

Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **4th September 2019**.

Present:

Cllr. Burgess (Chairman);

Cllr. Mrs Blanford (Vice-Chairman);

Cllrs. Chilton, Clarkson (ex officio), Clokie, Harman, Heyes, Howard, Howard-Smith, Krause, Ovenden, Shorter, Smith, Spain, Sparks and Wright.

Apologies:

Cllrs. Forest, Ward.

Also Present:

Cllrs. Bell, Campkin, Hayward, Mrs Heyes, Iliffe, Ledger, White.

Joint Development Control Manager; Head of Development Management and Strategic Sites; Head of Planning and Development, Senior Planning Officer, Senior Planning Officer, Planning Consultant, Senior Solicitor (Strategic Development); Member Services Officer.

110 Declarations of Interest

Councillor	Interest	Minute No.
Burgess	Made a Voluntary Announcement as lived in Kingsnorth and was a personal friend of the speaker for Kingsnorth Parish Council. He would not take part in the vote for this item.	113 - 18/1268/AS
Mrs Blanford	Made a Voluntary Announcement as she was a Member of the Weald of Kent Protection Society, and, Made a Voluntary Announcement as she knew one of the speakers as he was a Parish Councillor in her Ward.	113 - 19/00632/AS
Clarkson	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	

Clokie	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society and Tenterden and District Residents Association.	
Harman	Made a Voluntary Announcement as she was a Member of the Campaign to Protect Rural England.	
Heyes	Declared an Other Significant Interest as he was a friend of an objector to the application. He would make a statement and leave the Chamber for the discussion and vote, and he did so.	113 - 19/00834/AS
Ovenden	Made a Voluntary Announcement as he was a Member of Wye Parish Council.	113 - 19/00195/AS
Shorter	Made a Voluntary Announcement as he knew both the speakers on the item.	113 - 18/01671/AS
White	Declared an Other Significant Interest as his property backed onto the application site, and he did not participate in the discussion or vote.	113 - 19/00834/AS

111 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 31st July 2019 be approved and confirmed as a correct record.

112 Requests for Deferral/Withdrawal

19/00106/AS – The Dairy, Gilham Farm, Smarden – this was deferred at the request of Officers due to the level of additional information received.

113 Schedule of Applications

Resolved:

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

- (a) Private representations (number of consultation letters sent/number of representations received)**
- (b) The indication of the Parish Council's/Town Council's views**

- (c) The views of Statutory Consultees and Amenity Societies (abbreviation for consultee/society stated)**

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

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

Application Number	19/00320/AS
Location	Three Chimneys Stud, Hareplain Road, Biddenden, Ashford, Kent, TN27 8LW
Grid Reference	82864/39122
Parish Council	Biddenden
Ward	Biddenden
Application Description	Variation of condition 2 of planning permission given under application 11/00290/AS, to allow for the stationing of no more than 3 caravans (2 static and 1 touring caravan)
Applicant	Mr Christopher West
Agent	-
Site Area	0.98 hectares

(a) 3/1/R (b) Parish Council X (c) -

The Ward Member attended and spoke in objection to the application.

The Joint Development Control Manager advised Members that paragraph 55 of the report should say condition 2, not condition 3.

Resolved:

Grant the Section 73 application subject to conditions differing from the original permission as set out below:

(with delegated authority to either the Head of Development Management and Strategic Sites or the Joint Development Control Managers to make or approve minor changes to the planning conditions as she/he sees fit)

1. The land shall not be occupied by any persons other than gypsies and travellers, as defined in Annex 1 of Planning Policy for Traveller Sites.

Reason: In accordance with the terms of the application and in the interests of visual amenity.

2. No more than 3 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more

than 2 shall be a static caravan or mobile home) shall be stationed on the land at any time.

Reason: In accordance with the terms of the application and in the interests of visual amenity.

3. The development shall be carried out in accordance with the submitted plans listed by this decision, unless otherwise agreed by the Local Planning Authority. This includes the identified locations of the static caravans.

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

4. The existing roadside boundary hedge and the hedgerow trees along the other boundaries of the site shall be retained. No retained hedge or tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)]. If any retained hedge or tree is removed, uprooted or destroyed within 5 years of the date of this permission, it shall be replaced in accordance with details submitted to and approved in writing by the local planning authority.

Reason: In the interests of visual amenity and the landscape character of the area.

Note to Applicant

1. Working with the Applicant

In accordance with paragraphs 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

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

- by adhering to the requirements of the Development Management Customer Charter.

