

Head of Development Management and Strategic Sites

F



ASHFORD
BOROUGH COUNCIL

Wednesday the 20th June 2018 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 23rd May 2018
4. Requests for Deferral/Withdrawal – officers have withdrawn 18/00362/AS from the agenda to give residents more time to comment.
5. TPO/18/00002 - Confirmation of Tree Preservation Order No. 2, 2018 - Rear Garden, 17 High Street, Biddenden, TN27 8AL

No updates.

6. Schedule of Applications
 - (a) **17/00567/AS - Former Wye College Buildings, High Street, Wye, Ashford, TN25 4AH - Conversion of former College buildings with associated restoration and alterations to buildings, demolition of later structures and rebuilding to provide 38 dwellings and community space; together with provision of 2 new dwellings, parking courts with car barns, cycle storage and refuse stores on land to the north of the retained buildings and associated landscaping; and change to parking arrangements for Squires Cottages**
 - (b) **17/00568/AS - Former Wye College Buildings, High Street, Wye, Ashford, TN25 4AH - Conversion of former College buildings to provide 38 dwellings with internal and external alterations to include new openings, new partitions, closure of existing openings, removal of doors and partitions, new staircases and opening up of intermediate floor. Demolition of existing extensions**

CONSULTATIONS

Southern Water

Southern Water want to see evidence of a positive existing connection to include flow calculations if the proposed strategy is a reduction in flows to the foul public sewer. This can be either a topographical survey and/or a CCTV survey with report and an impermeable and permeable area document.

With regards to the new charging mechanism if a development is to be found to have insufficient capacity available to accommodate it then our current stance would be:

“This reinforcement will be provided through the New Infrastructure charge but Southern Water will need to work with and understand the development program and to review if the delivery of network reinforcement aligns with the occupation of the development.

Southern Water hence requests a condition:

“Occupation of the development to be phased to align with the delivery of sewerage infrastructure to prevent the increased risk of flooding”

As stated in the main report the new mechanism for foul water network upgrades where new developments coming forward, is a much more practical and pragmatic approach in dealing with foul network upgrades when new developments come forward. I do not therefore wish to add anything to my report and any issues can be dealt with through condition.

Wye Parish Council sent a further objection letter on 12th June 2018. It reiterates their previous objections to the development as follows -

- strong objections to these planning applications on ground of prematurity
- ignores the extensive Development Plan policy guidance available in particular the Wye Neighbourhood Plan
- depends on effective site management to protect and enhance heritage assets, but
- fails to secure either residential or community amenity,
- provides inadequate and misleading information about this crucial component
- the access proposals are contrary to adopted policy
- are unworkable, as they cannot be managed or enforced by planning conditions.
- the five-year land supply test, the Borough Council's position has improved since January
- inadequate information regarding the risk of loss of heritage fabric and integrity arising from the use of inappropriate materials and work methods ,
- the loss of historical significance and public access and use,
- the lack of protection and access to unlisted war memorials in the cloister quad.
- inadequate information regarding site management issues and in particular refuse management
- the high risk of failure of management provision and its affect on residential amenity
- risk to the integrity and significance of listed buildings

- highway safety and public safety,
- residential amenity and harm to public rights of way
- negative impacts arising from the poor and unimaginative design of the car park on Grade 1 heritage assets and their setting, the Wye Conservation Area and the AONB.
- provide adequate visitor parking spaces on-site, as the plans are inadequate, misleading and inconsistent,
- encourages piecemeal development ahead of an integrated WYE3 Masterplan, which is contrary to Wye Neighbourhood Plan and other development plan policies.
- the proposed loss of rear and side access paths for pedestrians and cycle access for residents of Squires Cottages,
- the reduction of residential amenity for residents of Squires Cottages,
- the failure to protect public footpath AE113 from encroachment, unauthorised parking and motorised vehicle access
- the intensity of the parking layout will discourage use and encourage on street parking which will cause harm,
- the negative impact of bins kept at the front of Squires Cottages will detract from the amenity of the street scene and the setting of the Wye Conservation Area.
- the proposed absence of any affordable housing provision on this site,
- the applicant's refusal to provide any proposals for S106 contributions for community facilities, both on and off site, to offset the impact of development.
- These applications are premature, contrary to adopted Development Plan policy and are of poor quality.
- The design is a mechanistic and insensitive approach to space utilisation, the poor quality of which fails to respond positively to either the historical significance of the site or its setting in the Conservation Area and AONB.
- The applications also ignore and will frustrate the policy aims of the WNP and undermine the delivery of a sustainable WYE3 Masterplan.

A full copy of their letter is included in annexe A to this update report.

Further Comments from Local Residents

2 further objection letters have been received from local residents which can be summarised as follows;

- Premature to Wye 3 masterplan and could result in a less efficient and less flexible development with fewer benefits
- Concerned about the recurrent theme of pre-determination evident in the parallel master planning process
- Contrary to Wye Neighbourhood Plan.
- Both applications treat the Wye 3 site as a series of discrete parcels of land rather than as an integrated whole,
- Piecemeal applications should not come forward if they will prejudice an integrated solution for what is the major site for development in the village

- If permitted these applications will cause harm both on and off the site.
- What specialist historic appraisal has been undertaken.
- Has scheduled monument consent has been gained or applied for?
- Have all of Historic England's concerns been met?
- What assessment of archaeological information has been undertaken?
- There is no detailed scheme for the restoration of the 17th Century stairwell and the reinstatement of the Ancient Briton Statues.
- This application does not provide public access on a frequent basis to the historic parts of the buildings
- All should be considered as assets of Community Value and this designation should not be removed from the Latin School
- the proposed downgrading of the Latin School to a 'garden room' and the loss of all public access and benefit will cause a particularly severe and unjustified harm
- Is this to be a gated development with only those living there having access to communal areas?
- All the arrangements outlined are very extremely limited and do not meet the requirement for a meaningful community use
- Have alternative uses for this site other than residential been considered?
- Scheme fails to conserve heritage assets in a manner appropriate to their significance and fails test of NPPF para 17
- Will cause either harm or severe harm to the heritage assets on the site and their setting
- The large expanse of car parking proposed for exclusive residential use and its negative impact on the setting of nationally important listed buildings,
- The location and layout will provide poor residential amenity, and the designs are overly large and they are not respectful of the adjacent listed buildings in built form. They are not subservient in height.
- The designs include unnecessarily prominent and eye catching features which are incongruous and will detract from the setting of listed buildings, notably the Grade I Parish Church, and views from the churchyard and the adjacent North Downs Way National Trail.
- Concerned that the proposed development offers no affordable housing
- It is outrageous that the applicant indicates they will not be prepared to enter into legal agreements to meet the usual requirements for financial contributions
- Concerned that the impact of traffic on Wye and the surrounding area has not correctly been taking into account.
- Avoid restricting access to the Staircase. It is unacceptable that public access to the Staircase should be once a year.
- The consequence of the restoration process will be that occupation of the proposed apartment on the first floor could not happen in the short term
- The communal areas identified would make an ideal, educational visitor centre, of local and wider history, the environment, agriculture, and local crafts.
- Please delay for three months this planning application decision to allow a Community Trust of skilled, business orientated residents, and alumni of the

College, plus other expertise in the area, to be re-formed to provide a vision statement and business plan for the use of the communal areas identified in the Telereal application, and the first floor apartment.

A copy of the resident's objection letters are included in Annexe B and Annexe C to this update report.

Two letter of support were received from a Mr Payne, relating to Planning Application and Listed Building Consent. These letters have been circulated to members and copies are included in Annex D and E to this update report. Mr Payne is not a local resident of Wye, but studied at the college and is a keen member of one of the local heritage interest groups and knows the building's history intimately. He has commented as follows;

- With such a crucially important historic buildings it is vitally important to progress this matter in a timely manner to prevent any further deterioration to the fabric.
- Broadly very supportive of both the principle and execution of the design of this application to convert the historic buildings of Wye College into residential use
- recommended conditions must be accepted and upheld as my objective of retaining an educational use within the original College buildings will have been met, albeit not in the mediaeval Latin School.
- consideration must be given to adding a condition to preserve certain items as per list entitled: "Inventory of Architectural Features, Fitment & Furnishings of Historical Interest at Wye College in the care of Telereal Trillium".

Recommendation

Wording to the recommendation will be made to emphasise that authority should be delegated to officers giving the power to omit from the s.106 Agreement, any of the contributions in Table 1 that are Deferred (not the 2 Pay Regardless ones) and those are subject to Pooling (excluding Affordable Housing and Libraries). This is in order to avoid drafting and signing an Agreement that prejudices the Council's ability to collect money for projects on other sites.

Amendments to Conditions

Condition 1 will be amended to ensure the deadline for implementing the planning permission is changed from 3 years to ONE year to fit in with the approach taken to viability and the assessment of contributions on the site.

There will also be a need to amend some of the proposed Conditions, on Community use since they need to include clear triggers for approval or implementation.

The wording of conditions relating to the Management Company also needs to be refined.

Conditions will be added to deal with phasing as given the complex detail of the condition requirements. The inclusion of phasing for every condition will need to be carefully considered, firstly to ensure that the conditions remain fit for purpose and secondly, as it is essential to ensure that it does not conflict with the Legal Agreement, or compromise the completion of the project.

(c) **17/01888/AS - Land North of Farley Close, Woodchurch Road, Shadoxhurst, Kent - The construction of 21 dwellings alongside associated parking, infrastructure, access and landscaping works**

Amended layout plan received.

The amendment relates to the provision of a visitor parking space outside plot 9.

Kent Highways and Transportation raise no objection to the amendment which addresses their previous concerns.

A further six letters of objection have been received. These contain the following objections in addition to those already set out in the main report:

- Positioning high density development adjacent to existing dwellings will have an unacceptable impact upon neighbours amenity.
- The removal and/or pruning of trees on neighbouring land will not be agreed.
- A high fence should be erected along the entire eastern boundary.
- The Parish Council has a created a clear vision for Shadoxhurst and this should be adhered to.
- The social housing should be located further to the north of the site. In its current location it is situated close to similar existing housing. This would bias the mix of private and social housing to much in favour of the social housing.
- If approved, a condition should be attached to the landscaping element of the application requiring the developer is to erect a 9ft

