

Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **12th April 2017**.

Present:

Cllr. Burgess (Chairman);

Cllr Link (Vice-Chairman);

Cllrs. Bennett, Mrs Blanford, Clarkson (ex officio), Clokie, Dehnel, Farrell, Galpin, Heyes, Krause, Ovenden.

Apologies:

Cllr. Bradford.

Also Present:

Cllrs. W Howard, Wedgbury.

Joint Development Control Manager; Head of Development, Strategic Sites and Design; Principal Solicitor (Strategic Development); Member Services and Ombudsman Complaints Officer.

377 Tribute to the late Councillor Harold Apps

All present at the Meeting stood for a minute's silence in memory of the late Councillor Harold Apps, a past Chairman of the Plans Sub-Committee.

378 Declarations of Interest

Councillor	Interest	Minute No.
Bennett	Made a Voluntary Announcement that he was a member of the Weald of Kent Protection Society, who had not commented on any item on the agenda.	
Mrs Blanford	Made a Voluntary Announcement that she was a member of the Campaign to Protect Rural England and the Weald of Kent Protection Society, neither of whom had commented on any item on the agenda.	
Burgess	Made a Voluntary Announcement that he was a member of the Weald of Kent Protection Society, who had not commented on any item	

	on the agenda.	
Clarkson	Made a Voluntary Announcement that he was a member of the Weald of Kent Protection Society, who had not commented on any item on the agenda.	
Clokie	Made a Voluntary Announcement that he was a member of the Weald of Kent Protection Society, who had not commented on any item on the agenda.	
Dehnel	Declared an Other Significant Interest as he was a member of Kingsnorth Parish Council. He left the Chamber for the discussion and vote.	380 – 16/01807/AS
Wedgbury	Declared an Other Significant Interest as he was a member of Kingsnorth Parish Council. He spoke as Ward Member and then left the Chamber for the discussion and vote.	380 – 16/01807/AS

379 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 15th March 2017 be approved and confirmed as a correct record, subject to an amendment to include the apologies received from Cllr Murphy.

380 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: -

Application Number	16/01755/AS	
Location	Fairwinds, Station Road, Appledore, Ashford, Kent, TN26 2DF	
Grid Reference	97151/ 29796	
Parish Council	Appledore	
Ward	Isle of Oxney	
Application Description	Demolition of existing store with a proposed detached 5 bedroom house	
Applicant	Mr Andrew Harris, Fairwinds, Station Road, Appledore, Ashford, Kent, TN26 2DF	
Agent	Mr Paddy Sullivan, RDA Consulting Architects, Evegate Park Barn, Evegate, Smeeth, Ashford, Kent, TN25 6SX	
Site Area	0.76 hectares	
(a) 2 / 1X	(b) S	(c) EH (ES) / X, EA / X, KCC BIO / X, KH&T / +

In accordance with Procedure Rule 9.3, Mr Sullivan, the agent, spoke in support of the application. He said the applicants had lived on the site for 15 years, overseeing the granary conversion and the replacement dwelling Fairwinds. When Fairwinds was originally designed and built it was based on the needs of a family home and tailored to suit this requirement and the planning requirements of the day. The birth children were now adults and had left home, but came back frequently for short stays. The applicants had been foster carers for 18 years, specialising in children with disabilities. The supporting letters from various consultants and clinical bodies indicated the needs of the children. Caring for disabled children could be challenging, particularly when the environment was not enabling. The applicants currently employed three part-time women who helped with the daily routines of the children. The children were encouraged to be as independent as their disability allowed and as their needs changed as they grew older. This could include giving opportunities for freedom of movement in and around the house, in wheelchairs, enabling them to access all areas. In order to facilitate this, open-plan space was necessary, as well as low-level, easily accessible furnishings. The new dwelling incorporated these requirements, together with a hydrotherapy pool and sensory areas. The applicants' current property, Fairwinds, did not give the flexibility to be adapted, nor would it be feasible to undertake major construction work in the house with disabled children in situ. The house was 450mm above the ground level, and there was a raised deck and a side ramp to gain rear access, as well as a limited