In this instance:

- the applicant/agent was updated of any issues after the initial site visit,
 - the application was dealt with/approved without delay,
 - the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
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Application Number	18/01268/AS		
Location	Briars, Church Hill, Kingsnorth, Ashford, Kent, TN23 3EG		
Grid Reference	00341/39339		
Parish Council	Kingsnorth		
Ward	Kingsnorth Village and Bridgefield		
Application Description	Outline application for the development of 44 one and two bedroom sheltered retirement apartments with associated parking and amenity space to consider means of access, layout, scale and landscaping		
Applicant	P.J. Developments Ltd. 2 Square Chambers, 23 High Street, Emsowrth, PO10 7AQ		
Agent	-		
Site Area	0.43 ha		
(a) 69/24R, 2+, 3S	(b) R	(c) KHS/R, KCC LLFA/R, ABC Drainage/R, Housing/+, KFB/+ OSS/X, EA/- SWS/- NHS CCCG/- ABC Refuse/+	

The Senior Planning Officer drew Members' attention to the Update Report, there were a number of updates which he detailed to the Committee.

In accordance with Procedure Rule 9.3 Mrs Hicks from Kingsnorth Parish Council spoke in objection to the application. She wished to highlight the reasons for their objection. The site was within the Kingsnorth Wooded Pastures Landscape Character Area which aimed to conserve and create. It was outside the newly drawn up confines

of the village and failed to conform to the requirements of HOU5. The development was very close to the boundary and did not provide a sensitive transition to the open countryside to the south. The land to the south of the site would form a buffer zone as shown in the Local Plan under Policy S4. The mass of the proposed buildings was overwhelming and represented an over development of the site. The Parish Council did not support back land development. The site would have a large proportion of built development including hardstanding and there appeared to be no sustainable plan for surface water run-off. The soakaways proposed were not appropriate for the Wealden Clay in the area. They also noted that the Drainage Engineers objected to the scheme. There was no footpath on the south side of Church Hill. The road was a through route for the Bridgefield Estate, served Kingsnorth Primary School, the Village Hall, playing fields and a local garage. There were frequent hold ups at peak periods and Kent Highways raised several objections which the Parish Council agreed with. Drawing attention to the Section 106 contributions, she confirmed that the Parish Council maintained a considerable area of open space in Kingsnorth which it was continually trying to improve.

The Ward Member attended and spoke in objection to the application.

Resolved:

(A) If the Local Planning Authority had been able to determine the application the committee would have refused to grant planning permission on the following grounds:

The proposal is contrary to policies SP1, SP2, SP6, HOU1, HOU5, HOU15, ENV1, ENV3a, ENV9, TRA3a, TRA5, TRA7, COM1, COM2 and IMP1 of the Ashford Local Plan 2030 (February 2019) and Central Government guidance contained in the National Planning Policy Framework (February 2019) and would therefore be contrary to interests of acknowledged planning importance for the following reasons

1. The proposed development by virtue of its scale, form and layout would constitute an overdevelopment and over-dominant backland form of development which would fail to respect the scale and linear development along Church Hill and fail to address the landscape buffer zone of site allocation S4 to the south. As a result, the character and appearance of the open countryside would be harmed due to the failure to sensitively transition to the open countryside.
2. By virtue of the lack of pedestrian footway to the southern side of Church Hill, the future occupiers of the site would not be within easy walking distance of day-to-day shops and services and therefore be unsustainably located.
3. The proposed development would result in insufficient external amenity space to the detriment of the residential amenity of future occupiers.
4. By virtue of the siting, scale, bulk and massing of the proposed building, there would be an overbearing impact upon the occupiers of neighbouring dwellings to the detriment of the residential amenity.

5. The associated parking to serve the development, by virtue of its proximity to the neighbouring dwellings, would give rise to noise and disturbance to the detriment of the amenity of the occupiers of neighbouring dwellings.
6. The visibility splays available within the applicant's and/or highway authority's control would be insufficient for the development proposed, resulting in inadequate visibility for vehicles leaving the site, to the detriment of highway safety.
7. The proposed development is likely to generate an increase in pedestrian traffic on the highway and in the absence of adequate footways on the southern side of Church Hill with consequential additional hazards to all users of the highway to their detriment.
8. The proposed development would result in a significant under provision of on-site parking to the detriment of the future occupiers, visitors and staff at the site. As a result vehicles would park on the public highway to the detriment of highway safety and the amenity of local residents.
9. In the absence of information to the contrary, the development would likely to result in an adverse impact upon the favourable conservation status of protected and notable species within and adjacent to the application site detrimental to matters of ecological importance.
10. In the absence of sufficient information to demonstrate otherwise, the development would result in an increase in surface water run-off from the site and increase the risk of flooding elsewhere.
11. The necessary planning obligations have not been entered into in respect of those requirements set out in Table 1 below so that the proposed development is unacceptable by virtue of failing to mitigate its impact and failing to meet demand for services and facilities that would be generated by the development:

