

## Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **6<sup>th</sup> November 2019**.

### **Present:**

Cllr. Burgess (Chairman);  
Cllr. Blanford (Vice-Chairman);

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

### **Also Present:**

Cllrs. Ledger, Mulholland.

Development Management Manager; Team Leader Planning Applications; Strategic Applications Team Leader; Head of Planning & Development; Executive Assistant to Head of Planning & Development; Principal Solicitor (Strategic Development); Senior Solicitor (Strategic Development); Member Services and Ombudsman Complaints Officer.

## **193 Announcements**

The Chairman advised that this was the last Planning Committee which would be attended by the Senior Solicitor, who was leaving shortly to take up a post with another Authority. Members joined him in thanking her for her valuable contributions over the last five years and wished her well in her new post.

The Chairman confirmed that, due to the timing of the General Election on 12<sup>th</sup> December 2019, the next meeting of the Planning Committee would take place on Monday 16<sup>th</sup> December at 7pm in the Council Chamber.

The Chairman explained that he had accepted an urgent late report onto the Agenda for this Meeting, at the request of the Principal Solicitor, entitled Changes to Delegations and Authorisations Granted by this Committee. He accepted this report in accordance with Section 100 (4) (b) of the Local Government Act 1972, as a matter of urgency by reason of special circumstances, namely that changes had already been made to the senior management posts within the Planning & Development unit and it was important that a speedy decision was made to allow previous delegations granted by this Committee to be exercised by the newly appointed Officers.

The Chairman reminded Members of the Committee about the important planning training on 21<sup>st</sup> November.

## 194 Declarations of Interest

Councillor	Interest	Minute No.
Blanford	Made a Voluntary Announcement as she was a Member of the Weald of Kent Protection Society and a Member of the Campaign to Protect Rural England.	197 – 18/00056/AS 19/00445/AS
Burgess	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society, and  Declared an Other Significant Interest as for many years he had been friends with residents living opposite the proposed entrance to the site. He would leave the Chamber for the entire item and the Vice-Chair would take over the Chair for that item.	197 – 18/00056/AS
Chilton	Declared that he was a Member of the Parish of St Simon's Church. He would abstain from voting on this application.	197 – 18/01508/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.	
Harman	Made a Voluntary Announcement as she was a Member of the Campaign to Protect Rural England.	197 – 18/00056/AS 19/00445/AS

## 195 Minutes

### Resolved:

**That the Minutes of the Meeting of this Committee held on the 2<sup>nd</sup> October 2019 be approved and confirmed as a correct record.**

## **196 Changes to Delegations and Authorisations Granted by this Committee**

The Principal Solicitor introduced this item. He apologised for the late circulation of the report and explained that its purpose was to ensure that the organisation of the Planning and Development service was reflected in decision-making going forward.

### **Resolved**

**That all delegations and authorisations granted by this Committee, at any time, to the Head of Development Management and Strategic Sites and/or to the Joint Development Control Manager(s), be exercised by either the Strategic Development and Delivery Manager or the Development Management Manager, and also by the Head of Planning and Development during the absence or inability to act of the Strategic Development and Delivery Manager and the Development Management Manager, and that decisions made by any Officers on that basis be endorsed and ratified.**