floor plan. The new property would give the opportunity to build a suitable dwelling, whilst the applicants and their foster children remained in Fairwinds. The applicants would be self-funding the building. The Planning Officer did not support the application as it was viewed as an unsustainable location due to the fact that the walk to the village centre and nearest bus stop was 1.5km. In fact, the nearest bus stop was 370 yards away, and Stagecoach officers stated that the local bus service would stop outside the property if hailed or requested. The Officer also stated that the scheme was outside the built confines of the village. However, planning permission was granted for one conversion and seven new dwellings in 2013, adjacent to the existing railway station. It should also be noted that there was no formal footpath linking this approved site to the railway station approach road. Given the positive design comments in paragraph 39 of the report and the supporting letters from bodies associated with the children in the applicants' care, it could be argued that this case could be considered exceptional. The facilities proposed were indeed exceptional and not normally incorporated in a typical dwelling. The applicants were one of only three families in Kent registered by the Bridge fostering agency that supported children with these distinct and challenging needs.

Resolved:**(A) Permit**

Subject to the following Conditions and Notes:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Written details including source/ manufacturer, and samples of bricks, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity.

3. The dwelling hereby permitted shall be first occupied by Mr Andrew Harris, his family and foster children within his care.

Reason: Planning permission is granted based on the personal circumstances of the applicants who care for foster and disabled young people.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any other Order or any subsequent Order revoking or re-enacting that Order, no further development whether or

not permitted by Article 3 and Schedule 2 Part 1 classes A, B, C, D and E of that Order shall be carried out without the prior permission of the Local Planning Authority in writing.

Reason: In order to enable the Local Planning authority to assess the impact of any further development on the visual amenity of the locality.

5. The area shown on the approved Drawing No. 16.160.03 Rev P2 as vehicle parking spaces and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: To ensure the provision and retention of adequate off-street parking facilities for vehicles in the interests of highway safety.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, the dwelling hereby approved shall only be occupied as a single dwelling house as described by Class C3 of the Town and Country Planning (Use Classes) Order 1987.

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

7. The dwelling shall not be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid pollution of the surrounding area.

8. A landscaping scheme for the site (which may include entirely new planting, retention of existing planting or a combination of both) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Thereafter, the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which within a period of five 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 a similar size and species unless the Local Planning Authority give prior written consent to any variation.

Reason: In order to protect and enhance the amenity of the area.

9. The development hereby permitted shall be carried out in accordance with the recommendations detailed in the Flood Risk Assessment – submitted on the 01/12/2016.

Reason: To reduce the risk of flooding to future users

10. Prior to the commencement of the development details of drainage works, designed in accordance with the principles of sustainable urban drainage, shall have been submitted to and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with these details prior to occupation and thereafter maintained.

Reason: In order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development pursuant to Core Strategy Policy CS20

11. 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 and to reduce the risk of flooding to future users.

12. 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.

13. No external lighting shall be installed on the site without the prior written consent of the local planning authority and it shall then only be installed in strict accordance with the approved details.

Reason: In the interest of visual amenity

Notes to Applicant

1. 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 agent was updated of any issues after the initial site visit,
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

2. Reasons for approval

1. The site contains an unsightly agricultural building of substantial and permanent construction and associated hardstanding. The proposed dwelling would replace this and in combination with landscaping would enhance the character and appearance of the countryside.
2. The proposal will enable the provision of much needed accommodation for the fostering of children with disabilities and which are best provided in a tranquil rural location.
3. Consultation on the application indicated no objections from the Parish Council or other consultees.

Application Number	17/00201/AS
Location	Proposed Temporary Car Park south side of Elwick Road, Ashford, Kent
Grid Reference	00977/42413
Parish Council	None
Ward	Victoria

Application Description Creation of a new temporary car park on redundant land. Change of use from the previous A1 use to Sui Generis proposed car park. The proposal also includes the erection of a fence, sign entrance, ticket machines, height restrictor, hi-vis bollards, cycle racks, low height light columns, priority sign, Disability Discrimination Act compliant pedestrian access gate and new bins.