Table 1

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
1.	<u>Informal/Natural Green Space</u> Project: upgrading of the pathway between	£434 per dwelling for capital costs	Upon occupation of 75% of the dwellings

	Kingsnorth Village and Bridgefield/Park Farm to a bridleway in collaboration with KCC and Kent Wildlife Trust.	£325 per dwelling for maintenance	
2.	<p><u>Affordable Housing</u></p> <p>Ashford Hinterlands</p> <p>30% affordable housing</p>	<p>13 affordable housing units overall comprising:</p> <p>4 affordable rent units</p> <p>9 shared ownership units</p>	Affordable units to be constructed and transferred to a registered provider prior to occupation of 75% of the open market dwellings.
3.	<p><u>Accessible & Adaptable Dwellings</u></p> <p>At least 20% of all homes shall be built in compliance with building regulations M4(2) as a minimum standard.</p> <p>In accordance with policy HOU14 Part a)</p>	Provide on-site 9 dwellings.	Prior to the first occupation of any dwelling to be built in accordance with the standard.
4.	<p><u>Libraries</u></p> <p>Contribution for additional bookstock and enhanced library</p>	£48.02 per dwelling	Half the contribution prior to the occupation of 25% of the dwellings and balance prior to the occupation of 50%

	service facilities at Stanhope Library		of the dwellings
5.	<u>Outdoor Sports Pitches</u> Project: contributions towards improvements to the outdoor sports pitches at Kingsnorth Playing Fields for Park Farm Rangers	£1,589 per dwelling for capital costs £326 per dwelling for maintenance	Prior to the occupation of 75% of the dwellings
6.	<u>Strategic Parks</u> Project: Seating provision in play area (supply and installation) at Conningbrook Park	£146 per dwelling for capital costs £47 per dwelling for maintenance	Prior to the occupation of 75% of the dwellings
All contributions to be index linked as set out on the council's website in order to ensure value is not reduced over time. The costs and disbursements of the Council's Legal Department incurred in connection with the negotiations preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs.			

Notes to Applicant

1. S106
2. Working with the Applicant

In accordance with paragraphs 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner by;

- offering a pre-application advice service,

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

In this instance

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

Application Number	19/00834/AS
Location	Land at Orchard Farm, Canterbury Road, Kennington, Kent
Grid Reference	02793/44832
Community Council	Kennington
Ward	Kennington
Application Description	Outline application for the change of use of land from agricultural to residential and erection of 25 dwellings with associated accesses.
Applicant	Mr A Roake, Orchard Farm Kennington Ltd, 31 Joy Lane, Whitstable, Kent, CT5 4LT
Agent	Mr A Roake, Urbanise Ltd, 31 Joy Lane, Whitstable, Kent, CT5 4LT
Site Area	1.2 hectares

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|------------|-------|---|
| (a) 35/38R | (b) R | (c) KCC Bio - , KCC H&T – X,
SW- X, EHM – X, NE – X,
RAM – X, EA – X, ABC
Housing – X, KCC – X, KCC
SuDS – X. |
|------------|-------|---|

The Senior Planning Officer drew Members' attention to the Update Report and the seven additional letters of objection received.

In accordance with Procedure Rule 9.3 Mr Robson, a local resident, spoke in objection to the application. He drew attention to Kent County Council's website and road safety standards. In respect of the standards for road widths, concerns had been raised as whilst the developer noted these standards within the application, those suggested as acceptable were below these standards. He drew attention to the high retaining walls along Canterbury Road that obscured the view of those trying to exit their driveways; the grass verge provided a buffer and therefore it was vital that these were not removed. Referencing the public standard for visibility splays for roads at 30mph and higher, it was felt that these were not met in this application. The Canterbury Road was an A Road and the levels proposed in the application did not meet these standards. It was concerning that pedestrians and road users were not 'put first' as part of the changes to the road layout proposed. In conclusion he noted that safety standards were not flexible.

