

## Planning Committee

Wednesday the 18<sup>th</sup> January 2017 at 7.00pm



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### 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 14<sup>th</sup> December 2016
4. Requests for Deferral/Withdrawal

### Part I – Monitoring/Information Items

None for this Meeting

### Part II – For Decision

5. TPO/16/00009 - Confirmation of Tree Preservation Order No.9 2016 - Trackway adjacent to Old Bungalow, Maidstone Road, Hothfield, Ashford, Kent, TN26 1AR
6. Schedule of Applications
  - (a) **16/01515/AS - Land between Smarden Charter Hall and Weathercock, Pluckley Road, Smarden, Kent - Outline planning application for up to 25 residential dwellings with all matters reserved except for access**

Para. 44 – add at the start “The starting point for determining the application continues to be the development plan and the application is contrary to the policies in the adopted development plan considered in section (b). However, there are other material considerations which need to be taken into account.”

Para. 48 – replace the words “the principal” with “an important”.

Para 49 at the end of the first sentence “The NPPF does not say how much weight should be given to “out of date” policies and that is a matter for the Planning Committee as decision maker. However, I advise that in all of the circumstances of this case that on balance the material considerations above are such that the development plan policies in section (b) should not be given full weight.”

Para 60 – final sentence - add ‘unacceptable’ in front of ‘harm to landscape character’

Under representations, add

Charing Surgery – the impact on local healthcare provision needs to be considered as part of the application. There has been no consultation with Charing

Surgery or with the Ashford CCG. The position of the surgery is to object to further housing expansion without consideration for healthcare provision.

[HDSSD response – The need for a contribution towards Health Care is identified in Table 1 of the Officer's Report.]

Further letter of objection from a local resident as follows:-

“The village of Smarden has always had a stated plan of wanting to see developments of small numbers of mixed use housing over 2 or 3 sites.

This development is not being opposed by the Parish Council purely out of fear of the possible implications that might come from opposing when the Boroughs planning department is again supporting what is a large development for the village. The concern is that if we don't support 25 we will be seen as against any development and see 50 imposed by a planning inspector. The village is not against development we just want some control and balance.

The reasons the councillors put forward for not allowing 50 houses last time stand for not allowing 25, all at once, in one location and not spread around the village between now and 2030.

Key issues I would see remain as:

- the visual impact on the entrance to the historic village will be impacted however it might be configured, particularly with regard to the listed buildings.
- the dangerous access to the site between 2 sharp bends where vehicles travel too quickly.
- existing congestion in the village given single lane access and day time parking all along 'The Street' that will only increase give such limited public transport.
- lack of primary school and doctors surgery places.
- the loss of this natural habitat.
- concerns re drainage and flooding which has clearly been seen this winter on this field given the flooding evident.

None of these issues have been addressed from the first submission.

All we want to see is a balanced and controlled approach to housing development in Smarden. Why should one aggressive developer be allocated all the development capacity for the next 13 years when other local land owners have tried to abide by the Local Plan process and as a result are going to be disadvantaged. There is no reason why the Local Plan should not reflect the village's wishes as opposed to supporting this development, again it appears out of fear that 50 could be imposed.

There is another application pending for a small number of houses at the other end of the village. The right thing to do is to agree such small clusters. I'm sure there will not be a lack of opportunities and if that includes a smaller number of houses next to the Charter Hall, surely that is the approach everyone would like to see.

It also annoys me that when sufficient land has been set aside across the borough to meet housing targets, we're being railroaded into inappropriate development by speculative developers. The council said last time it would seek guidance from government given that land had already been released to meet housing targets

and I would be interested to hear what the stance is in this regard and more generally how the council and government plan to protect historic villages from uncontrolled development.

Thank you for your time. I hope to attend this evenings meeting.

Miles Bullock  
Smarden resident”

- (b) **16/01466/AS - British Volunteer, 56-58 New Street, Ashford, Kent, TN24 8TT - Erection of 2 no. 2-bed dwellings**

Since publication of the Planning Committee report, the Planning Inspectorate has confirmed that, providing the appellant submits a retrospective ownership certificate to Galahad Developments and sends a copy of this to the Planning Inspectorate, the appeal is valid.

Whilst the appeal may be valid, this does not mean the planning application is valid. The commentary at P62.10 of the Planning Encyclopaedia makes this very point:

“Validation requirements are now set out in the PPG... **Non-compliance by the applicant would mean the application was invalid.** This does not mean that there is no right of appeal **though in the first instance the Secretary of State would have to determine the question of validity:** see *Newcastle-Upon-Tyne City Council v Secretary of State for Communities and Local Government (2010) 2 P. & C. R. 5..*” **[my emphasis]**

The Borough Council will need to bring the matter of the invalidity of the planning application to the attention of the Inspector within its appeal statement.

- (c) **16/01560/AS - 6 Pondmore Way, Ashford, Kent, TN25 4LU - Construction of two storey side extension**

None.

- (d) **16/01626/AS - 42 Providence Street, Ashford, Kent, TN23 7TW - Proposed two storey rear extension**

None.

- (e) **16/01793/AS - Sunny Bank Rock Hill Road Egerton Ashford TN27 9EA - Demolition and replacement of garage (resubmission of planning permission 16/00520/AS)**

None.

- (f) **16/01601/AS - 1 Primrose Cottages, Lenham Heath Road, Lenham, Maidstone, Kent, ME17 2BT - Renovation of existing conservatory (resubmission of application 15/00203/AS) (retrospective)**

None.

- (g) **16/01696/AS - Public Convenience, St Johns Lane, Ashford - Demolition of the public conveniences on St John's Lane located in the Vicarage Lane Car Park**

**Ashford Access** – have no objection to the demolition. Comment that they support the principle of the Community Toilet scheme and are working with the Council on the fine detail of implementation.