Applicant Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, TN23 1PL

Agent Mr Matthew Hooper

Site Area 0.3418ha

(a) 9/- (b) - (c) HS1 -, KCCE -, KAS -, KWT -, KHS X, Southeastern X, Network Rail X, BTOD X, SWS X, KCCE X

Resolved:

(A) Permit

Subject to the following Conditions and Notes:

1. Time Limit for Implementation

The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Temporary Use

The use hereby permitted shall be discontinued on or before 12 April 2020 unless the Local Planning Authority has in the meantime granted planning permission for a further period.

Reason: To ensure that the site is available for development in line with Development Plan policy.

3. Biodiversity

The development shall be carried out in accordance with the mitigation recommendations of the Baseline Ecological Audit of Land at Elwick Road, Ashford, Kent, October 2016.

Reason: To enhance biodiversity and to protect the existing populations of protected species and improve their habitat on the site.

4. Hard Soft Landscape

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 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.

5. Materials

The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied without the prior written permission of the Local Planning Authority.

Reason: In the interests of visual amenity.

Notes to Applicant

1. 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/agent was updated of any issues after the initial site visit,
 - was provided with pre-application advice,
 - The applicant/ agent responded by submitting amended plans, which were found to be acceptable.
 - The applicant was provided with the opportunity to submit amendments to the scheme/ address issues.
 - The application was dealt with/approved without delay.
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
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Application Number	16/01807/AS
Location	Kingsnorth Recreation Centre, Field View, Kingsnorth, Ashford, Kent, TN23 3NZ
Grid Reference	00465/39647
Parish Council	Kingsnorth
Ward	Park Farm South
Application Description	Proposed extension to rear elevation of existing recreation centre to accommodate remodeling of existing nursery facility and exercise room, addition of ramp
Applicant	Kingsnorth Parish Council, Kingsnorth Recreation Centre, Field View, Kingsnorth, Ashford, Kent, TN23 3NZ
Agent	Mr Day of NuCADD Architectural LLP, The Granary, Pound Court, Church Hill, Kingsnorth, Ashford, Kent, TN23 3EG

Site Area	0.3 hectare		
(a) 5/-	(b) -	(c) KH&T - X KCC - +	

The Joint Development Control Manager reported that Kingsnorth Parish Council supported the application.

Resolved:

(A) Permit

Subject to the following Conditions and Notes:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The external materials and finishes to be used for the approved development shall be of the same size, colour, tone and texture as those of the existing building unless otherwise agreed in writing by the Local Planning Authority.

Reason: To assimilate the new development with the existing in the interests of visual amenity.

3. 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.

4. 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.

5. The development shall be carried out in accordance with the recommendations outlined in the approved Walkover Survey by PJC Consultancy reference 3394AO/17 dated 23rd January 2017 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protected species.

6. Prior to any works commencing on site, a bat emergence survey shall be carried and the survey, along with a detailed mitigation strategy (including lighting), shall be submitted to and approved in writing by the Local Planning Authority. All works should then proceed in accordance with the approved strategy with any amendments agreed in writing.

Reason: In the interests of protected species.

7. Prior to any works commencing on site, details shall be submitted to and approved in writing by the LPA and carried out for the provision of construction vehicle loading/unloading and turning facilities and retained during construction.

Reason: In the interests of highway safety.

8. Prior to any works commencing on site, details shall be submitted to and approved in writing by the LPA and carried out for the provision for site personnel and visitors and retained during construction.

Reason: In the interests of highway safety.

9. Prior to any works commencing on site, details shall be submitted to and approved in writing by the LPA and carried out for the provision of wheel washing facilities during construction.

Reason: In the interests of highway safety.

Notes to Applicant

1. The applicant is asked to consider improved signage for the site, possibly in conjunction with the highway authority. This signage may require the benefit of express consent from the Local Planning Authority (LPA) and you are advised to seek advice from the LPA prior to installation.

2. Working with the Applicant

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- 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 agent was updated of any issues after the initial site visit,
 - The application was considered by the Planning Committee where the applicant/agent 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.
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