In accordance with Procedure Rule 9.3 Mr Roake, the agent, spoke in support of the application. He advised that the application was for the change of use of the land and the access for 25 houses. The land formed part of an allocation in the Councils' Local Plan. Kent County Council had advised that 25 properties could be accessed from this road. An identical application to the one before the Committee had been examined by the Planning Inspectorate who had concluded that the reasons for refusing that application, were not valid reasons for refusal. He drew attention to paragraph 17 of the Inspector's letter and in particular the following extract: "*However it is not an unusual arrangement for houses to have roads abutting their front and side elevations, and the volume of traffic is unlikely to cause significant adverse impacts.*" He also understood that the two property owners affected by this proposal were aware of the intention for the land to be used for additional housing. The repeated objection on highway safety grounds was not valid. The site had been allocated for development in the Local Plan and he requested that the Committee grant permission as per the Officer's Recommendation.

In accordance with Procedure Rule 9.3 Mr Ellis from Kennington Community Council spoke in objection to the application. A video was shown to the Committee as part of his speech; this detailed a vehicle exiting a driveway on Canterbury Road. He drew the Committee's attention to the concerns the video highlighted in respect of being able to safely exit driveways onto the Canterbury Road. The proposals put forward would result in an inadequate footpath for pedestrians and would require residents exiting their properties by car to 'dodge' traffic to do so. There were concerns regarding the width of the new access road, at its narrowest point there was not adequate space for two vehicles to pass which would result in vehicles having to

reverse up a road and potentially onto the A20 to allow vehicles to pass. It was felt that the safety concerns raised had been largely ignored.

The Ward Member attended and requested that the Committee deferred the application to allow for the safety concerns to be resolved.

The Committee wished it to be noted that as part of the detailed application they wished to see fully worked up details on the junction along with an area for reversing.

Resolved:

- (A) **Permit**
- (B) **Subject to resolution of any outstanding ecological issues to the satisfaction of the Head of Development Management and Strategic Sites or the Joint Development Control Managers taking into account the advice from KCC Ecology, and**
- (C) **Subject to the applicant first entering into a Section 106 agreement/undertaking in respect of planning obligations detailed in Table 1 (and any section 278 agreement so required), in terms agreeable to the Head of Development Management and Strategic Sites or the Joint Development Control Managers in consultation with the Director of Law and Governance, with delegated authority to either the Head of Development Management and Strategic Sites or the Joint Development Control Managers to make or approve minor changes to the planning obligations and planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit,**

Table 1

	Planning Obligation		
	Detail	Amounts (s)	Trigger Points (s)
1	<p><u>Informal/Natural Green Space</u></p> <p><i>Potentially applicable to all residential developments</i></p> <p>Project: Improvements to Spearpoint Recreation Ground, to provide additional site furniture such as bins, benches and signs.</p>	<p>£434 per dwelling for capital costs</p> <p>£325 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>
2	<p><u>Affordable Housing</u></p> <p><i>Applies to:</i></p>	<p>30% 10 %</p> <p>affordable rent</p>	<p>Affordable units to be constructed and transferred</p>

	<p>(i) <i>developments of 10 dwellings or more</i></p> <p>(ii) <i>residential sites of 0.5 ha or more</i></p> <p>In accordance with table within Policy HOU1</p>	<p>units</p> <p>20% affordable home ownership products (10% min shared ownership) units</p> <p>(indicative if outline)</p>	to a registered provider prior occupation of 75% of the open market dwellings.
3	<p><u>Adult Social Care</u></p> <p>Project: Towards Ashford town centre changing place facility</p>	£47.06 per dwelling	Half the contribution prior to the occupation of 25% of the dwellings and balance prior to the occupation of 50% of the dwellings
4	<p><u>Allotments</u></p> <p>Specific Project: To be determined</p>	<p>£258 per dwelling for capital costs</p> <p>£66 per dwelling for maintenance</p>	prior to the occupation of 75% of the dwellings
5	<p><u>Children's and Young People's Play Space</u></p> <p>Project: Contributions towards the safer surfacing project at Spearpoint recreation ground play area or other local project.</p>	<p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p>	Prior to the occupation of 75% of the dwellings
6	<p><u>Community Learning</u></p> <p>Project: Towards additional IT equipment at the Ashford AEC for the new learners.</p>	£34.58 per dwelling	Half the contribution prior to the occupation of 25% of the dwellings and balance prior to the occupation of 50% of the dwellings

