked with the developer with regard to the site boundaries as he was concerned that the landscaping should be done well, and for this reason certain boundary hedgerows had been excluded from the sale. The freehold of roadside hedges would be returned to Mr Barham once the site was complete so that unified management could continue without piecemeal encroachment. These proposals had met with praise from the Parish Council but the Officer's report had not given the proposals sufficient merit. This was a good scheme, well thought-through and of benefit to the community.

In accordance with Procedure Rule 9.3, Ms Wilford, the agent, spoke in support of the application. This would be a high quality development, bespoke to Rolvenden. This application accorded with the site allocation and outline consent for up to 40 dwellings. It delivered a mix of dwellings and family accommodation to meet a range of needs, including 35% affordable housing. The density would be 23 dwellings per hectare. All dwellings accorded with the Council's space standards, external standards and parking standards. The proposal secured the retention of established tree and hedge planting along the Tenterden frontage and around the boundaries of the site. Following consultation, the housing mix had been altered, introducing a greater proportion of smaller properties. This had reduced the amount of development covering the site. A row of terraced properties had been included for greater variety. The open space had been relocated more centrally. Adjustments had been made to dwellings on the northern boundary to have a more informal arrangement. Amendments had been made to the architectural design of the dwellings to ensure the proposal reflected the Rolvenden vernacular. Significant changes had been made to address feedback received through consultation. No technical objections had been received and Kent Highways had confirmed their satisfaction with the proposals. Infrastructure contributions arising from the development would provide an important range of benefits for the community. Ms Wilford asked Members to endorse the Officer's recommendation to approve the application.

In accordance with Procedure Rule 9.3, Mr Field, a neighbour, spoke in objection to the application. He was the owner/occupier of a listed building on the boundary of the development site. He considered that the allocation of this site for a development of this size was ill-founded, and the present development plans were poorly constructed and confirmed the overcrowded nature of the project. He drew the Committee's attention to the consequence of this application in terms of traffic control and safety. The proposed 40 dwellings, with a large proportion of 4, 5 and 6 bedroom houses could be expected to introduce at least 80 private vehicles, or more, regularly seeking access to and from the site. This traffic would spill out into

Halden Lane and onto the A28. Halden Lane was a narrow country road, which presently carried agricultural, commercial and private traffic to service farms, workshops and houses locally. The traffic also had to negotiate cars parked on the road which reduced the road to a single track. Traffic from the development site would have to proceed not only along this single track but also travel on the wrong side of the road at that point. The volume of traffic would cause log jams in Halden Lane and build-up of traffic on the A28. Banning parked traffic in Halden Lane would transfer parked vehicles onto the A28. The safety aspect would be serious for traffic pulling across the A28. It was well established that traffic leaving the village and heading towards Tenterden jockeyed for overtaking positions along that stretch of road. These manoeuvres had already produced collisions. The application did not carry any meaningful assessment of these consequences. It would be appropriate that Kent Highways and other responsible bodies should conduct risk assessments on their plans to mitigate and alleviate this situation. Mr Field requested that this application be deferred until such time as traffic and related safety matters had been investigated and remedial action incorporated into local plans.

In accordance with Procedure Rule 9.3 Mr Malone, a local resident, spoke in objection to the application. He was a member of the Rolvenden Neighbourhood Plan Steering Group. He said the NPPF required that in rural areas local planning authorities should be responsive to local circumstances and plan housing developments to reflect local needs, particularly for affordable housing. Despite this, the developer's plan did not meet the housing needs identified by Rolvenden's 2015 housing survey. This showed a need for 25% one-bed units, with only 10% proposed; a need for 42% two-bed units, with only 17% proposed; a need for 28% three-bed units, which was the only point that the two plans matched; and a need for 4% four-bed units, with 25% proposed. The developer had also allocated 20% of the overall units to 5 and 6 bed units. A maximum of 40 units was specified in the Borough's planning brief. The developer had not just gone for the maximum but had included 5 and 6 bed units, and so increased the total number of bedrooms. It was bedroom numbers which most affected car usage figures and parking requirement. Only 92 resident parking spaces were planned for the 134 bedrooms proposed. All 26 of the open market houses had their own garages, which did not contribute to useable parking spaces, but would have an impact in terms of build density. The Parish Council had always requested that buildings should face the A28 to produce a cohesive line of buildings. The developer had only placed 6 units on the A28, only 3 of which faced the road, and thus did not provide the cohesive built form being sought. With some relatively modest changes to plan and reduction in site coverage, the whole village could be proud of this site. Mr Malone said he hoped the Council would vote against this application.