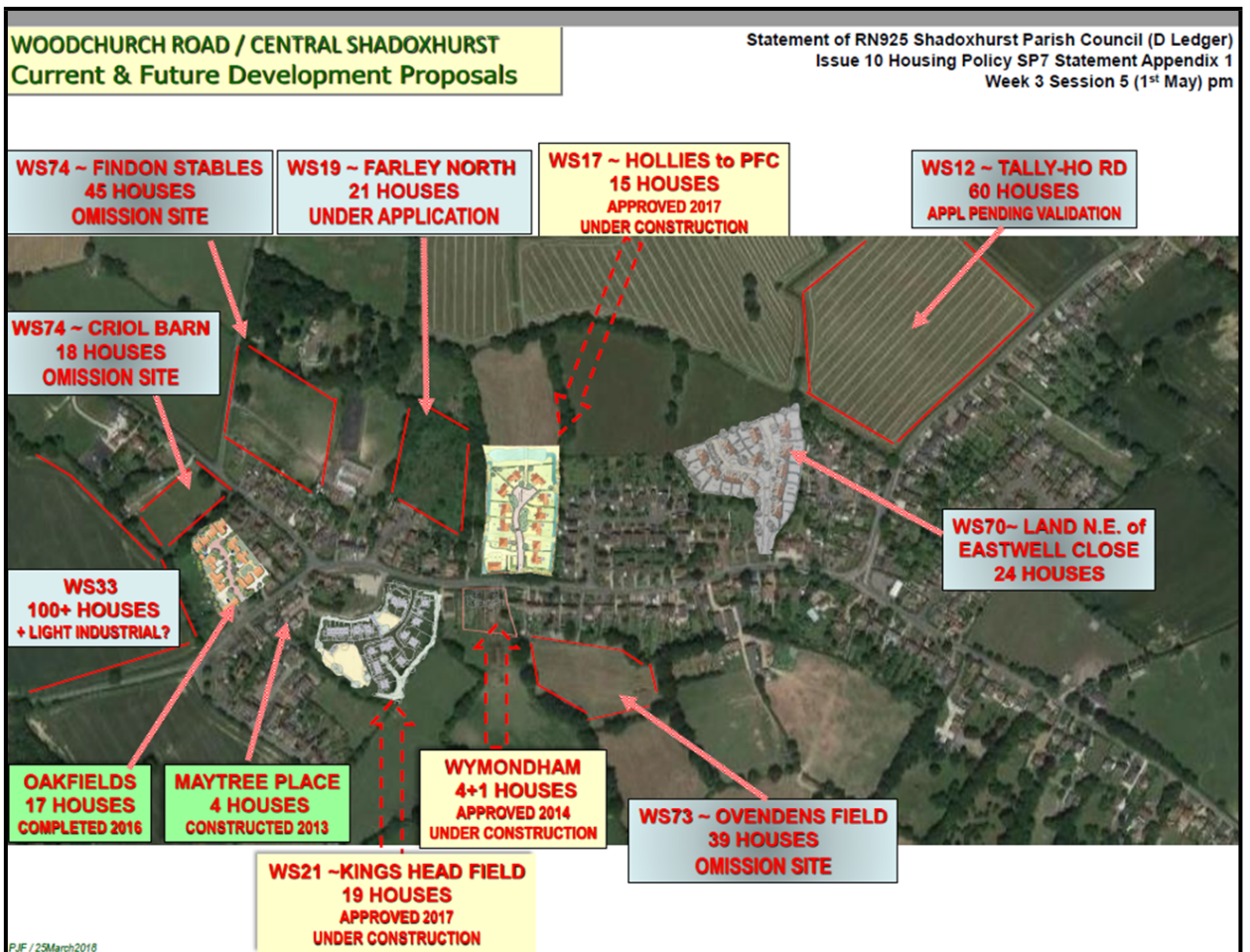
Gabioncage/stone wall along the northern boundary before development commences to give all residents who's propertys run alongside this boundary some visual and audible protection.

- The current 5-10 year landscaping is to long a time to have to wait to soften the edges of the application site.
- Mature landscaping including 25 year old oak and ash trees were located on site before the site was cleared last October.
- Vegetation on the site is beginning to re-establish and a slow worm has been witnessed.
- The reptile fencing to be erected around the perimeter of the site has not been provided. Therefore the survey required by condition will need to be undertaken. These should be undertaken prior to determination of this application.

The Parish Council have submitted a further letter of objection (attached at Annexe F). The Parish Council have also submitted a number of photographs copied below:







It has been brought to officer's attention today that the land edged blue on the submitted "Site Location Plan" may not be owned or within the control of the applicant.

For clarification, the assessment of this application and the recommendation before members, including all conditions, has in no part relied nor requires the land edged blue to be within the applicant's control. That said, based on the information received, procedurally it will be necessary to ensure that a correct "Site Location Plan" is supplied before any Decision Notice is issued by the Council.

This being the case officers would recommend that **Recommendation A** set out at paragraph 248 of the main report be amended to be subject to receiving an amended "Site Location Plan".

In reaching any decision members should disregard the land edged blue.

Officers do not consider it necessary to defer or otherwise delay the determination of this application in light of this minor discrepancy.

Paragraph 165 of the main report states that site clearance works were undertaken prior to the applicant acquiring the site. It has been suggested that this is misleading and implies that the applicant is the landowner. For clarification, although the applicant intends to develop the site, the applicant is not the current landowner. The correct certificates in respect of this application have been served.

- (d) **17/00944/AS - Land at Orchard Farm, Canterbury Road, Kennington - Outline application for the erection of up to 25 dwellings with associated access onto Canterbury Road. All matters reserved with the exception of the means of access onto Canterbury Road**

Email from applicant received 19 June 2018 with land registry documents attached. This email states the following (summarised):

- The deeds demonstrate that the shared access way owned by the applicant is 4.8 metres wide. It also shows that there is a 4.5 metre kerb radii at the junction with Canterbury Road to allow for turning movements into the access way from the A28 (Canterbury Road).
- The owners of 387 and 399 Canterbury Road are required to maintain the required visibility splays along their site frontage with Canterbury Road and not use for any other purpose other than lawn. Furthermore they are not allowed to place any structure or other thing within the visibility splay.
- The owners of 387 and 399 Canterbury Road are required to maintain their boundary fences at least 0.5 metres from the highway.
- There is a covenant that states that the owners of 387 and 399 Canterbury Road have a right of way over the shared access but they may not obstruct the access.

The applicant states that he has fully considered legal ownership and is satisfied that if planning permission was given that this would not be an impediment.

- (e) **18/00362/AS - Venruth, Redbrook Street, Woodchurch, Ashford, TN26 3QU - Variation of condition 04 of planning permission 15/00223/AS to allow for a larger caravan on site**

Withdrawn from agenda.

- (f) **18/00251/AS - The Beeches, Ashford Road, Bethersden, Ashford, Kent TN26 3AS - Outline application for the provision of 4 detached 3 and 4-bed**

dwelling with garaging/car ports and amenity curtilages. Appearance, landscaping and Scale are reserved matters

A comment has been received from a neighbour concerning a comment made on pp. 8 and 11 of the officer's report concerning the site selection process in the Neighbourhood Plan (NP). The point is made that this is one of several aspects of the NP that is being questioned by an Independent Examiner in terms of the criteria and methods used for choosing sites and the incorrect timing of the Sustainability Appraisal which did not inform the selection of sites. It is pointed out that there is considerable concern amongst residents that the method for selecting sites was not objective and valid and that this has been stated in several responses in the regulation 16 consultation. The site at The Beeches was originally included in the sites earmarked for development in the draft NP but information was not readily available to residents before now as to why this site was later rejected. Also the impression that the Parish Council rejected it must be corrected, since most Councillors have not been allowed to become involved in the NP process and it has been run by a minority group which has excluded most of the Parish Council from decision making. Whilst the draft plan is under scrutiny by the Independent Examiner and is being challenged on various substantial grounds, it should be afforded little or no weight.

A further letter of objection has been received from a Bethersden Parish Councillor, who is also a drainage engineer of 50 years' experience, which relates to drainage issues on the application (Bailey's Field) site and in Bethersden generally. It highlights the importance of this issue to local people (>90%) and refers to a technical report that he prepared which was adopted by the parish council in 2017.

He expresses serious concerns that the sites that have been adopted for the Bethersden neighbourhood plan have had no professional technical input in relation to the site assessments and particularly concerning drainage and water supply. He therefore feels that the references in the committee report to the Neighbourhood Plan are misleading. He considers that from a drainage point of view, this site is probably the best in the village with respect to drainage and water supply.

In response to complaints received to the proposal from neighbours on drainage grounds, he points out that the culvert across the A28 (KCC responsibility) and to the north of the Bailey Field houses has not been thoroughly cleaned by KCC for a number of years. He also points out that the drainage of the application site has a separate and not connected surface water drainage system. He highlights that the major problem is that the water draining off the A28 at this point also serves the houses who are complaining about drainage and has a restricted outlet into the fields to the north of the culvert and water backs up on the northern side and may lead to raise water tables on the southern side.

He further maintains that Southern Water have been doing an excellent job in improving the foul water drainage in Bethersden. It is almost completed and the only remaining constraint to these works for the whole village has been access

to the minor pipe network that is located within the garden boundaries of the complainant's houses to the North of Baileys field and the applicant's field. SW expect to have these remaining works completed before the winter and they have been considerably constrained by the residents building over the pipe network. In the course of these improvements in this location, Southern Water has found significant root intrusion into the foul water drainage network that is separate from the surface water drainage network.

Southern Water Contractors have confirmed that SW network is separate from the KCC network at this location and that the technical problems in the houses adjacent to the KCC culvert beneath the A28 would be attributed to inadequate historical maintenance by KCC rather than inadequate surface water drainage from Bailey's Field.

The drainage of Bailey's Field does not discharge through the above culvert, but travels westward along the southern boundaries of the Baileys Field properties entering a separate outlet at the north-western corner of the Bailey's field, with a "drop-in" of about 1.5 metres with the surface water drainage then discharging Northwards to join the separate KCC surface water drainage system that crosses the A28 at another location and discharges in a westward direction towards the junction of A28 and Forge Hill.

In summary he suggests that the constraints regarding drainage are historical and will not re-occur so long as KCC highways provide the necessary thorough regular maintenance. He knows that KCC have limited funds and currently restrict their interventions to reactive rather than proactive maintenance. This needs to be explained not only to the residents but to the ABC Planning committee, particularly as this relates to the drainage problems experienced by the residents and not to the drainage of the Bailey's Field site, which is the best of any new development site in the village with respect to drainage and water supply.

(g) **18/00345/AS - 40A and 40B Boxley, Ashford, Kent TN23 4HQ - Construction of two 3-bed semi-detached houses plus ancillary car parking (Resubmission of application 16/01245/AS)**

At the request of Cllr Clokie officers have been asked to summarise the reason why this application is retrospective.

1. Planning permission was previously granted for two dwellings plus ancillary parking totalling 9 spaces. Condition 7 of the previous planning permission the vehicle parking spaces, shown on the approved drawings to be provided, surfaced and drained in accordance with details previously submitted to and approved in writing by the Local Planning Authority prior to the occupation of the premises. The Council duly sought to discharge this condition. However, following legal advice, it became apparent that due to the referral of 9 parking spaces in the description of proposed development, a further full application for planning permission would be required to amend the parking layout.

Part of the site location plan on page 375 of the main report is missing. For clarification the site plan is copied below.



- (h) **15/01282/AS - Land south of Elwick Road, Elwick Place, Elwick Road, Ashford, Kent, TN23 1NR - Outline application for residential development of up to 200 units within Class C2 (residential institution) and Class C3 (dwelling houses) uses and associated access arrangements (Phase 2) (Description Amended)**

Amendments

Following further discussions with the applicant and Legal Services a number of minor wording changes are proposed to conditions and the timing of some Planning Obligations. It is proposed that these are carried out under delegated powers.

In respect of obligations 2- 6 it should be noted that the proposed figures relate to dwelling houses as opposed to apartments, where the assumed occupancy rates are lower. This being the case, and for clarity, these obligations will be sought in line with the Councils adopted SPD and the appropriate occupancy rates set therein.

In respect of Healthcare contributions, Table 1 – Item 11, the contribution sought by the NHS should read £517.50 per dwelling

Additional Condition

Officers are currently in discussion with the applicant regarding an additional planning condition which would restrict/control the proposed C2 element of the scheme. Presently officers are seeking to construct an appropriate condition which:

1. Limits the overall amount of C2 uses to 65% of the overall development
2. Ensures that all C2 units are provided in self-contained apartments or in a manner that allows independent living
3. That any care facilities are ancillary to the main use i.e. not a nursing home

It is recommended that the exact wording of the condition is delegated to officers to resolve post planning committee.