7	<u>Health Care</u> Project: Towards the cost of an extension to create a new consulting room at Sydenham House	£504 for each 1-bed dwelling £720 for each 2-bed dwelling £1008 for each 3-bed dwelling £1260 for each 4-bed dwelling £1728 for each 5-bed dwelling or larger £0 for any affordable units	Half the contribution prior to the occupation of 25% of the dwellings and balance prior to the occupation of 50% of the dwellings
8	<u>Libraries</u> Contribution for additional bookstock at libraries in the borough	£48.02 per dwelling	Half the contribution prior to the occupation of 25% of the dwellings and balance prior to the occupation of 50% of the dwellings
9	<u>Outdoor Sports Pitches</u> Specific Hub projects (COM2): <i>Conningbrook Park (secure boat park and storage area for water sports).</i>	£1,589 per dwelling for capital costs £326 per dwelling for maintenance	prior to occupation of 75% of the dwellings
10	<u>Indoor Sports</u> Specific Hub projects (COM2): Julie Rose Stadium project	£463 per dwelling for capital costs £102 per dwelling for maintenance	prior to occupation of 75% of the dwellings
11	<u>Primary Schools</u> Project: Towards the new Conningbrook primary school	£1134.00 per flat £4535.00 per	Half the contribution prior to the occupation of 25% of the dwellings and balance

		house £0 for any 1-bed dwelling with less than 56 m ² gross internal area	prior to the occupation of 50% of the dwellings
12	<u>Primary School Land</u> Project: Towards the new 2FE primary school site at Conningbrook	£590.00 per flat £2363.00 per house £0 for any 1-bed dwelling with less than 56 m ² gross internal area	Half the contribution prior to the occupation of 25% of the dwellings and balance prior to the occupation of 50% of the dwellings
13	<u>Secondary Schools</u> Project: Norton Knatchbull 1 FE expansion.	£666.67 per flat £2666.66 per house £0 for any 1-bed dwelling with less than 56 m ² gross internal area	Half the contribution prior to the occupation of 25% of the dwellings and balance prior to the occupation of 50% of the dwellings
14	<u>Strategic Parks</u> Project: Conningbrook Park specific to be confirmed.	£146 per dwelling for capital costs £47 per dwelling for maintenance	Prior to the occupation of 75% of the dwellings
15	<u>Youth Services</u> Project: Towards additional equipment for the new attendees at the Ashford North Youth Centre.	£27.91 per dwelling	Half the contribution prior to the occupation of 25% of the dwellings and balance prior to the occupation of 50% of the dwellings

16	Accessible and Adaptable Dwellings	At least 20% of all dwellings to be built in compliance with building regulations Part M4 (2) as a minimum standard	Prior to first occupation of any dwelling comprised within the Development
17	Wheelchair User Dwellings	A proportion of affordable dwellings to be built in compliance with M4(3b) – wheelchair accessible. Proportion to be determined at RM stage	Prior to the first occupation of any dwelling comprised within the Development
18	Contribution to footway/cycleway bridge over railway line between S2 and S19 Proportionate contribution towards a new footway / cycle-bridge linking the two new residential neighbourhoods either side of the railway line with a convenient non-vehicular connection	To be determined	To be determined
19	Upgrade of the Footpath Upgrade to the surface of 150m of AU20 The supply & installation of two 5.5m wooden kit bridges on path AU21	£18,860.00	on occupation of 50% of the dwellings
20	<u>Monitoring Fee</u> Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking	£1000 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years (if not one-off payment)

All contributions to be index linked as set out on the council's website in order to ensure value is not reduced over time.

The costs and disbursements of the Council's Legal Department incurred in connection with the negotiations preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs. If acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused.

(D) Subject to the following conditions

1. Standard time condition
2. Submission of reserved matters
3. Masterplan for the wider site (edged blue) submitted as part of the reserved matters application for this site. This shall show how the development will connect to the wider S2 site and shall include a suitable buffer to the existing development
4. Acoustic fencing/boundary treatments to the western boundary
5. Development carried out in accordance with the approved plans
6. Works to be completed before occupation (footpaths, lighting etc)
7. Code of construction practice
8. Parking
9. Electric vehicle charging points
10. Access and visibility splays in accordance with approval prior to occupation
11. Pedestrian and cycle connections to S2
12. Bicycle storage
13. SuDS
14. Contamination
15. Refuse
16. Landscaping
17. Ecological method statement
18. Ecological enhancements
19. Lighting design strategy