In accordance with Procedure Rule 9.3, Councillor Murray, spoke against the application on behalf of Rolvenden Parish Council. He said the Parish Council supported the principle of the development. Collaboration between interested parties had resulted in some changes for the better but the Parish Council felt that the Borough Council had now given in to pressure from the developer. The Parish

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Council opposed the urban design and the unreasonable over-development, combining to make the proposal an unpleasant, cramped and dark place for new residents. Consultation provided no praise at all. Efforts to make the developer improve the offer were met with confirmation that they worked to minimum standards. Local resident, Sir Terry Farrell, backed the Parish Council's objections. He considered the layout of houses to be unimaginative, and the road layout to be too extensive. There was not enough provision for housing local people. The Parish Council considered that what was presented in the drawings could not be built. There was far more extensive tree cover than the developer had shown on drawings. The copse of trees at the rear of the site was not shown on the developer's plan. Either the trees would be drastically cut back, contrary to the condition placed on them, or the houses could not be built. The Parish would support proposals for less houses, but the present design was too cramped. The entire tree canopy should be fenced off and protected, and some houses should be deleted from the plan, where they interfered with existing trees.

**Resolved:**

**Approve Details**

**Subject to the following conditions and notes:**

1. Prior to the occupation of a dwelling, the associated vehicle parking and turning spaces shown on the approved drawings shall be provided prior to the occupation of that dwelling hereby approved and shall be permanently retained available for the parking of vehicles at all times unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of highway safety.

2. Prior to the first occupation of any house, a rainwater butt shall be provided and connected to a rainwater downpipe. Rainwater butts shall thereafter be retained.

**Reason:** To allow residents to store rainwater on site for the watering of soft landscaping in ground level private amenity areas and thereby reduce the demand for mains water on site.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no development shall be carried out within Class A of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without prior approval of the Local Planning Authority.

**Reason:** To ensure against inappropriate extensions being created to homes and thus protect the character and amenities of the locality.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, the dwellings hereby approved shall only be occupied as single dwelling houses as described by Use Class C3 of the Town and Country Planning Use Classes Order 1987 as amended.

**Reason:** To ensure that car parking provided within the development remains adequate to meet the needs of the occupiers of the development.

5. Prior to the approved soft landscaping works being commenced in accordance with the details shown on the approved drawings (or any subsequent variant to that drawing agreed in writing by the Local Planning Authority) a 'soft landscaping implementation notice' shall have been served on the Local Planning Authority in writing stating the date of commencement of landscaping works and the anticipated date of completion of the soft landscaping works within the relevant planting season.

(b) Within 10 working days of the completion of the approved soft landscaping works other than for street trees a 'plot landscaping completion notice' shall have been served on the Local Planning Authority in writing identifying the date at which the plot landscaping works were considered as being completed.

(c) Within 10 working days of the completion of the approved soft landscaping works other than for plots a 'street tree landscaping completion notice' shall have been served on the local planning authority in writing identifying the date at which the street tree landscaping works were considered as being completed.

**Reason:** To enable the Local Planning Authority to monitor soft landscaping works for compliance with the approved soft landscaping details.

6. No dwelling shall be commenced above ground level until the following details (at a scale of 1:20 or 1:50 as may be appropriate) have been submitted to and approved by the Local Planning Authority in writing and no further additions shall be made without subsequent further approval by the Local Planning Authority:-

- windows and doors (including cill detail, depth of reveals within openings and including sash window detail) and other external joinery.
- porch canopies (including materials and colour)
- garage door details (including glazed panels, colour and materials),



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- front door details (including glazed panels, colour and materials),
  - the form, colour and location of any necessary external meter boxes (including visual screening by landscaping),
  - rain water goods down-pipes and final finish colour,
  - any other external fittings to dwellings (including aerials, dishes and amenity lighting),
  - details of proposed materials/cladding/finishing to the interior walls of covered parking spaces and drive through areas within buildings with a residential accommodation above, as well as full details of doors to the ground floor level store areas for the residential accommodation provided above such spaces, and
  - eaves/verge details, corbelling, rendered bands and string courses.

**Reason:** Such fine details have not yet been submitted but are important in the interests of visual amenity and to ensure delivery of high quality development.

7. No vents or flues shall be installed on the front or principle elevation(s) of any building unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of protecting the visual amenity of the area.

8. The works hereby approved shall be carried out in strict accordance with the Ecological Assessment by JFA Environmental Planning November 2016, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of protecting ecology.