## **197 Schedule of Applications**

### **Resolved:**

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

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

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

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

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<b>Application Number</b>	18/00056/AS	
<b>Location</b>	Land between A2070 and Railway north of Warehorne Road, Hamstreet, Kent TN26 2JR	
<b>Grid Reference</b>	99790/33397	
<b>Parish Council</b>	Warehorne	
<b>Ward</b>	Weald South	
<b>Application Description</b>	Outline planning application for residential development for up to 50 dwellings including details of pedestrian and vehicular accesses onto Warehorne Road and pedestrian and cycleway access onto Ashford Road only (all other matters reserved). Provision of informal recreation / ecological area to the north.	
<b>Applicant</b>	Crabtree & Crabtree (Hamstreet) Ltd	
<b>Agent</b>	Mr Steven Davies, Hobbs Parker Property Consultants, Romney House, Monument Way, Orbital Park, Ashford, Kent TN24 0HB	
<b>Site Area</b>	6.2 hectares	
(a) 102/65R (2 petitions)	(b) Warehorne - R Orlestone(adj) - R	(c) KH&T – X; KCC ECO – X; SW – X, KCC SuDS – X; PO (Drainage) – X; KCCDC – X; KCC Heritage - X; NHS – X; ESM(EP) – X; SSoS – X; Kent Police – X; CPRE – R; ABC Housing – X; NE – X; EA – X; Network Rail – X; Ramblers -;

The Chairman left the Chamber and Vice-Chairman took over the Chair for this item.

The Team Leader Planning Applications drew Members' attention to the Update Report and advised that the Hamstreet Village Design Statement should be referenced. There had also been five further letters of objection received.

In accordance with Procedure Rule 9.3, Mr Jackson, a local resident, spoke in objection to the application. A recent traffic survey had been completed and found that the values recorded were congruent with those in the original survey, but traffic still backed up at the junction of Warehorne and Ashford Roads at peak times. This

fact would not alter and would not be aided by adding 50 additional dwellings, or approximately 100 cars, to this scenario. A minimal provision of five car parking spaces had been made on the site for displaced cars of residents on Warehorne Road. These dwellings were several hundred metres away. This was an unacceptable solution. It seemed to be incumbent on those already living in an area to make sacrifices to make way for large scale development. Mr Jackson asked if it was known whether any of the affected residents on Warehorne Road were elderly or infirm and whether it was feasible for them to undertake this walk. Planning permission for a number of dwellings had recently been granted adjacent to Viaduct Terrace. A site containing a new road and eight dwellings was already under construction immediately opposite the proposed development, with a further nine new dwellings either already constructed or under construction on various adjacent plots of land. Presumably the traffic calculations had not included an allowance for these dwellings. No significant objections for these smaller dwellings had been raised so Hamstreet clearly did not suffer a case of NIMBYism. These developments represented sustainable increases in both houses and headcount which the village could cope with. The proposed development did not fit this bill, did not consider local residents or the local area, made only an arbitrary inclusion with regard to essential services and added no value to the community. Mr Jackson questioned the legitimacy of developing in an open area of countryside which posed so many obvious issues and did so little for the community. Policy SP1 of the Local Plan stressed the aim of preserving the small scale of settlements and avoiding enlargement.

In accordance with Procedure Rule 9.3, Mr Lewis, the agent, spoke in support of the application. Following the last Planning Committee, further observations and surveys had been undertaken in order to address the concerns raised by Members. The 2016 and 2019 surveys were undertaken in school term time, for a period of one week, recording 24 hour flows each day. Seven days' worth of data was captured and this confirmed that the 2016 peak crossroads counts and 24 hour 7 day automatic traffic surveys were robust and correlated with traffic conditions throughout the week. The proposals had been reduced to up to 50 dwellings. Platoons of traffic, following the school bus or HGVs, could cause some interaction problems at the crossroads. However, discussions with KCC Highways and further analysis indicated that the shuttle traffic signals proposed for the rail bridge would also help in breaking up these platoons. This would have benefits for the traffic passing along Warehorne Road. Traffic from the development equated to one car every two minutes on average. The minimal time lost by traffic at the signals would be more than made up by benefits to conditions at the crossroads. The findings of the transport assessment indicated that the development proposal would not result in any severe impacts in accordance with the NPPF Para 109. Members' concerns over potential loss of parking amenity in the vicinity of the site had also been addressed. During his site visits, Mr Lewis had not witnessed any parking taking place on Warehorne Road in the vicinity of the site frontage. It was clear that the residents in this location were afforded adequate levels of parking already and would not find the need to park on Warehorne Road. However, the applicant had committed to providing five additional parking spaces at the site entrance and short sections of double yellow line restrictions fronting existing driveways on the south side of Warehorne Road near the village centre. The application should not result in any loss of parking.