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- 20. Acoustic protection
 - 21. Use class
 - 22. Broadband
 - 23. Archaeology

Notes to Applicant

- 1. S106
 - 2. Working with the Applicant
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Application Number	19/00195/AS	
Location	Sidelands Farm, Little Olantigh Road, Wye, TN25 5DQ	
Grid Reference	06636/46727	
Parish Council	Wye with Hinxhill	
Ward	Wye with Hinxhill	
Application Description	Demolition of the existing buildings (Use Class D1) and the construction of flexible office space (Use Class B1), a coffee shop (Use Class A3) and two residential dwellings alongside associated access, parking and landscaping works.	
Applicant	Mr M Gomez, Sidelands Property Holdings Limited, Sidelands Farm, Little Olantigh Road, Wye, TN25 5DQ	
Agent	Mrs L Parker, BTL Design, Sidelands Farm, Little Olantigh Road, Wye, TN25 5DQ	
Site Area	1.12 ha	
(a) 12/1+	(b) R	(c) KHS/X, KCC Bio/X, SWS/+, KAS/X, FC/-, AAG/+, EHM/X, ABC Refuse/+, SECCCG/-

In accordance with Procedure Rule 9.3 Mr Gomez, the applicant, spoke in support of the application. He hoped that the Committee found his letter useful and provided some context to the application. There had been no statutory nor public objections to

the application. There had been a lack of local objections save for those raised by the Parish Council. Pre-application advice received from the Case Officer had indicated that the site was not isolated and was sustainable given its proximity to Wye. He submitted that the site was sustainable. The site did not offer much at the current time and had had B1 consent in the past. This was a brownfield site. The application had been designed carefully and would provide for a range of uses. They had already had interest from a number of people who would be attracted to being located at the site. He acknowledged that this was a unique site and requested that the Committee granted planning permission.

In accordance with Procedure Rule 9.3 Mr Bartley from Wye Parish Council, spoke in objection to the application. The Parish Council endorsed the Officers Recommendation. The application was contrary to the Local Plan and supporting policies. There had been a loss of agricultural employment at the site, Ripple Farm Organics had been based at the site for a number of years and had had their lease terminated. They farmed over 100 acres and the loss of use of the site had meant they had to reduce their production. Drawing attention to the traffic and highway safety, he said that the claims were of an artificially high extant use as the base line for traffic generation and these figures did not reflect the reality. There was no evidence of past D1 use of the site, and any potential traffic from the unimplemented 2010 B1 planning permission had never materialised. He also drew attention to the constraints of Scotton Street and the proposed re-use of Withersdane Hall that would add to traffic levels. He drew attention to a case Medway Council had refused on similar grounds and the subsequent high court judgment in respect of Gladman Homes that was of material consideration. He urged the Committee to support the Officer's Recommendation and refuse the application.

Resolved:

(A) Refuse

on the following grounds:

The proposal is contrary to policies SP1, SP6, HOU5, ENV3b and EMP5 of the Ashford Local Plan 2030 (February 2019), WNP1, WNP1c, WNP2, WNP4, and WNP8 of the Wye Neighbourhood Plan (2016) and Central Government guidance contained in the National Planning Policy Framework (February 2019) and would therefore be contrary to interests of acknowledged planning importance for the following reasons:

1. The proposed dwellings would by virtue of their location and land use, outside of the built confines of any identified settlement in the Local Plan, with no overriding justification having been submitted, give rise to unsustainable new homes in the countryside which would result in over reliance on private modes of transport to access everyday shops and services, contrary to the core principles in the Local Plan and the NPPF which seek to promote sustainable development in rural areas and avoid isolated new homes in the countryside. The proposal would be detrimental to the environment.

2. The proposed new employment site located outside of the built up confines of any identified settlement in the Local Plan, in open countryside without any overriding justification would be unsustainably located by virtue of its location which benefits from poor connectivity to the settlement of Wye and lacks access to sustainable modes of transport resulting in reliance on private modes of transport. The proposal would be detrimental to the environment.
3. The proposed dwellings, office buildings and associated car parking by virtue of their amount, layout, siting, scale and design would give rise to an alien and incongruous form of development to the detriment of the character and appearance of the Kent Downs Area of Outstanding Natural Beauty landscape.