- (i) **17/01896/AS - Garage blocks between 16 and 17 and Grass area in front of 7 and 8, The Weavers, Biddenden, Kent - Construction of two chalet bungalows with associated parking: amendment to planning permission 15/01073/AS**

No updates.

ANNEXE A – WYE WITH HINXHILL PARISH COUNCIL LETTER

Wye
with Hinxhill
Parish Council



2B Briar Close, Bramble Lane
Wye, Ashford, Kent TN25 5HB

T: 01233 812459

clerk@wyeparish.info

www.wyeparish.info

Mr Mark Chaplin
Principal Urban Designer & Planning Officer
Ashford Borough Council
Development Directorate
Civic Centre, Tannery Lane
ASHFORD TN23 1PL

12th June 2018

by e-mail to: mark.chaplin@ashford.gov.uk

Dear Mr Chaplin

Application 17/0567/AS

Former Wye College Buildings, High Street, Wye, Ashford, TN25 4AH

- Please acknowledge receipt of this letter by return.

Further to the Parish Council's letter dated 8 May 2018, the following letter addresses several outstanding issues. These have been raised with you before by the Parish Council and others, but have received either an inadequate response, or been ignored altogether. This is also a detailed response to the two-page letter from Hobbs Parker (HP) dated 26 April 2018.

The Parish Council regrets that the applicant continues to ignore the extensive Development Plan policy guidance available, in particular the Wye Neighbourhood Plan (WNP) policies WNP6 and WNP11, and the supporting detail provided in Appendix B.

The Parish Council maintains its strong objections to the application on the grounds of prematurity. Consideration and approval of an integrated masterplan for the whole WYE3 site, in accord with policy is essential. Only in this way is it possible to avoid piecemeal developments and allow the consideration of a comprehensive and integrated package of proposals for the wider WYE3 estate.

We understand that the Hobbs Parker letter of 26th April was a 'quick note' penned by David Jarman aiming to 'clarify information on communal/community use areas' and is therefore devoid of detail. However, the Parish Council has a number of queries and comments, as indicated below.

Communal/community use areas

Despite its claim of clarity in the first sentence, the HP note is ambiguous and open ended, and it fails to provide clear and practical answers to the fundamental issues of public use and offers little more than access in the form of guided tours. The vague assurances about public access make no commitment to the start date. Nor does it commit to any timescale for the completion of the proposed new Heritage Centre or commit to providing continuity of the 2 existing use for the Latin School in the interim. Nor does it provide any clarity regarding the form of tenure offered to Wye Heritage Centre (WHC).

The penultimate paragraph on page one implies that the offer is merely a licence to occupy the space, within set times of the day. If so, a licence will not provide WHC with any exclusive occupancy rights, or any security of tenure. This uncertainty is unnecessary and unsustainable. On these apparently insecure terms even the physical security of historical artefacts and documents held and stored by WHC on the premises is questionable. The one-sided phrases 'provision of accommodation' and 'offered to them [WHC] on a peppercorn basis' add to the ambiguity and show the imbalance of power in this relationship. This ignores the central role of community use in site policy WNP11.

Consequently, the applicant's response to the recommendations made by Historic England in its letter 27 May 2017 is inadequate and misleading.

There is reference to the April 2017 Planning Statement, and a possibly more substantive letter from HP to Ashford Borough Council (ABC) dated 19 January 2018. This letter is not visible on the Planning Portal under Plans and Documents, and therefore it is not in the public domain.

- The Parish Council requests that this omission is rectified immediately and reserves the right to make a further response.

There is reference to the Parish Council in passing as a 'third party organisation'. This is in relation to proposed future public access to the Old Lecture Theatre, Old Hall and Jacobean staircase and statues, the Parlour, adjoining room and the Chapel. The brief, confirmatory tone of this 'quick note' implies that the Parish Council is in agreement with the terms of the 'Management Agreement'. In fact, the Parish Council has no knowledge of the 'Management Agreement' to which the note refers.

This is emphatically not true, neither the applicant nor ABC has discussed this matter with the Parish Council. Nor have they consulted the Parish Council about any role as a 'third party organisation' on the subject of access, nor any other working arrangement post-construction.

- The capitalisation implies a document with status. If the 'Management Agreement' referred to by HP does exist, then the Parish Council requests sight of it by return.

The note provides no information regarding the elusive management company. Regarding public access to the spaces listed above the applicant's Planning Statement April 2017 para 6.23 states that 'it is envisaged that these will be controlled by a management company.' The application still provides no information on the proposed management company.

The Parish Council therefore OBJECTS on grounds that the application ignores policy WNP11 and,

a) depends on effective site management to protect and enhance heritage assets, but,

b) fails to secure either residential or community amenity, and,

c) provides inadequate and misleading information about this crucial component.

The Parish Council's letter dated 17 May 2017 referred to 'vague and tenuous possibility of restricted public access to some of the heritage buildings'. There has been little clarification or progress in the intervening 14 months. Regarding community use of the Old Hall specifically, (referred to by the applicant as the Great Hall), the applicant is now offering even less community benefit. Whereas para. 6.25 in the Planning Statement April 2017 stated that 'community use will be available by agreement' and that 'community usage would be subject to a reasonable charge...' the HP 'quick note' withdraws the previous offer of use for 'public events.' This is a minimal response to Historic England's recommendation (f) for a scheme for public access to the Old Hall.

For the record ABC has not called a meeting of the WYE3 Steering Group since December 2017 or provided the Parish Council with any opportunity to discuss these applications. HP's sweeping reference that 'it has been decided during the course of determination of the application...' provides a further clear indication of the way that ABC appears content for the applicant to ignore policies and impose terms against the interest of heritage assets and the community.

There is reference to 'regular monthly Historic Building tours' and implies that this nebulous arrangement is acceptable and has the agreement of the Parish Council. Again, the capitalisation of 'Historic Building' adds to the illusion of certainty, and again the inference of Parish Council agreement is not true.

For more detail please refer to paragraphs 14, 15, 16 and 17 in the Parish Council letter dated 9 May 2018. This makes it clear that the proposed 'tours' are no substitute for mixed community use described in Wye Neighbourhood Plan policies WNP6 and

WNP11. Nor can any such condition for public access by tours led by third parties be enforced.

The Parish Council therefore continues to OBJECT on grounds that

a) the access proposals are contrary to adopted policy, and,

b) are unworkable, as they cannot be managed or enforced by planning conditions.

Outstanding issues, inconsistencies and deficiencies

The Parish Council has considered the most recent documents that are visible on the Planning Portal and resolved to raise further objections, and to identify unresolved inconsistencies and deficiencies in these applications. For the avoidance of doubt this letter also maintains the Parish Council's previous strong objections to these planning applications on ground of prematurity and numerous other grounds.

In short, all the Parish Council's previous OBJECTIONS described in letters dated 17 May, 10 November 2017, and 9 May 2018 still stand.

The Parish Council also endorses the numerous points regarding the listed buildings made in its 30 page formal response to the Draft WYE3 Masterplan, dated 8 May 2018, and submitted in parallel to this application.

As a matter of record, ABC has not replied to any of the Parish Council's responses to these applications, beyond providing a simple acknowledgement of receipt for each letter. Nor has ABC responded to the Parish Council's response to the Draft WYE3 Masterplan. Furthermore, the Parish Council's 10 page letter dated 9 May 2018 is still not visible on the planning portal and yet again it must press that that this omission is rectified immediately.

Five 5 year housing land supply

Para. 3.9 in the Planning Statement April 2017 refers to the NPPF para. 49. The statement regarding the 5 year housing land supply is out of date and does not apply. As the issue was the subject of a question from the planning inspector conducting the appeal hearings for 16/1140/AS and 16/1142/AS 5th June 2018, an up to date position is available. Regarding the five-year land supply test, the Borough Council's position has improved since January. As Wye has an adopted neighbourhood plan the ministerial statement HCWS346 takes precedence, and therefore it applies to this application. As the Wye Neighbourhood Plan (WNP) is an adopted Development Plan document, the site policy and other policies in the WNP are to be accorded full weight when determining this application. The policy position is detailed in the Parish Council's previous letter dated 18th January 2018. Although the government's proposed amendments to the NPPF are still pending post consultation amendments, it is

significant that the consultation draft incorporated ministerial statement HCWS346 within the revised text.

Historic England's recommendations

The Parish Council notes that though the applicant has had over a year to respond to Historic England's letter 26 May 2017 several fundamental questions remain unanswered. For example, there is still no explanation of how the applicant proposes to service residential units and separate them for fire and sound transmission. Nor has the applicant provided details of proposed physical works to the Old Hall. The applicant's dismissal of Historic England's expectations for public access to the minstrel's gallery in the Old Hall is an unacceptable response.

The Parish Council therefore continues to OBJECT on grounds of

a) inadequate information and,

b) the risk of loss of heritage fabric and integrity arising from the use of inappropriate materials and work methods and,

c) the loss of historical significance and public access and use, and

d) the lack of protection and access to unlisted war memorials in the cloister quad.

Proposed site plan refuse strategy

The 'proposed site plan refuse strategy' revision P7 lodged 17 May 2018 continues to ignore the Latin School's legal status as a registered Asset of Community Value (ACV). Instead it persists in locating a refuse collection point (RCP) on ACV designated land. The applicant has not amended six of the original seven RCPs shown in para. 3.9 of the Design and Access Statement April 2017. The Parish Council was relieved to note the deletion of an RCP proposed under the Old Lecture Theatre, but the minor changes are still inadequate and unworkable for residents of the proposed development.

The 30m radius shown for each RCP continues to ignore the actual distance from each proposed dwelling unit to the nearest RCP. The calculations for the total volume of recycling and food waste containers required do not address the need for space for three separate containers for each dwelling. How will the inevitable proliferation of bins (and utility meter 5 boxes, satellite dishes, vent pipes etc.) around the quadrangles protect and enhance the listed buildings? How will channelling service ducts underground protect the scheduled monument?

The communal bin store for 9x1100IL Eurobins bins in the car park will introduce an unsavoury element. The volume of combustible recycling materials in the building will create a potential fire risk as it should remain accessible. Or will the bin store be kept

locked to deter rough sleepers and fire raisers? (Wye has a recent history of both). Who will clean and maintain this facility? Who will be responsible for taking 140L bins out on collection day? How will the food waste from 40 dwellings be kept separate? What facilities and measures will prevent the co-mingling of kitchen waste with the general waste and recycling streams? What measures will keep bins and waste from obstructing the public footpath AE113 adjacent to the car park bin store?

The Parish Council drew attention to the lack of any management strategy, or service areas in its letter 17 May 2017. As neither the applicant nor ABC has responded these basic liveability issues they appear to remain unresolved.