9. The pedestrian visibility splays as shown on the approved plans of 1m x 1m behind the footway on both sides of the private accesses with no obstructions over 0.6m above footway level, shall be provided before the development commences and the splays shall be so maintained at all times.

**Reason:** In the interests of highway safety.

10. There shall be a bound surface for the first 5m of the private accesses from the edge of the highway.

**Reason:** In the interests of highway safety.

11. The 1.8m high closeboarded fence on the south western boundary of the site with the property "Coveney's" as shown on the approved detailed site layout plan, 6180-002 Revision P shall be provided prior to the commencement of the development.

**Reason:** In the interests of the residential amenity of the occupiers of the adjacent property.

12. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority; and any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** In the interests of the amenity of the area.

13. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents Approved by this decision, unless otherwise agreed by the Local Planning Authority.

**Reason:** To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

14. The development approved shall be made available for inspection, at a reasonable time, by the local Planning authority to ascertain whether a breach of planning control may have occurred on the land (as a result of departure from the plans hereby approved and the specific terms of this permission/consent/approval).

**Reason:** In the interests of ensuring the proper planning of the locality, the protection of amenity and the environment, securing high quality development through adherence to the terms of planning approvals and to ensure community confidence in the operation of the planning system.

## Notes to Applicant

1. This development is also the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990.

2. Working with the Applicant

In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance:

- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
  - was provided with pre-application advice,
  - the agent responded by submitting amended plans;
  - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
3. External materials are expected to be of high quality. Inferior quality external materials are unlikely to be acceptable to the local planning authority.
4. The developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

5. Any feature on this site capable of conveying water can be considered to fall under the definition of an 'ordinary watercourse' (unless it shown by the EA's mapping to be a designated 'main river'); we would urge the applicant to contact us prior to undertaking any works that may affect any watercourse/ditch/stream or any other feature which has a drainage or water conveyance function.

Any works that have the potential to affect a watercourse or ditch's ability to convey water will require our formal flood defence consent (including culvert removal, access culverts and outfall structures). Please contact **flood@kent.gov.uk** for further information.

6. The developer is advised that any external lighting should conform with Ashford Borough Council's Dark Skies Supplementary Planning Document.

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<b>Application Number</b>	16/01646/AS	
<b>Location</b>	Land east of Ashford Muslim Community Centre 79, Torrington Road, Ashford, Kent	
<b>Grid Reference</b>	01257/41705	
<b>Parish Council</b>	South Ashford	
<b>Ward</b>	Victoria (Ashford) & also within Norman	
<b>Application Description</b>	Erection of 2.4m palisade fencing and gates (retrospective)	
<b>Applicant</b>	Ashford Borough Council	
<b>Agent</b>	N/A	
<b>Site Area</b>	0.04 (ha)	
(a) 8/-	(b)	(c) KCC PROW X

The Joint Development Control Manager drew Members' attention to the Update Report. She advised that the Public Spaces Protection Order was now in place and KCC PROW now had no objection to the application. There was one additional condition as well as informatives to be added.

**Resolved:****(A) Subject to:**

- a. The expiration of the statutory time period for the publicity of the application
- b. No further material planning objections being received from representations

**(B) Permit**

Subject to the following conditions and notes:

1. The development approved shall be made available for inspection, at a reasonable time, by the Local Planning Authority to ascertain whether a breach of planning control may have occurred on the land (as a result of departure from the plans hereby approved and the specific terms of this permission/consent/approval).

**Reason:** In the interests of ensuring the proper planning of the locality, the protection of amenity and the environment, securing high quality development through adherence to the terms of planning approvals and to ensure community confidence in the operation of the planning system.

2. Should the Public Spaces Protection Order be removed at any stage then the gates and fencing across the footpath must be removed and access to the PROW reinstated.

**Reason:** To safeguard potential users of the PROW

**Notes to applicant**

1. No furniture may be erected on or across Public Rights of Way without the express consent of the Highway Authority. There must be no disturbance of the surface of the right of way, or obstruction of its use, either during or following any approved development. No hedging or shrubs should be planted within 1.5m of the edge of the Public Path.
2. The applicant should be aware that the granting of planning permission confers on the developer no other permission or consent or right to close or divert any Public Right of Way at any time without the express permission of the Highway Authority

### 3. Working with the Applicant

In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance

- the application was acceptable as submitted and no further assistance was required.
  - the application was considered by the Planning Committee where the applicant had the opportunity to speak to the committee and promote the application.
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Queries concerning these Minutes? Please contact Rosie Reid: Telephone: 01233 330565 Email: [rosie.reid@ashford.gov.uk](mailto:rosie.reid@ashford.gov.uk).  
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