Note to Applicant

1. Working with the Applicant

In accordance with paragraphs 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner by;

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

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
 - the applicant was provided the opportunity to submit amendments to the scheme/address issues.
 - the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
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Application Number	19/00705/AS	
Location	Parcel PS1, Land at Chilmington Green, Ashford Road, Great Chart	
Grid Reference		
Parish Council	Great Chart with Singleton	
Ward	Weald Central	
Application Description	The development of a new 2FE Primary School for 420 mainstream pupils with 26 nursery places and a Specialist Resource Provision (SRP) for up to 14 pupils with autistic spectrum disorder (ASD), including associated on-site parking for staff and visitors, hard surface external play areas, sports field and ecology zone. Regulation 3 Submission.	
Applicant	Kent County Council	
Agent	gdm Architects, The Masters House, College Road, Maidstone, ME15 6YF	
Site Area		
(a) 7/0	(b) -	(c) PC X; KHS R; EA X; AAG X

The Head of Development Management and Strategic Sites drew Members' attention to the Update Report. There were three points to note which were précised to the Committee.

Resolved:

(A) That for the following reasons, the Planning Committee raises an Objection to this application:

- 1. The proposals for the land at the front of the school and the interface with the public realm of the future District Square are not of a sufficient high quality or standard given the role the Chilmington District Centre has at the heart of the new development at Chilmington Green in providing a vibrant, high quality focal point for business and community engagement and the role the school has in this regard. This would be contrary to the provisions of Policies CG1 and CG2 of the Chilmington Green Area Action Plan.**
- 2. Concern is expressed about the value placed on the pre-application process by the applicant given the inclusion of the landscaping at the**

front of the school in pre-application consultation submissions and its omission from the formal submission, in full knowledge of its importance to the Borough Council and the Design Panel. Furthermore, once the application was submitted, there was reluctance to meaningfully engage with the Borough Council in order to secure any additional amendments.

(B) That should Kent County Council grant themselves planning permission notwithstanding (A), the following conditions are suggested:

1. Time condition
2. Materials/samples to be submitted
3. Joinery, colour finish and depth of reveals
4. Details of the jointing and cladding panels
5. Solar panels to be provided
6. Details of hard and soft landscape proposals
7. Parking and KCC highway conditions
8. Full provision of cycle parking to be provided
9. Electric vehicle Charging points to be provided for all on site car parking
10. Contaminated land condition
11. Ecological, mitigation and biodiversity enhancements
12. Compliance with Policy ENV11 – BREEAM ‘Very Good’ and at least a 40% improvement in water consumption against the baseline performance of the building, unless it can be demonstrated by the applicant that it is not feasible or viable.

Note to Applicant

1. Working with the Applicant

In accordance with paragraphs 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,

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

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- the applicant/agent responded by submitting amended plans, which did not address all the outstanding issues, and an objection was raised.,
- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
- The application was dealt with/approved without delay.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Application Number	18/01671/AS
Location	Land north of 22, Lower Road, Woodchurch, Kent
Grid Reference	594567 134534
Parish Council	Woodchurch
Ward	Woodchurch
Application Description	Erection of three detached two-storey dwellings together with all necessary infrastructure.
Applicant	Mr & Mrs Ransley
Agent	Ian Bull Consultancy
Site Area	0.4 hectares (development area)

(a) 5/R 1/X (b) Parish Council – R (c) KCCH&T/x, KCCE/x, PO/x,

The Senior Planning Officer drew attention to the Update Report.

In accordance with Procedure Rule 9.3 Mr Bull, the agent, spoke in support of the application. The application had been the subject of detailed negotiation and as a result the report set out a comprehensive and balanced assessment of the development proposed and recommended that permission be granted. The NPPF sought to boost the supply of homes and there was a presumption in favour of sustainable development and for Local Authorities to grant permission where applications accorded with an up to date development plan. The Local Plan 2030 was up to date and although this site was not specifically allocated in the Plan, Policy HOU5 was relevant and supported development in settlements including Woodchurch, subject to that development meeting certain criteria. This would support the Councils 5 year housing land supply. The application was for three dwellings and was a small scale development of high quality design and sympathetic to the character of the area. This was a sustainable location. The dwellings would not adversely impact the residential amenity of adjacent dwellings and would meet local and national space standards. Safe and secure access was proposed alongside parking and turning points in accordance with standards which were incorporated within each curtilage. A number of technical reports supported the application, which informed the design and layout of the site. He urged the Committee to support the application.