In accordance with Procedure Rule 9.3, Mr Small, on behalf of Warehorne Parish Council, spoke in objection to the application. The proposed development would have a major detrimental impact on Hamstreet and Warehorne parish. There had been no consideration for the existing residents, and the proposals would have no benefits for the village or parish. A large number of planning applications had been approved opposite the proposed site, including 18 houses and a new access road, none of which had been taken into account in this application or the traffic report. There had already been a great deal of development in this area and an extra 50 dwellings plus the 18 new houses was a gross overdevelopment of the area. Over the past year there had been two serious road traffic accidents on the Warehorne Road. This was after new signage and road markings had been installed. This situation would get worse as traffic levels increased. Traffic through Malt House Lane had increased significantly to avoid using Hamstreet, so the traffic surveys were flawed as not all the traffic was going via Hamstreet, but using back roads as rat runs. The double yellow lines along Warehorne Road had already been tried in 1998 to help with congestion but these had caused more congestion. It was not clear how these lines would now improve the situation or what had changed since 1998. The school had made no comment on the application. It was unclear whether there was enough capacity at the school for more children. Regarding the proposed development at St Marys Close, the school had stated that it was not large enough at 1.3ha to expand and it required more land opposite the school. It was unclear, therefore, whether the school could accommodate more pupils. Mr Small asked that the application be deferred again until after application 18/00644 had been decided and built in order for the correct infrastructure to be put in place before further expanding the village into green belt land.

In accordance with Procedure Rule 9.3, Mr Griffiths, on behalf of Orlestone Parish Council, spoke in objection to the application. There were concerns regarding the provision of a sewerage service as they were already at full capacity. No adequate reply had been received from Southern Water regarding commencement of any extension works. In the last 10 years the village had three major developments, totalling 160 dwellings. All of these were within 800m of the existing proposal. No consideration had been undertaken regarding the recently approved 18 dwellings on the Warehorne Road, where the access road had already been started opposite the application site. From the Ashford Road to the development, the distance was 350m, with 34 dwellings and 4 commercial premises. A further 14 dwellings had access to Warehorne Road within 100m west of the development. The 4 commercial premises had only 2 parking spaces available and 9 of the dwellings had to rely on on-street parking, not 4 as in the information provided to Members. The double yellow lines already in existence and the car parking facilities for maximum of 14 cars would limit the length of road for waiting for the proposed shuttle traffic lights to a minimum of 6 cars. The traffic from Hamstreet to Warehorne would end up backing along the Ashford Road if the proposed development and the shuttle traffic lights went ahead. There was a further application for a development of 80 dwellings and a care home due to be considered at the Planning Committee next month. This application would be beneficial to the Academy as it would provide a football pitch and car park. Mr Griffiths asked that, if the application was approved, the development opposite Hamstreet Primary School should proceed first as this would give the Academy time to extend and accommodate the extra students that the development would create. Should the development be approved, no further

developments should be allowed in the village until the full impact of traffic and pedestrian safety had been reviewed, particularly at the junction of Ashford Road and Warehorne Road.

One of the Ward Members attended and spoke on the application.

**Resolved:**

- (A) 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 Planning and Development, the Development Management Manager or the Strategic Development and Delivery Manager in consultation with the Director of Law and Governance, with delegated authority to either the Development Management Manager or the Strategic Development and Delivery Manager to make or approve changes to the planning obligations and planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit.