The Parish Council therefore continues to OBJECT on grounds of

a) inadequate information regarding site management issues and in particular refuse management and,

b) the high risk of failure of management provision and its affect on residential amenity and,

c) risk to the integrity and significance of listed buildings

Vehicle access, parking and highway safety

Revision P7 shows a very minor amendment to the site plan P6 dated October 2017. The plan shows the addition of eight bollards, which the applicant claims will separate the parking area from the public footpath AE113. The Parish Council disputes this claim, as the proposed location of the bollards ignores the gaps across three small areas of lawn which flank the car barns. These areas are wide enough to allow vehicles and especially motor bikes and scooters to access the churchyard section of AE110 and create a new short-cut between the High Street and Olantigh Road. This is highly undesirable, but logical as traffic bottlenecks now occur along Olantigh Road and its junction with the High Street, notably at the beginning and end of the school day. In addition, the pavements on Olantigh Road are narrow and potentially dangerous for pedestrians.

The Parish Council agrees with the assessment made by KCC Public Protection 19 May 2017 that the 'proposal is likely to generate a significant increase in the use of public footpaths AE113, AE112 and AE110. The Parish Council also agrees that 'the WYE3 Masterplan has identified AE110 as a key route that provides access to the school and the new development and will need to be improved'. However, the Parish Council is wary of the unintended consequences of KCC's recommendation that 'these improvements include the widening and surfacing of the path to a width of 2 metres'.

KCC requests conditions to implement these improvements and £28,313 in S.106 'to upgrade footpaths AE110 and AE112 in the immediate vicinity of the development.' The Parish Council considers that these widening of footpaths will make them much more attractive to unlawful use by motorbikes and scooters and encourage anti-social activity.

The formation of a sixth form with about 150 pupils in September 2018 will introduce a new group of young and independent road users in close proximity to the application site. All Wye School children are already very familiar with the shortest route between their school and Churchfield Way as PE classes use it to access the MUGA off Bridge Street. Many also walk it now to reach the bus stop and railway station. Motorised access across the churchyard is physically impossible at present, so it is not a problem. However, the proposed layout invites motorbike and scooter riders to turn into the proposed car park entrance, and then cut across Wye churchyard.

The section of path AE110 across the churchyard is designated as the North Downs Way National Trail (NDWNT). Unauthorised, but entirely predictable use of this route by motorised users will put at risk thousands of NDWNT walkers, residents, secondary age children walking to and from Wye School, and much younger children on their way to Wye Primary and Pre-School. As KCC has confirmed the above route is also a key element within the WYE3 Masterplan area, and 'the walkable village' is Objective 1 in the WNP. The Parish Council considers that 'walkable' also implies that paths will be safe for users.

The insecure and bleak car park design is not an attractive space. It invites preventable public safety conflicts between motorised vehicles and pedestrians. Access by unauthorised vehicles will create risks and harm residential amenity for the occupants of the application site and the proposed care home. Access by unauthorised vehicles will also harm the setting and enjoyment of the Grade I listed parish church adjacent to the site.

The Parish Council OBJECTS on the grounds of

a) highway safety and public safety and,

b) residential amenity and harm to public rights of way, and,

c) negative impacts arising from the poor and unimaginative design of the car park on Grade 1 heritage assets and their setting, the Wye Conservation Area and AONB.

Planning Statement Appendix 2

Planning Statement Appendix 2 is a sketch of the proposed Care Home adjacent to the site lodged 11 April 2017. This shows a proposed shared access route with the application site onto Olantigh Road, north of Squires Cottages. An outstanding discrepancy identified by the Parish Council a year ago remains. The provision of the access route to the Care Home deletes the proposed five visitor spaces east of car barn 30. These five spaces are shown in the Design and Access Statement paras 3.7, 3.9, 4.2 and remain unchanged in the revised Site Plan 2742-03 P6, lodged 29 January 2018, and in the subsequent revised Site Plan 2742-03 P9, lodged 17 May 2018.

The applicant produced a Draft WYE3 Masterplan in March 2018. The overall plan on page 82, and the application site plan on page 87 confirm the loss of these five parking spaces.

The Parish Council OBJECTS on the grounds that the application fails to

a) provide adequate visitor parking spaces on-site, as the plans are inadequate, misleading and inconsistent, and it,

b) encourages piecemeal development ahead of an integrated WYE3 Masterplan, which is contrary to WNP, TRSDP and Core Strategy policies.

Squires Cottages parking, residential access and amenity

The Parish Council reiterates its objection to the proposed changes to parking and access arrangements granted under approved application 16/00893/AS. The current eight parking spaces allocated to the residents of Squires Cottages are still shown abutting the rear garden fences. Consequently, the vehicles will obstruct all access to the rear gates on foot, and therefore access to secure cycle storage space within the gardens. The parking bay dimensions shown are the standard minimum size of 2500x5000. The provision of the approved minimum 1.2m rear access path and safety barrier would provide the residents with the basic amenity of being able to access their gardens. However, this path would subtract 1.2m from the minimum 6m turning space which separates the Squires Cottages' parking bays from the car barns to the west.

Given that WYE3 is a 44 acre site, and the occupants of the exclusive gated development proposed in the listed buildings are likely to drive large vehicles which will struggle to fit in the minimum bay sizes the intensity of this layout is overdevelopment. The result is likely to be on-street parking.

The most recent document is the proposed site plan refuse strategy revision P7 lodged 17 May 2018. This still shows that the turning requirement for a large car will encroach on the public footpath west of Squires Cottages'. Perhaps for this reason plan P7 does not show any proposal to prevent casual parking across the public footpath.

The proposed site plan refuse strategy revision P7 lodged 17 May 2018 does not show the refuse storage and collection point for Squires Cottages, although these four dwellings form part of this application site. The standard requirement to provide secure bicycle storage is the subject of planning condition 15 in the approved application. The applicant has not integrated the design by responding to this condition. In the absence of allocated facilities elsewhere the Parish Council assumes that secure storage will have to be provided within the rear gardens of Squires Cottages. However, if the gates are blocked by parked cars, bins and bicycles will be left in the front gardens.

The approved Block Plan 2736-06B under application 16/00893/AS shows a shared access path to the rear gardens, and eight parking bays located to the north. Whereas application 17/00567/AS proposes to replace this arrangement with an unacceptable

reduction in basic amenity and removes clear and safe access paths to the rear and north flank wall of Squires Cottages. The KCC condition to increase the width of AE113 to 2m will also encroach on the land beside the south flank wall.

The Parish Council OBJECTS to the harm caused by

a) the proposed loss of rear and side access paths for pedestrians and cycle access for residents of Squires Cottages,

b) the reduction of residential amenity for residents of Squires Cottages, and,

d) the failure to protect public footpath AE113 from encroachment, unauthorised parking and motorised vehicle access, and,

e) the intensity of the parking layout will discourage use and encourage on-street parking which will cause harm, and,

f) the negative impact of bins kept at the front of Squires Cottages will detract from the amenity of the street scene and the setting of the Wye Conservation Area.

S106 obligations

The Parish Council's initial response letter dated 17 May 2017 objected to the proposed omission of any affordable housing, and refusal to make S106 contributions as 'unacceptable'. This remains the Parish Council's position, but ABC has not responded.

The Parish Council OBJECTS to

a) the proposed absence of any affordable housing provision on this site, and,

b) the applicant's refusal to provide any proposals for S106 contributions for community facilities, both on and off site, to offset the impact of development.

In summary the Parish Council seeks an outcome which accords with the policies in the WNP. These aim to secure a sustainable future for the listed buildings and beneficial uses, which will provide a mix of social and economic and environmental benefits and relates directly to the built and natural heritage, and a local multiplier effect - a 'triple bottom line' outcome.

Furthermore, applications 17/567 and 17/568/ and para. 3.28 in the Planning Statement April 2017 all rely on the false premise that there is no educational use for these buildings. This fundamental is discussed in the Parish Council's letter 9 May 2018.

These applications are premature, contrary to adopted Development Plan policy and are of poor quality. The design is a mechanistic and insensitive approach to space utilisation, the poor quality of which fails to respond positively to either the historical significance of the site or its setting in the Conservation Area and AONB. The applications also ignore and will frustrate the policy aims of the WNP and undermine the delivery of a sustainable WYE3 Masterplan.

Yours sincerely

D Baines

Clerk to the Parish Council

ANNEXE B – OBJECTION LETTER FROM LINDA COBB (Wye Resident)

Objection to 17/00567 and 17/00568

I strongly object to both Planning Proposals on the grounds that they are premature in advance of the consideration and approval of an integrated masterplan for the whole WYE3 site, in accord with policy. Therefore Comments concerning both these applications should be viewed in the context of comments made concerning the Wye3 Draft Masterplan. Approval of these applications in advance of it can only make the achievement of a satisfactory masterplan more difficult and result in less efficient and less flexible development and fewer benefits. Above all, the current proposals are directly contrary to several policies in the Wye Neighbourhood Plan, in particular policies WNP6 and WNP11 which specifically relate to the application site. The supporting text for policy WNP11 states (emphasis added):

It is essential that the WYE3 site is considered as a whole and that its redevelopment is the subject of an inclusive masterplan approach in the first instance and is compliant with Policy WNP11. Piecemeal applications should not come forward if they will prejudice an integrated solution for what is the major site for development in the village. Policy WNP11 addresses the overall redevelopment of the campus landholding. (paragraph 6.4 of WNP)

There are practical implications of this for the rest of the WYE3 site, for example in how access, parking and servicing are provided for re-use or redevelopment of buildings further north in Olantigh Road. If permitted these applications will cause harm both on and off the site.

I am extremely concerned about the recurrent theme of pre-determination evident in the parallel master planning process. The applicant presented advanced and highly detailed layouts showing residential conversion and landscaping proposals for the listed buildings at a public “drop in” events in November 2016. This event preceded the first WYE3 Masterplan workshop which followed in January 2017. Consequently, the Workshop was presented with a pre-determined outcome for the listed buildings. The agenda allowed participants no meaningful opportunity to consider issues arising from residential use or to explore other options for reuse. This block on discussion has persisted throughout the entire master planning process.

It is important at the outset to re-state that the application site is part of the 44 acre WYE3 site, all of which is in the Kent Downs AONB. This is the largest rural regeneration site in Ashford Borough and its future is critical for the future of Wye.

The site also contains the largest complex of listed buildings and scheduled monuments in the Borough. Historic England refers to it as “an outstanding collection of medieval (and later) college buildings”. In addition, some features of the building interiors (such as the Jacobean staircase and statuary) are of national importance.

However, both applications treat the Wye 3 site as a series of discrete parcels of land rather than as an integrated whole, and is at variance with the Wye Neighbourhood Plan (WNP). That Plan (page 48) says “it is essential that the WYE3 site is considered

as a whole” and that “piecemeal applications should not come forward if they will prejudice an integrated solution for what is a major site for development in the village”.

I have discussed in the past with Mr Chaplin my concerns about Ashford Borough Councils apparent support for such a piecemeal approach in allowing planning applications for the free school and indeed now the Listed Buildings. (Applications 17/00567/AS and 17/00568/AS and two other applications which have been approved.)

The understanding of the Wye3 Masterplan is reflected within both The Wye Neighbourhood Plan and the Tenterden and Rural Sites Development Plan Document (TRSDPD), and it is that the Masterplan will be adopted as a Supplementary Planning Document (SPD) by Ashford BC that will then give direction to a range of uses on the Wye3Site

Historic Listed Buildings

What specialist historic appraisal of The Grade I and II, and 2 listed college buildings at the southern end of the Wye3 site has been undertaken. Has scheduled monument consent has been gained or applied for.