In accordance with Procedure Rule 9.3 Mr Wood from Woodchurch Parish Council spoke in objection to the application. He felt that the report made for interesting reading, it was a balancing act using clauses of the NPPF using the location and the need to build houses. The Officer saw the balance towards housing, they saw the balance towards quality of location. He drew attention to the Officer's summary and the balance of loss of space and public benefit. The public referred to were not from Woodchurch, there was no requirement for large houses such as those proposed, Woodchurch needed more social housing. If they had been approached they would have given this advice. The green heart of the village was enjoyed by many, it embodied the character of the village. This site was submitted for but was not included in the Local Plan and therefore they were of the opinion that it could not be considered as a windfall site. He encouraged the Committee to reject the application.

One of the Ward Members attended and spoke in objection to the application.

Resolved:

Permit

(A) Subject to the following Conditions and Notes:

(with delegated authority to either the Head of Planning and Development or the Joint Development Control Managers to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit)

1. Standard time condition
2. Materials

Highways/Parking

3. Parking spaces
4. Electric car charging
5. Sightlines
6. Construction Management Plan
7. Cycle parking and refuse storage

Landscaping

8. Walls/Fencing
9. Landscaping scheme
10. Trees/protection measures

Drainage

11. SUDs scheme

Ecology

12. Ecological Mitigation Strategy and Ecological Enhancement and Management Plan

Other

13. Development in accordance with the approved plans
14. Development available for inspection
15. Removal of PD

Note to Applicant

1. Working with the Applicant

Application Number	19/00632/AS	
Location	16 Rogersmead, Tenterden, Kent, TN30 6LF	
Grid Reference	587994 133314	
Parish Council	Tenterden	
Ward	Tenterden North	
Application Description	Erection of a single storey 2 bedroom dwelling	
Applicant	Mr Theobald	
Agent	Mason Brannan Architects	
Site Area	350 sqm	
(a) 3/R 1/X	(b) Parish Council - S	(c) -

The Planning Consultant drew attention to the Update Report. There were two additional points that had been raised by the agent.

In accordance with Procedure Rule 9.3 Miss Clark, a local resident, spoke in objection to the application. She noted that the applicant had proposed a bungalow at the site rather than a house for which she was grateful. She was concerned about the proximity of the proposed bungalow to her house; it was to be located 1.8m from the boundary. There was a larger distance between the neighbouring property of 7m and the next one of 9m. The bungalow would protrude on the site and impact upon the light levels of their property and would impact numbers 20 & 21 Pittlesden. In conclusion, the house design was not in keeping with the surrounding buildings.

In accordance with Procedure Rule 9.3 Mr Brannan, the agent spoke in support of the application. He wished to support the fair and objective assessment of the application and questioned why it had been called before the Committee. He wished to draw attention to three points to clarify any concerns. The 27m width of the plot and ratio of build size was 1:3.5 which provided a satisfactory provision of general outdoor and indoor space in accordance with the Councils space standards. The property was designed to be wheelchair accessible and exceeded the internal space standards by 40%. This was a requirement of the client who recognised the location in Tenterden

was likely to attract elderly occupants of limited mobility who would require space to manoeuvre wheelchairs. This was a form of development that did not often occur in commercial developments and had the support of Tenterden Town Council. All the windows were planned to face south east or south west to avoid overlooking neighbouring properties. The 2m high fences would be replaced with a similar style and height to avoid overlooking. The garden was designed to meet a requirement of 12m². He requested that the Committee supported the recommendation to permit.

Resolved:

Refuse for the following reasons:

The proposal is contrary to policies SP2, SP6, HOU3a and HOU10 of the Ashford Local Plan 2030 (February 2019) and Central Government guidance contained in the National Planning Policy Framework (February 2019) and would therefore be contrary to interests of acknowledged planning importance for the following reasons:

1. The proposal would result in a cramped overdevelopment of the site detrimental to the character and appearance of the streetscene and visual amenity of the area.
2. The proposed bungalow by virtue of its close proximity to the boundary, topography and changing levels, would give rise to unacceptable levels of overlooking detrimental to the residential amenity of the properties to the rear of the site.

Note to applicant

Standard informative Working with the applicant – refusal

Application Number	19/00106/AS
Location	The Dairy, Gilham Farm, Smarden, Ashford, TN27 8QW
Grid Reference	587361/141069
Parish Council	Smarden
Ward	Weald North
Application Description	Change of use of ancillary accommodation to an independent dwelling (Class C3)
Applicant	Mr Barrie Beckett

Agent Bloomfields Ltd

Site Area 0.17 hectares

(a) 4/2S
Limited +

(b) Parish Council -

(c) Shenley Farms (Aviation)

Deferred at the request of Officers.

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