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
1.	<p><b><u>Affordable Housing</u></b> Provide not less than 40% of the units as affordable housing, comprising 10% affordable / social rent and 30% Affordable Home Ownership Products (including a minimum of 20% shared ownership in the locations and with the floorspace, wheelchair access (if any), number of bedrooms and size of bedrooms as specified.</p> <p>The affordable housing shall be managed by a registered provider of social housing approved by the Council. Shared ownership units to be</p>	40%	Affordable units to be constructed and transferred to a registered provider upon occupation of 75% of the open market dwellings.

	leased in the terms specified. Affordable rent units to be let at no more than 80% market rent and in accordance with the registered provider's nominations agreement.		
2.	<p><b><u>Accessible Housing</u></b></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 20% of all units.	Prior to first occupation of any dwelling to be built in accordance with the standard.
3.	<p><b><u>Self &amp; Custom Built Development</u></b></p> <p>No less than 5% of the dwellings to be custom self build.</p> <p>In accordance with policy HOU6.</p>	5%	In accordance with HOU6
4.	<p><b><u>Children's and Young People's Play</u></b></p> <p>Contribution towards an outdoor gym and play provision at Pound Lees recreation ground</p>	<p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p>	Before occupation of 75% of the dwellings
5.	<p><b><u>Informal/Natural Space</u></b></p> <p>Provision on site to the value set out in the adjacent column.</p> <p>(Amount dependent on the number of units provided on the site)</p> <p>To be maintained through</p>	<p>£434 per dwelling for capital costs</p> <p>£325 per dwelling for maintenance</p>	Before occupation of 75% of the dwellings



	a management company.		
6.	<b><u>Outdoor Sports</u></b>  Contribution towards an outdoor gym and play provision at Pound Lees recreation ground	£1,589 per dwelling for capital costs  £326 per dwelling for maintenance	Before occupation of 75% of the dwellings
7.	<b><u>Strategic Parks</u></b>  Contribution towards the seating and shelter provision around the lake at Conningbrook Country Park, as part of the public art project.	£146 per dwelling for capital costs  £47 per dwelling for maintenance	Before occupation of 75% of the dwellings
8.	<b><u>Allotments</u></b>  Provision of running water at Hamstreet allotments	£258 per dwelling for capital costs  £66 per dwelling for future maintenance	Before occupation of 75% of the dwellings
9.	<b><u>Cemeteries</u></b>  Contribution towards the upkeep of the cemetery at St Mary's church	£288 per dwelling for capital costs  £1766 per dwelling for future maintenance	Before completion of 75% of the dwellings
10.	<b><u>Primary Schools</u></b>  Project: Towards Phase 1 expansion of Hamstreet Primary School	£3,324 per applicable house  £831 per applicable flat	Half the contribution upon occupation of  25% of the dwellings and balance on occupation of 50% of the dwellings
11.	<b><u>Secondary Schools</u></b>  Project:- Towards Phase 1 Norton Knatchbull 1FE expansion	£ 4115.00 per applicable house  £1,029.00 per applicable flat	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings To be index linked by the BCIS General Building Cost Index from Oct 2016

			to the date of payment (Oct-16 Index 328.3)
12.	<b>Libraries</b>  Contribution for additional bookstock for the mobile library that serves Hamstreet.	£48.02 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
13.	<b>Health Care</b>  Extension / refurbishment / upgrade of Hamstreet Surgery	£504 for each 1-bed dwelling £720 for each 2-bed dwelling £1,008 for each 3-bed dwelling £1,260 for each 4-bed dwelling £1,728 for each 5-bed dwelling or larger	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
14.	<b>Community Learning</b>  Project:- Equipment for Ashford Gateway.	£34.45 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
15.	<b>Youth Services</b>  Project:- additional equipment at Kingsnorth outreach	£27.91 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
16.	<b>Social Care</b>  Project:- Community wellbeing hub upgrade at Braethorpe, Ashford	£77.58 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
17.	<b><u>Monitoring Fee</u></b>  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)

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**(B) Grant Outline Planning Permission**

Subject to the following conditions and notes:

**Standard**

1. Standard condition for submission of reserved matters
2. Standard time condition for outline application

**Highways and Parking**

3. Parking and cycle parking
4. Details of the provision cycle parking facilities
5. Provision of site access prior to occupation of any dwellings
6. Provision of footway to be constructed on the northern highway verge between the application site and the signalled crossing.
7. Provision of other highway infrastructure / works (i.e. signalled crossing) and speed reduction measures / waiting restrictions as shown on drawing 11520-T-01 Rev P10 prior to occupation of any dwellings
8. Car barns / PD restrictions
9. Provision of final wearing course
10. Construction Management Plan
11. Visibility splays
12. Details of speed restriction measures and segregation of the pedestrian / cycleway and vehicular access onto Ashford Road including levels and sections through and details of road markings and barriers and final surface finish.
13. Details of highway infrastructure / services.
14. Provision of 5 segregated car parking spaces within the development to serve existing residents along Warehorne Road.
15. Details of final surface finish for roads, driveways, cycleways and footpaths and parking areas

**Landscaping & Ecology**

16. Landscape management plan
17. Landscape buffer to A2070, ancient woodland and to northern boundary of the developable part of the site
18. Landscaping scheme for the whole site
19. Arboricultural Impact Assessment and Tree Protection Plan

20. Boundary treatments including boundary treatment to separate recreation / ecological area to the north of the site and the agricultural land to the west
21. GCN, Reptile, dormouse and water vole mitigation strategy
22. Bat sensitive lighting plan
23. Ecological management plan
24. Scrub and hedgerow clearance
25. Ecological enhancements
26. Adoption management plan
27. Retention of trees & hedgerows

### **Drainage & Disposal of Foul water and flooding**

28. SUDs layout
29. SUDs operation and maintenance manual
30. SUDs post completion Verification Report
31. Means of foul water disposal / upgrade of sewerage system
32. Phasing and implementation / occupation of the development to align with any network upgrades as may be required so that wastewater network capacity is available to drain the development.
33. No dwellings or built development (other than attenuation pond) in flood zones 2 & 3

### **Residential**

34. Space Standards – internal and external pursuant to policies HOU12 and HOU15.
35. Refuse storage details
36. Level thresholds
37. Electric car charging points
38. Water efficiency condition pursuant to policy ENV7
39. Dwellings used for C3 purposes only
40. Removal of PD rights for extensions and alterations and outbuildings
41. Dwellings to be 2 storey form only with any 2<sup>nd</sup> floor accommodation contained wholly within the roof
42. Architectural details for the dwellings

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**Others**

- 43. Housing Mix
  - 44. Broadband
  - 45. Contamination and remediation / verification report
  - 46. Noise control measures / mitigation
  - 47. Air quality mitigation measures
  - 48. Archaeology
  - 49. Levels / sections through the site
  - 50. Standard approved plans condition
  - 51. Standard enforcement condition
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<b>Application Number</b>	18/01508/AS
<b>Location</b>	Recreation Ground between Halstow Way and Noakes Meadow, Ashford, Kent
<b>Grid Reference</b>	00002 / 41609
<b>Parish Council</b>	None
<b>Ward</b>	Beaver (Ashford)
<b>Application Description</b>	Proposed development of 17 apartments for affordable rent on part of an existing area of open green space off Halstow Way: comprising 6 x 1-bedroom apartments; 7 x 2-bedroom apartments, 4 x 3-bedroom apartments and associated parking.
<b>Applicant</b>	Mrs Sharon Williams, Head of Housing, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL
<b>Agent</b>	Mrs Elizabeth Mitchell, Development & Regeneration Officer, Corporate Property & Projects, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL
<b>Site Area</b>	0.33ha

(a) 47/ 6 'R', 2 'X'	(b) -	(c) SACF 'X', Beaver Community Trust 'X', KHT 'X', KCC (Dev. Contribs.) 'X', KCC Flooding 'X', KCC PROW 'X', K.Pol. 'X', SW 'X', Ramblers 'X', ABC (Culture) 'X', ABC (Env. Prot.) 'X'
<u>Amends</u> 2 'R', 1 'X'	<u>Amends</u> -	<u>Amends</u> Ramblers 'X', ABC (Env. Prot.) 'X', SACF 'X', KHT 'X', K.Pol. 'X', KCC Flooding 'X'

The Chairman returned to the Meeting and took over the Chair again.