Historic England says of the old college buildings “ Features existing beneath the buildings will have remained virtually undisturbed from the mid-15th century onwards. Similarly, the areas of garden to the south and east of the cloister quadrangle are likely to have suffered little large scale disturbance compared with other areas of the college which have been extensively redeveloped and will also therefore contain much archaeological information relating to the college.” Historic England also states that “in view of the importance of colleges in contributing to our understanding of ecclesiastical history, and given the rarity of known surviving examples, all identified colleges which retain surviving archaeological remains are considered to be nationally important”.

I therefore request that Ashford Borough Council assures itself that all of Historic England’s concerns are met? The Development and internal alterations of the buildings will substantially damage the archaeological information and what assessment of this has been undertaken?

The fact that there is no mention in detail of the historic buildings is a matter of considerable concern. There is for example no detailed scheme for the restoration of the 17th Century stairwell and the reinstatement of the Ancient Briton Statues. Dr Lee Prosser, a curator of Historic Buildings with the Royal Historic Palaces report of 2013 concluded that if restored it could be one of the more important survivors of its type anywhere in England and that the staircase is on a par with the great staircase at knole, which is one of the finest in the country.

This application does not provide public access on a frequent basis to the historic parts of the buildings in particular to the following -some of which appear to be absorbed into private dwellings

- Chapel
- Great Hall
- Staircase and statues

- Panelled Dining Room and adjoining room
- Lecture Theatre (of 2nd World War significance Montgomery gave briefings to troops here)
- Latin School (The proposed change of use of the historic Latin School, registered by Ashford Borough Council as an Asset of Community Value (ACV), from its educational use to a garden room to a private residence is inappropriate, and it ignores the ACV status which the applicants did not challenge and was granted in 2017..)
- The two college war memorials in the cloisters
- Other parts of the historic grade 1 and 2 buildings

Some of the above are listed for communal and not community use. There is a difference in communal (For who?) and community! Is this to be a gated development with only those living there having access to communal areas?

The letter dated 26.4.18 from David Jarman of Hobbs Parker to Mark Chaplin headed Former Wye College Buildings -Communal/Community use does not provide sufficient access given the historical importance of the buildings. All should be considered as assets of Community Value and this designation should not be removed from the Latin School which currently houses the Wye Heritage Centre. This will terminate centuries of public access and benefit and educational use that has survived since the Reformation.

Indeed, all the arrangements outlined are very extremely limited and do not meet the requirement for a meaningful community use in the former college buildings as required by policies WNP6 and WNP11.

Sadly, TT has not explored the possibility of setting up a Trust with the village to care for and make available and develop for tourism these sites, has it explored for example the Winterbourne and other trusts). Of course, there is still the historic issue of whether the buildings following their demise as use for educational purposes have reverted back to the Lady Joanna Thornhill Trust. Perhaps further detailed advice should be sort prior to the applications proceeding?

The value of Wye College to the village was related to its close integration into the physical fabric of the village with easy access into, and through, the site and the complex of social and economic connections between 'town and gown'. Regeneration of the college buildings needs to relate the physical form of the new uses and new development to its social, economic and cultural contexts and replace lost employment opportunities. Has TT really explored and considered alternative uses for this site other than residential?

One of the core planning principles that underpins decision-taking is the requirement to *“conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”* (NPPF para 17). *The application and letter 2 May 2018 shows a casual disregard for over 571 years of educational heritage on this site and therefore it fails this test*

Residential development and conversion

The Wye NP aims to rebalance development across the village and replace lost employment and community uses on the Wye3 site, as a deliberate counter to the inevitable pressure for blanket residential use. The emphasis in these applications is purely for housing. However, I am concerned that the proposed development offers no affordable housing which is contrary to policies in the current Core Strategy, emerging Local Plan and the Wye Neighbourhood plan.

I object strongly to several aspects of the proposed conversion proposals, which will cause either harm or severe harm to the heritage assets on the site and their setting:

- the failure to respect the cultural heritage and significance represented by this outstanding collection of listed buildings, which have been used for education for centuries and have been closely woven into the life of the Wye community;
- the lack of descriptive detail or concern for the way in which these proposals and change of use will affect the special character and appearance of the Wye Conservation Area and the setting of nearby listed buildings notably the Parish Church. This is a listed Grade I building and a Scheduled Monument;
- the continuing lack of public information on the matters of concern raised by Historic England 27 May 2017 and the outcome of discussions on how the applicant proposes to address those concerns (for example on items (b) and (h) in paragraph 19);
- the proposed downgrading of the Latin School to a 'garden room' and the loss of all public access and benefit will cause a particularly severe and unjustified harm;
- the large expanse of car parking proposed for exclusive residential use and its negative impact on the setting of nationally important listed buildings, the Conservation Area, Kent Downs AONB and PROW and poor residential amenity for residents of the north facing units;
- the lack of any clear management, maintenance and servicing arrangements for the buildings after conversion. There is no proposal for a management company or other agency to carry out this essential role, which will ensure that the condition of the listed buildings is managed and maintained on a day-to-day basis;
- the absence of any vision or detail to indicate how the buildings will be conserved or enhanced nor how they will provide for the enjoyment of future generations;
- the plans show no dedicated accommodation for management and maintenance staff and their equipment in the plans, or dedicated parking for visiting servicing and maintenance staff;
- the two proposed new dwellings in the car park. These units abut the Conservation Area boundary. The location and layout will provide poor residential amenity, and the designs are overly large and they are not respectful of the adjacent listed buildings in built form. Nor are they subservient in height. The designs include unnecessarily prominent and eye catching features which are incongruous and will detract from the setting of listed buildings, notably the Grade I Parish Church, and views from the churchyard and the adjacent North Downs Way National Trail.

Financial Contributions to Infrastructure

I think it is outrageous that the applicant also indicates that, on grounds of development viability, they will not be prepared to enter into legal agreements to meet the usual requirements for financial contributions to development infrastructure, which local planning policies require for a housing development of this scale. If permitted this will mean that this substantial development will provide no contribution to infrastructure under the following headings:

- External traffic impacts
- open space and recreation
- allotments
- community facilities identified in the Wye Neighbourhood Plan
- burial spaces

Traffic

I am concerned that the impact of traffic on Wye and the surrounding area has not correctly been taken into account. Telereal Trillium have based their calculations on the area of the College and by their calculation the College would have had 2428 students, at least 3x the actual number! The TT assessment used in the draft Masterplan is unrealistic, overestimating the level of traffic generated by Wye College. It used data from just one day and did not take into account variability over a longer period of time.

Traffic was highlighted in the Neighbourhood Plan as the major concern of parishioners – NOW.

The assessments made by Telereal Trillium show a worrying level of traffic increase that will be ?

- harmful to the life of the village,
- damage its position within the AONB
- have considerable environmental impact particularly for those living next to roads with the long queues leading to the level crossing.

Therefore it appears that the applicant's strategic transport assessment is flawed to say the least!

I urge ABC to reject both 17/00567 and 17/00568 planning applications.

Yours sincerely,

(electronic signature)

Linda Cobb 14th June

ANNEXE C – OBJECTION LETTER FROM DR SALLY LEAVER (Resident Of Wye)

19th June 2018

Dear Mr. Chaplin

Planning Application 17/00568/AS

Appeal against the above planning application for the listed buildings at the former College at Wye

The National Importance of the Jacobean Staircase

A small group of us with connections to Wye College and Wye have been working over the past 10 years for the restoration of the Jacobean Statues to the Staircase in the College (Retired Solicitor, former Principal's son; Museum Curator and former Parish Clerk, Social Scientist, former Management Consultant).

My own involvement was personal, stimulated by a former lecturer and Estates Manager of the College in 1960s, shortly before his death in 2007, to protect the Statues. Although, initiatives have been taken by a small interest group, the Wye Community upholds the Statues and Staircase as a 'village emblem', and it is without doubt that the 4,000 alumni members follow and support their cause.

The historical references to the Staircase and Statues are well covered in the application. It is weighty. More recently, there has been media coverage by the Kent Messenger Group, in 2011, a comprehensive article was published in Wye Local History Volume VII No. 6 (2016) and in Kent Life May 2018. In May 2018, Dr. Lee Prosser gave an open talk in a full Wye Church on 'Jacobean Staircases' in which he emphasised that the College Staircase was on a par with that of the Great Stair at Knole and the staircase at Godinton House. Historic England and Telereal Trillium were in attendance. The tourism and income that these centres bring to Kent is significant.

An appendix (1) is attached of our efforts on behalf of the security of the Statues and renovation of the Staircase over the past years.

Appeal and Protest

It is against the interests and wishes of Wye residents, Wye College Alumni, Ashford Borough Council, Kent County Council and the national interest to restrict the access to the staircase as per Telereal Trillium intentions (Hobbs Parker 26.4.18). It has been evidenced as nationally important and potentially a vital attraction for Wye economy and Kent Business Tourism (Chair communication).

The Staircase renovation will require expert project management (such as Dr. Lee Prosser), and will cost a few million pounds, taking up to 3 years to complete. Grant applications will be necessary. I have offered my help to Telereal with this. English Heritage have spelt this out in their comments. The consequence of the restoration

process will be that occupation of the proposed apartment on the first floor could not happen in the short term

As the Hobbs Parker letter about access was not sent to Wye Parish Council until recently, access intentions are still being absorbed. It is unacceptable that public access to the Staircase should be once a year. Also that rights of non-restricted access are to be for the sole owner of the first floor gated apartment. There is, anyway, an alternative to the sole access of the Jacobean Staircase to the first floor area which has been identified as feasible by a former maintenance employee of the College. The involves the structure of a new staircase in the existing toilet area accessed by the west quad (sketch attached in appendix 2).

Under the Imperial Masterplan, the Grade 1 listed buildings had been offered on a lease basis to the Wye Community. They were in process of putting together a plan, and had met with the Lottery Heritage Fund about development. The communal areas identified would make an ideal, educational visitor centre, of local and wider history, the environment, agriculture, and local crafts.

My appeal to Committee members is to please delay for three months this planning application decision to allow a Community Trust of skilled, business orientated residents, and alumni of the College, plus other expertise in the area, such as the Winterbourne Medieval Barn Trust, development, to be re-formed to provide a vision statement and business plan for the use of the communal areas identified in the Telereal application, and the first floor apartment.

Dr. Sally Leaver

APPENDIX 1 TIO DR SALLY LEAVER LETTER

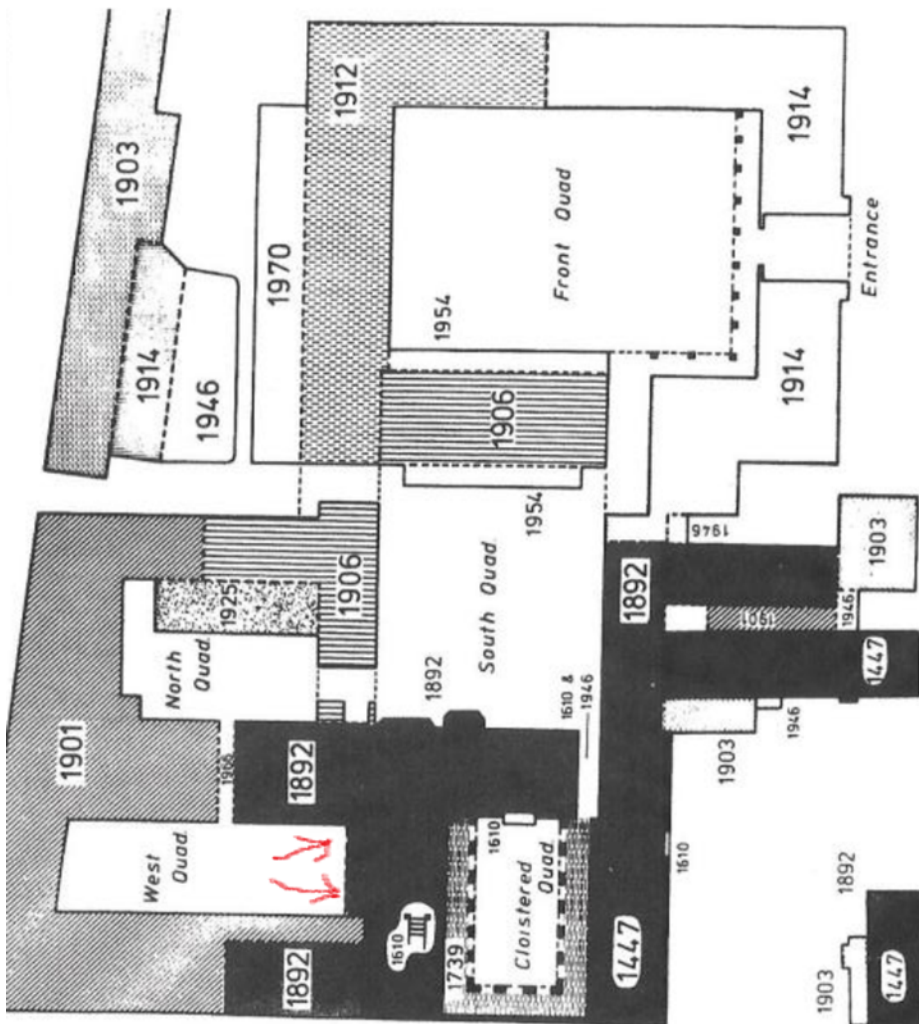
Interest Group initiatives and outcomes towards security of Jacobean Statues

- *2008: Instigated the approach to Ashford Borough Council (ABC) Conservation Officer who then wrote to Imperial College, warning them not to remove the Statues without discussion and their consultation with English Heritage*
- *Through an FOI enquiry to ABC discovered that Imperial College had sold the Statues designated 'non core items' to a dealer on the basis that they were 19th century reproductions for £360 each.*
- *Communicated directly with a second, overseas art dealer, who had purchased them as Jacobean, and given the historic references by the vendor*
- *Obtained a copy of the Council's instructions and Advice from Counsel (twice) about the listing status of the Statues, which was that they were chattels. In opposition to this, English Heritage legal opinion was that they were part of the building and Grade 1 listed.*

- *In 2012, at our own expense we instructed a 'Conference' Counsel Opinion from a QC, who disagreed with partially, not entirely with the Advice of the ABC Counsel on listing status. In 2012, we also sought opinions from other authorities listing.*
- *In 2012 we instigated a questionnaire to the alumni of 1940s 1950s for their recollections of location of the Statues, which, of those who remember, 96% said in the Minstrel Gallery*
- *We approached Lord Salisbury and were given consent to visit Hatfield House out of season. The curator gave us Dr. Prosser's details. Dr. Prosser visited Wye in 2012 when the Statues were on display in the Latin school and wrote the report.*
- *In 2013 we commissioned Catherine Hassall to undertake a paint analysis of the colour residues on the staircase and paint on the Statues, having obtained the funding through contributions from Wye Societies*
- *In 2014, we commissioned Andrea Kirkham, historic paint expert, to identify the patterning of the staircase, identified by her a 'marbling'. We held a village societies quiz to cover the funding which has now become an annual event. Dr. Kirkham needed to further her research to complete her investigation.*
- *In 2014/15 we researched evidence and put together an evidenced appeal to ABC Planning and Development for the Statues to be Grade 1 listed. This was unsuccessful*
- *In 2016 we convened a meeting with Dr. Prosser, ABC Planning and Development/Conservation, Telereal Trillium, Parish and ABC Councillors. At this meeting it was established that if the Statues were to be disposed of, Telereal Trillium they would be taken to Court by Historic England for a Hearing.*
- *2017 Telereal Trillium Masterplan includes the return of the Statues to the Staircase. On their return, they will officially become Grade 1 listed.*

APPENDIX 2 TO DR SALLY LEAVER LETTER
 SITING OF POTENTIAL ALTERNATIVE STAIRCASE FOR FIRST FLOOR ACCESS

Red arrows indicate area of steel girder covered by mathematical tiles supporting the outer brick wall. May be possible to build stairs to new apartments up under overhang (could be oak pillars infilled with brick to match in keeping).



**ANNEXE D - LETTER OF SUPPORT FROM MR PAYNE RELATING TO
PLANNING APPLICATION 17/00567/AS.**

19 June 2018

Dear Ms. Reid

Re: Application Reference: 17/00567/AS Full Planning Permission

**Site Address: Former Wye College Buildings, High Street, Wye, Ashford,
TN25 4AH**

Conversion of former College buildings with associated restoration and alterations to buildings, demolition of later structures and rebuilding to provide 38 dwellings and community space; together with provision of 2 new dwellings, parking courts with car barns, cycle storage and refuse stores on land to the north of the retained buildings and associated landscaping; and change to parking arrangements for Squires Cottages

I would be very grateful if you would circulate this letter to members of the Ashford Borough Council prior to this application being heard tomorrow evening.

Introduction

I welcome and support the Report of Head of Development Management and Strategic Sites Planning Committee 20 June 2018 that has been prepared in consideration of this planning application prior to the meeting of the Planning Committee. Indeed I believe that with such crucially important historic buildings it is vitally important to progress this matter in a timely manner to prevent any further deterioration to the fabric.

Moreover as I have previously stated I am broadly very supportive of both the principle and execution of the design of this application to convert the historic buildings of Wye College into residential use. Indeed, provided that the recommended conditions are accepted and upheld my objective of retaining an educational use within the original College buildings will have been met, albeit not in the mediaeval Latin School, which was the original Chapel to the College from 1447.

For this reason I am pleased to say that this letter should be regarded as a letter of support for this planning permission being granted provided that consideration is also given to adding a condition to preserve certain items that I believe were transferred by Imperial College when they sold the site and that I enclosed with my letter of 19 March 2018 in a list entitled: **“Inventory of Architectural Features, Fitment & Furnishings of Historical Interest at Wye College in the care of Telereal Trillium”**. This list is attached here as an Appendix.

The items themselves are in many cases part of the fabric of the buildings and in certain cases are included in the Historic England listings as such. Hence it is important that all these items should be subject to condition to ensure their preservation in perpetuity as part of any new residential and other community uses permitted. Should any of those items that are fitments and furnishings not be considered part of the fabric of the

buildings in the way that architectural features might be retained in situ, I believe they should in the first instance be offered to Wye Heritage for future preservation or conservation as appropriate.

Conclusion

Thank you for taking the time and trouble to consider this representation as part of the planning application process.

I also wish to put on record my thanks to Mr Mark Chaplin and Ashford Borough Council as well as Damian Molony and Telereal Trillium in reaching what I believe will be a conclusion worthy of this historic location. Floreat Wye.

Yours sincerely

Michael D Payne

ANNEXE E – LETTER OF SUPPORT FROM MR PAYNE RELATING TO LBC APPLICATION 17/00568/AS

19 June 2018

Dear Ms. Reid

Re: Application Reference: 17/00568/AS Listed Building Consent

Site Address: Former Wye College Buildings, High Street, Wye, Ashford, TN25 4AH

Conversion of former College buildings to provide 38 dwellings with internal and external alterations to include new openings, new partitions, closure of existing openings, removal of doors and partitions, new staircases and opening up of intermediate floor. Demolition of existing extensions.

I would be very grateful if you would circulate this letter to members of the Ashford Borough Council prior to this application being heard tomorrow evening.

Introduction

I welcome and support the Report of Head of Development Management and Strategic Sites Planning Committee 20 June 2018 that has been prepared in consideration of this listed building consent prior to the meeting of the Planning Committee.

Moreover as I have previously stated I am broadly very supportive of both the principle and execution of the design of this application to convert the historic buildings of Wye College into residential use. Indeed, provided that the recommended conditions have been accepted as part of application 17/00567 and these are upheld my objective of retaining an educational use within the original College buildings will have been met, albeit not in the mediaeval Latin School.

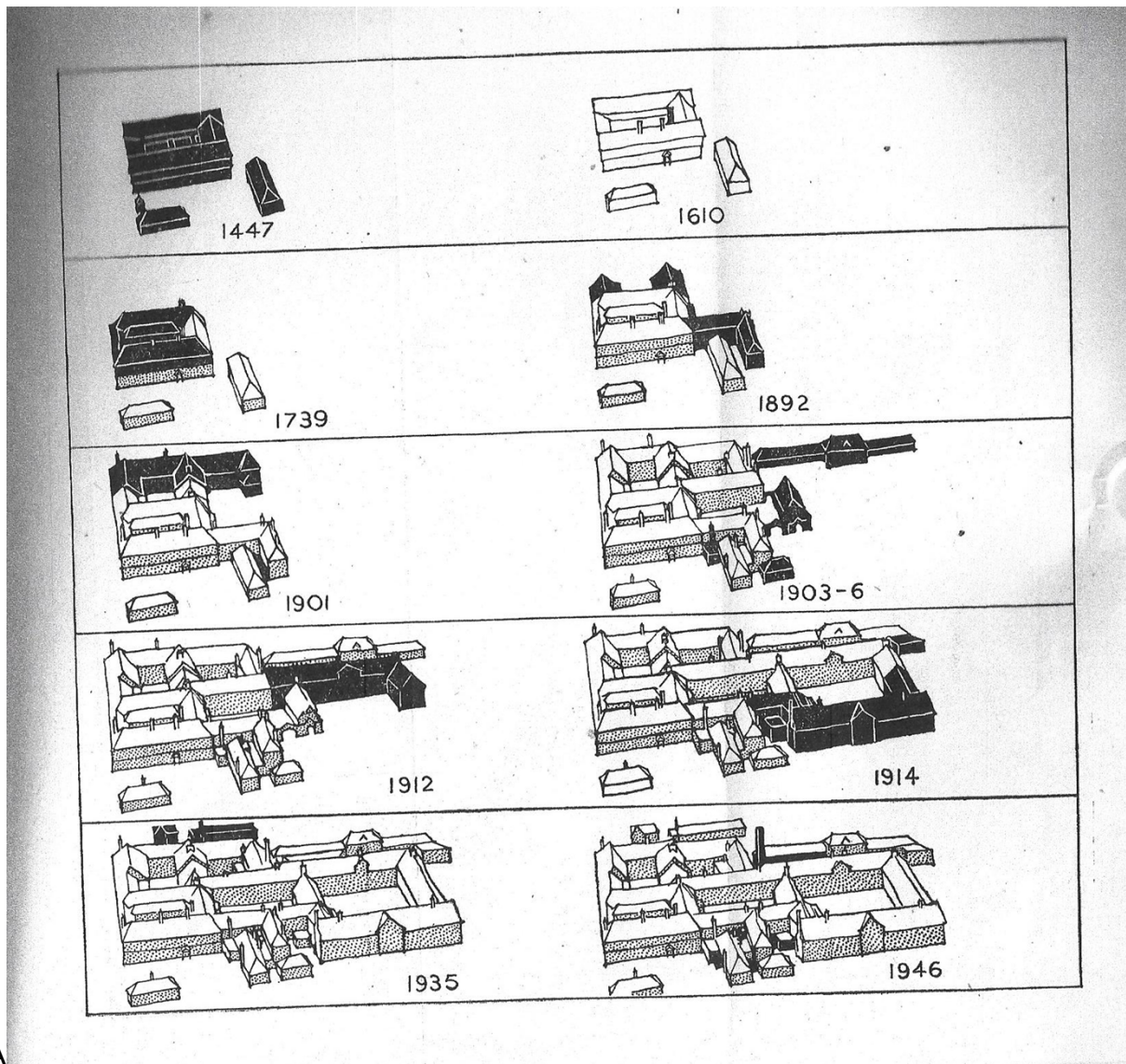
I am pleased to say that this letter should be regarded as a letter of support for this listed building consent being granted provided that consideration is also given to adding a condition to preserve certain items that I believe were transferred by Imperial College when they sold the site and that I enclosed with my letter of 19 March 2018 in a list entitled: **“Inventory of Architectural Features, Fitment & Furnishings of Historical Interest at Wye College in the care of Telereal Trillium”**. I attached a copy of this list to my representation in relation to planning application 17/00567. I trust that it will also be taken into consideration as part of this application.

Please note that the original purpose of the Latin School building was as the Chapel to the mediaeval College and it dates from 1447. The attached Isometric Drawing of 1947 shows the development of the site and the Latin School or Chapel as it was in 1447 in front of a very small Porters Lodge building, no longer in existence, in the garden between the Chapel and the original College Quadrangle to the north. For this reason the Latin School garden is as important as the rest of the original College buildings.

Yours sincerely
Michael D Payne

Enclosed: Isometric Drawing of 1947

Appendix to Mr Payne's Letter -Isometric Drawing of 1947



A

Annexe F – Shadoxhurst Parish Council Submission

Land to North of Farley Close 17/01888/AS Further

Submission by Shadoxhurst Parish Council

We refer to the original SPC submission made following the decision made at their meeting on 14th February 2018, the contents still hold true. We note however that the Head of Planning is mindful to recommend granting this application, and in that knowledge, we make the following additional comments:

1. Number of dwellings

The Parish Council is very disappointed that Council has not sought to reduce the number of dwellings. We acknowledge that this can skew the viability of delivering a site, but the important factor here is the impact on residential amenity. We continue to oppose this high number and ask the Planning Committee, if they are mindful to approve some development on the site, that they defer the decision and direct Officers to re-negotiate with the applicants to bring the number down to ensure a less cramped layout and a reduction on the severe impact on existing residents (see below).

2. Local Plan 2030

The decision to bring this application to a Planning Committee meeting before the Local Plan is fully examined and determined, is shameful. The Parish Council has made representations to the Public Examination and the Planning Inspector's decisions should be taken into account.

Whilst 21 houses may appear to be a small inclusion in the overall Ashford need for housing annually, it provides a significant number in a community of 500 or so dwellings. The cumulative effects are not being addressed and is just one of the issues we have taken to the examination and which needs to be resolved by the Planning Inspectors as the Local Plan is adopted.

36 houses are currently under construction on three sites in this small corner of our village close to the King's Head Pub. The matter of 57 houses all being constructed at one time and then coming on stream with minimal infrastructure improvements is not sound planning for a small settlement like Shadoxhurst. Whilst relatively short term, construction noise and disruption here will be set to continue for two years.

Members will now be aware that three more planning applications for our village and another 81 houses are being considered shortly. There are (with this application) a total of **102** houses to be determined. We only have 500 houses now. This is considerable growth, and villages should grow slowly and steadily. We are currently inundated and we ask ABC to take a measured approach to this to avoid us being swamped by development.

We ask that this application be deferred until the Local Plan is fully adopted, So that Planning Officers can consider this application and those following in the full knowledge of the Local Plan to 2030 policies being fully in place to protect our village.

3. Sustainability

Since our previous submission, the Ashford to Tenterden bus service (2A) has been cut to a two hourly service. As our population is increasing, now the public transport provision is being reduced, and residents will have to rely further on their own transport. We have residents with no car that rely on the bus service to get to either town and supermarkets, served by the 2A. The sustainability aspect must be considered as a changeable element that holds no guarantees and thus is not a reliable indicator, so should be discounted.

4. Over development and impact on existing residents

We strongly urge the Planning Committee to hold a **site meeting** before coming to a decision. This will show at first hand the devastating impact this development will have on the closest neighbours. These existing houses are not always shown clearly on the plans and these can be misleading.

Indeed, the impact of the construction site between The Hollies and Park Farm Close means that the residents of The Hollies will be **completely surrounded** and sandwiched by housing from all aspects of their land. Other residents on Woodchurch Road to the west are also particularly impacted by the closeness of the proposed houses. All Farley Close residents also will be severely impacted particularly through the construction phase. These residents have every right to be upset. These residents have every right to be heard. The recently revised plan does nothing to ameliorate their very valid concerns. They are not being considered.

21 houses are far too many, and having this number means that the layout, albeit recently changed a little, gives no real breathing space to the closest houses and gardens. Reducing the number will reduce the overbearing look and reduce the detrimental impact on the amenity of those clearly affected. This effect cannot be appreciated by looking at the submitted plans.

Please, please hold a site visit so that Members can see this for themselves.

5. ABC Local Plan Policies

The Officer's Report acknowledges (**paragraph 89**) that this is outside the village confines and hence is in contradiction to and conflicts with TRS 2 which is still in place. This is ignored in the conclusions **paragraphs 194-7**

Policy SP7 was comprehensively dismissed in page 28 as a substantial distance from the next settlement. However, we maintain that the importance of green buffers to prevent coalescence with Chilmington Green has to begin somewhere. Nowhere is the width of a buffer defined in policy SP7, and so the consideration of all fields between Shadoxhurst and Chilmington Green is an imperative. This cannot be eventually whittled down to merely hedge widths. Coalescence is a real fear, and each field lost is nibbling away at the buffer as well as impacting on the Character and Landscape Character.

6. Building Line

We note that the application for the land adjacent to The Hollies and Park Farm Close crept north of the building line of Park Farm Close which has now in effect, set a precedent. This application pushes the building line yet further to the north of the village and suggests an

outward creep of village boundary by stealth. The outstanding developments, in the pipeline yet to be determined in the village continue this process. We are very concerned with this increasing aspect. The application before you clearly demonstrates that this continues to expand the village beyond the building line in a way that previous Local Plans sought to protect. We ask that Members are mindful of the precedents being set when looking at all developments proposed in our village. Reducing the number of dwellings can help return the building line where it belongs.

7. Surface water drainage

This has been looked at closely and unresolved concerns remain.

KCC Drainage have proposed SuDS conditions which would require review and approval of detailed design before any construction may start. It is of serious concern that such requirements inserted into Planning Approval are able to be routinely ignored by Developers, presenting problems to both ABC Planning and Building Control Officers. A current example being the Kings Head field which is adjacent to this application, where the developer has already constructed the drainage work and has placed the tarmacked site road on top, prior to the relevant conditions relating to the drainage being discharged.

Farley Close is downstream of three main watercourses in the village draining westward towards the Beult catchment and in a very sensitive location and at high risk of surface flooding if anything goes wrong. Notably any blockage of the watercourse on the site boundary during construction risks to cause serious flooding to adjacent existing properties.

We would strongly request that an additional clause be included in any Approval conditions to ensure that Developer's design provides for all necessary reinforcement/protection of the boundary watercourses as well as ongoing control and monitoring of their integrity of unimpeded flow. Ensuring enforcement of Planning Conditions is key to a successful site completion and delivery and we ask ABC to be vigilant that the developer will respect the conditions imposed if permission be granted.

8. Comments on the Officer's Report:

Paragraph P5 the site description is very telling. Detailing the other sites shows clearly how Shadoxhurst is gradually becoming urbanised and how this part of the village is growing through this urbanisation and edge erosion. It also highlights the boundary to the 'open farmland' to the rear which through the access point planned clearly shows that phase two will push this urbanising effect still further north at a later date.

P6 talks of the 'highly sensitive' Bethersden Farmlands Landscape Character Area describing the 'sense of place'. Plonking an estate of 21 houses here does nothing for the 'conserve and restore' landscape objective with the Character Area. Indeed, we contend that it strongly conflicts with this policy.

P8 includes a misleading plan which does not show the proper context of the site in relation to the other building sites under development and pressures being applied to Shadoxhurst.

P9 goes further by highlighting the recent and so far, permitted house building land, however it omits the four houses as 15/00373/AS seen as the scoured land to the east of the pub field (15/01496/AS) which has a fifth house permitted subsequently. This plot known as Wymondham, is currently under construction. Permitting the Farley Close application will then

ensure there are four large building sites under construction in close proximity at the same time. Is there any wonder that residents are unhappy?

P11 makes note of amendments to the layout, however the affordable housing is still cramped and consigned to the end of the site and are still too close to the existing houses on Woodchurch Road, but none of these are clearly shown in the report, nor is the relationship shown fully in the submitted application drawings. This will give members a false idea of the closeness of the existing dwellings. Indeed, the amended drawings have done nothing whatsoever to mitigate for this closeness. Our existing residents have not been properly considered, in spite of many objections.

P25 refers to the ecology and we don't consider this to have been looked at fully. A single day visit to carry out an appraisal is not a proper study. Due to the appalling Ecocide carried out in October by the Landowner, the ecologist would have been confronted by a muddy field bereft of vegetation and surrounded by mature trees. So perhaps the one day in December was all that was perceived to be needed. Seasonal ecological appraisals are what should be carried out. The cost of proper studies have been saved by the fateful Monday in October. Rewarding this ecocide with a planning permission without reprimand or sanction gives a dangerous message to other landowners. The underhand way of clear intent to break the rules then selling the land on within 8 weeks and putting in a planning application should be properly investigated, as it appears from the Officer's report, that the current landowners are 'in the clear'. Someone is culpable.

P29 refers to the placement of a reptile proof fence to be in place by the 1st June, this has not taken place and therefore proper surveys need to be carried out, before permission is given, not left to be conditioned, as we are concerned that the LPA will not have the time and resources to police the condition. The report states that a resident submitted a comment in the third consultation, that in May, the field had been strimmed. How is the LPA going to condition the reptile survey if the landowner will regularly strim the field back to bare earth to ensure there is no vegetation? In **P28**, the site visit reported that there was a small pocket of nettles and brambles in the south east corner. Perhaps this was missed on the October clearance. Was this however strimmed in May and now cleared?

P43 Bullet point one, *It is believed that the existing public foul water sewer has, or will shortly have sufficient capacity to accept the predicted peak development flows.* where is the evidence for this assertion? There are 36 more houses currently being constructed to be connected. We are most concerned that this will slip through the net.

P44 Cleverly, the report asks for the houses to be built higher to avoid flooding, what about the water displacement downstream? We are on clay the water all has to go somewhere.

P65 – P72 We were heartened that the LPA Tree Officer moved quickly to put the various TPOs onto the mature trees. The fact that the applicants were curtailed in their efforts to completely remove 8 trees and carry out other work to fewer trees than originally intended, is worthy of praise to the Tree Officer and the LPA. His action brought some common sense back to the situation. But it also highlighted the hitherto cavalier way that this application has been brought.

P72 Consultations: The comments overall run to many pages. Over the three consultations, we note that residents made a total of 52 points, listed as un-numbered bullet points. Of these only 5 yielded comments from the HDMSS. Why were the rest not answered? Are resident's concerns being fully considered?

We are requesting a **site visit**, not only for Members to see first hand the whole situation, particularly from the resident's perspective, but also to give Members a chance to hear from the residents directly.

P86 Policy CS6 notes in the TRS DPD which identifies '*Shadoxhurst as being capable of accommodating minor residential development or infilling,*' this is a MAJOR sized development, which together with 17 houses completed at Oak View in 2016, and currently with nearby developments being built of 12, 19 and 5 houses respectively, (totalling 53 so far), this will total 71 new houses in Shadoxhurst in two years, how would this site comply with CS6?

P89 states in full... *Policy TRS2 of the DPD states certain 'exception criteria' that could allow development outside of built-up confines, however, this proposal fails to meet any of these criteria. As such, the policies would either not be relevant (policy TRS1) or the development would be in conflict with (policy TRS2).*

The words **in conflict with (policy TRS2)** are highlighted here. This conflict with the policy is not given due weight in the Officer's Report nor is it mentioned in the conclusions. ABC is ignoring its own policies in this regard.

P92-95 these paragraphs refer to **HOU5** we would challenge this as follows...

We made reference to emerging Policies SP7 and HOU3a in our previous submission. We did not refer to HOU5 and our participation in the Local Plan Examination has shown that there is currently confusion about when HOU3a and HOU5 apply. Is this site inside or outside the village confines? Is this site inside or outside the village settlement? We gave evidence at the examination that this confusion needs to be addressed as the two policies are not exact and need to be read together. It is clear from the Officer's Report that HOU5 is the dominating policy.

We therefore need to review this application site under policy HOU5, as it refers to *residential development adjoining or close to the existing built up confines of the settlements*:

Policy HOU5 - Residential windfall development in the countryside

Proposals for residential development adjoining or close to the existing built up confines of the settlements listed in policy HOU3a will be permitted providing that each of the following criteria is met:

- a) *the scale of development proposed is proportionate to the level of service provision currently available in the nearest settlement and commensurate with the ability of those services to absorb the level of development in combination with any planned allocations in this Local Plan and committed development;*

In relation to planned allocations we only have 'one planned allocation' in the local Plan, the King's Head Pub Field, which is across the road from this site and given permission ahead of the plan adoption. However we have a number of unallocated windfall sites in the pipeline. The cumulative effect of these developments must be taken into account when making decisions. Whilst we respect that Members only have the application before them, but this site cannot simply be looked at in isolation. We are seeing a drip, drip, drip effect in Shadoxhurst.

Our fifth planning application has recently been validated for 60 more houses with a sixth for seven more on backland to the east of Tally Ho Road close behind. Two of the above applications in the village have been granted for 33 houses. We do **not** think the scale of the

development is proportionate and we ask Members to reduce the number to reduce the impact, if they are mindful to grant this site for housing.

- b) *the site is within easy walking distance of basic day to day services in the nearest settlement;*

Yes, it is across the road from the pub. Walking to the shop at Stubbs Cross is more challenging being a rural road with no footway on either side.

- c) *the development is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network without adversely affecting the character of the surrounding area;*

Yes, we agree it can.

- d) *the development is located where it is possible to maximise the use of public transport, cycling and walking to access services;*

Again, yes it can, the bus stop is at the end of Farley Close. Although we refer to the comments above relating to the cuts in bus service provision.

- e) *conserve and enhance the natural environment and conserve any heritage assets in the locality;*

No, it doesn't. In HOU5, this is the most important aspect. The natural environment was ravaged and eliminated prior to the application submission. We note that the application shows the land to the north is in the same ownership and there is a convenient road termination at the north end of the development, awaiting a 'phase 2' development. We object to the placement of this road end, but if it were to remain, we ask that Members take a clear view of the intent that phase 2 WILL one day come forward.

The land owner could go some way to redress the damage done by utilising some of the land to the north to '*conserve and enhance the natural environment*'. We ask that the Planning Committee directs Planning Officers to negotiate with the applicant in order that some of this land can be put to the enhancement of the natural environment. Part of it lies on the PROW AW327, and wouldn't it be a lovely touch if that field could have some wider public and wildlife benefit to mitigate the considerable damage in clearance which pushed the wildlife further out of the village?

f) *the development (and any associated infrastructure) is of a high quality design and meets the following requirements:-*

i) *it sits sympathetically within the wider landscape,*

ii) *it preserves or enhances the setting of the nearest settlement,*

iii) *it includes an appropriately sized and designed landscape buffer to the open countryside,*

iv) *it is consistent with local character and built form, including scale, bulk and the materials used,*

v) *it does not adversely impact on the neighbouring uses or a good standard of amenity for nearby residents,*

vi) *it would enhance biodiversity interests on the site and / or adjoining area and not adversely effect the integrity of international and national protected sites in line with Policy ENV1.*

We respectfully observe, that not one of the seven items above under f) are met with this application and this makes f) impossible to be achieved. The application should be refused on this Policy alone.

P96 looks at the Benefits vs Harm. The site does not have any ability '*to promote personal wellbeing and social cohesion*' to any of the existing residents, indeed this is a negative element that needs to be weighed up. The only positive is the element of providing seven units of 'affordable housing'. The vitality of the village is already being sustained by the existing residents and the additional 36 houses under construction (please note that there are another four houses under construction further away, so the additional total is 40). Trying to put a positive spin on the generation of job opportunities is wrong as this is short term and transitory. The building of 7,000 houses at Chilmington and Kingsnorth is already creating job opportunities. The test is how many are given to local people and how many are imported from elsewhere.

We believe that with the damage to the amenity of existing residents, the harm clearly outweighs the benefits. Some of this harm can be mitigated with a reduced number of houses that respect the privacy and amenity of current residents.

P100 we challenge the phrase "...*within easy walking distance of a regular bus service...*" with the recent downgrading to a 'two hourly' service, using the bus for commuting or indeed visiting Ashford or Tenterden makes connectivity now rather hit and miss. It is now inconvenient for our residents to use this service in either direction and there will now be a further diminution of use, giving the bus company further ammunition to remove the service completely at some point in the future.

P102-4 whilst acknowledging the existence of other extant permissions, it does not include 15/00373/AS, nor the Oak View development to the west. Some of the arguments in these paragraphs hold good, but cumulative effects, are not just about the ability of the services to be provided to the new residents, but about the cumulative effects on the character and landscape, as well as our rural lanes.

P105 We agree it is not isolated, indeed, we say it further urbanises this part of our village, which Members will clearly see. We see this as a negative, not a positive, particularly as vitality is already being maintained with other development as discussed above, this factor should be given less weight.

P113 as put earlier with the arboricultural element, we welcome this.

P118 is challenged in that there is a proposed roadway in the design to allow expansion into a second phase. This must be taken into account when reading this paragraph. Whilst it will be more difficult for the applicant to secure permission of this land (blue line on the application), for some of the reasons cited, notwithstanding the PROW also goes through this section, there is insufficient evidence that a phase 2 will not be added in the future. We also draw Member's attention to the equestrian use to the west, this land was put in as an omission site for housing in the Local Plan consultation August 2017, which to us shows a clear intent to develop this land in the future. We cannot agree with the Officer's assertion that the 'development would remain suitably consolidated' for the above reasons.

P141 is a key paragraph that we challenge in that for many residents, who always enjoyed some distance between them and other houses, now these proposed dwellings will, as stated earlier, urbanise what should be a rural village. We ask members to visit and see for

themselves. The distances are not specified, but the plans provided by the applicant does not show the true picture. We ask the Officers to provide evidence to Members on why this development does not cause demonstrable harm.

P145 Policy S33 refers to High Halden, there is an error here. However which ever policy this refers to, we do not agree that it *protects the residential amenity of neighbouring dwellings*. This paragraph needs to be reviewed.

P154 The Parking provision may meet the SPD with five visitor spaces, but with experience of increasing parking pressures as extended families and adult 'children' learn to drive and want a car, seen in Nairne Close, Farley Close (existing) and even recently in Oak Fields, there is never enough parking. By looking at a lowering of the housing number, the layout then will be able to designed to cope with this.

P163-165 highlights the travesty that the applicants did not carry out any surveys and chose to save money and effort by clearing the site. Giving permission freely without sanction, gives a poor message to landowners everywhere. Whilst the LPA not be the appropriate to prosecute, we ask who will be taking legal action over the October decimation?

P166-167 whilst there is some mitigation suggested, there is not any specific mitigation area placed, in the way that the King's Head Pub field had land set aside. We recommend that with a reduction in houses (as was determined at the pub field) then a wildlife mitigation area can be achieved.

P170 As with the King's Head pub field, the answer to flooding on the land is to ensure that the houses are built a bit higher so new householders are protected. Building higher makes the house roofs higher and less easy to blend in to the surroundings. It also is of no help to existing dwellings that sit lower and maybe are subject to flooding, this could worsen their position.

P171 The swales and SUDS scheme is welcomed but we are still very concerned about long term maintenance both on and off site which needs to be closely conditioned.

P176 Foul water needs to be addressed **before** permission is given. Southern Water are clear that additional local infrastructure is required BEFORE the proposals can be accommodated. This is vital as our infrastructure is at high risk. We have pointed this out before the 2017 applications were granted. As stated elsewhere we have 36 houses under construction nearby that will use the same system. The topography is such that all this sewage flows to an old pumping station near to the application site and all the village's sewage then has to be pumped uphill to Tally Ho Road. Dealing with this under condition is dangerous and gives the village no confidence that this will be addressed fully.

P191 talks about the application is able to '*promote personal wellbeing and social cohesion as a consequence etc....*' We question the validity of this as an argument particularly to the neighbouring properties plus we would point out the failure to meet policy TRS2 is not included in the conclusions

9. Comments on Proposed Conditions:

- **Condition 6** we wish to emphasise that there shall be no street lighting permitted.

- **Condition 21 (Construction work)** needs to be further enhanced as below:

Members will clearly see from the papers that there are currently, three large building sites under construction within 200 metres of Farley Close. The noise of reversing beepers and plant noise is now intrusive to residents daily. This site if granted will simply prolong construction disturbance in the village. Due to the close proximity of neighbours, there is a very high risk of nuisance and disturbance to a number of residents.

If Members are mindful to grant housing on this site, we ask that conditions be placed to control potential disturbance through

- a) ensuring only white noise reversing equipment is employed on vehicles used on site b) the parking of all construction related vehicles, including sub-contractors' cars / vans etc to only be parked on-site
- c) all deliveries shall be made directly to the site and there shall be no temporary parking of vehicles in Woodchurch Road or the existing Farley Close
- d) SPC request sight of a Construction Management and Transport Plan before it is agreed by the Planning Department and prior to any work commencing as we have local knowledge of the likely problems.
- e) Mitigation measures to prevent dust nuisance are agreed and implemented f) Noise from any piling work is strictly controlled and monitored.

10. Our Conclusions:

We ask for the decision to be deferred...

- a) until the Local Plan is adopted, as this site is not in the Local Plan
- b) until the necessary sewerage system infrastructure improvements are completed
- c) so that the Planning Officers can negotiate a better layout with fewer houses to protect the amenity of the neighbours and to include additional mitigation area(s) for wildlife.

If deferral is not an option, then we ask for the application to be refused.

This page is intentionally left blank