The Strategic Applications Team Leader drew Members' attention to the Update Report. With reference to paragraph 103, amendments were necessary to Table 1 and the Recommendations. There was a further Head of Term to be added and further planning conditions and representations. There was also a typo to be corrected.

In accordance with Procedure Rule 9.3, Mr Grant, a local resident, spoke in objection to the application. Whilst there was a need for affordable rental accommodation in the area, recreational land should be kept for recreation purposes. 12 properties on this site were demolished in 1970 due to methane gas being present in the area. It was believed that this gas was still present as it moved around underground for many years, and had not been burnt off. This area also acted as a flood plain, soaking up heavy rainfall which was experienced each year due to climatic change. Mr Grant asked Members to reconsider building on such land.

In accordance with Procedure Rule 9.3, Mr Shrubb, on behalf of South Ashford Community Forum, spoke in support of the application, subject to substantial improvements to the remaining open space. The Forum agreed with the Council's proposals to combine all of the open space contributions for use at Noakes Meadow. However, it was noted that the value of the lost open space had not been included in the proposed S106 agreement, and it should be ensured that there was an obligation for compensation for that loss as an addition to the usual contributions. The Forum requested that residents were consulted on any plans for improvements to the open space. The proposal for off-street parking for residents of Halstow Way was noted, and the Forum asked that this was completed early in the programme to mitigate issues caused by construction traffic. The KCC Public Rights of Way Officer requested funding towards improving footpath AU71. The Forum acknowledged that this did not relate to the site, but would like the improvements being carried out by the College site developer to be extended to the full length of footpath AU38, extending to the junction with Beaver Lane.

**Resolved:**

- (A) 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 Strategic Development and Delivery Manager or Development Management Manager in consultation with the Director of Law and Governance, with delegated authority to the Strategic Development and Delivery Manager or Development Management Manager to make or approve changes to the planning obligations and planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit,

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
1.	<b>KCC: Libraries</b> Additional local bookstock for Ashford library	£55.45 per dwelling (£942.65 in total)	Prior to the occupation of 75% of the dwellings
2.	<b>KCC: Community Learning</b> Contribution towards IT and equipment for Ashford Gateway and its satellite courses	£34.45 per dwelling (£585.65 in total)	Prior to occupation of 25% of the dwellings
3.	<b>KCC: Youth Service / Early Help</b> Contribution towards equipment to enable outreach services in the vicinity	£65.50 per dwelling (£1,113.50 in total)	TBA
4.	<b>KCC: Social Care</b> Towards the provision of extra care housing in Ashford Borough	£146.88 per dwelling (£2,496.96 in total)	TBA

5.	<b>KCC: Primary Education</b> Provision of new primary places at a new school in the planning group	£1,134.00 per flat excluding 1-bed flats	TBA
6.	<b>KCC: Secondary Education</b> Provision of new secondary places in Phase 2 of the new Chilmington Green secondary School	£1,172.00 per flat excluding 1-bed flats	TBA
7.	<b>Accessible and Adaptable Dwellings</b>  At least 20% of all dwellings to be built in compliance with building regulations Part M4 (2) as a minimum standard	Provision of 3 flats to M4 (2) standard	Prior to occupation of any dwelling comprised within the Development
8.	<b>Wheelchair User Dwellings</b>  Maximum of 7.5% of affordable dwellings to be built in compliance with M4(3b) – wheelchair accessible.	Provision of 1 flat to M4 (3b) standard	Prior to the occupation of any dwelling comprised within the Development
9.	<b>ABC: Noakes Meadow improvements</b>  A sum to be used for a project for Noakes Meadow to;-  (i) provide informal play, sport, ecological and open space improvements to help meet the needs generated by the development, and,	£61,520	TBA



	(ii) offset the loss of / value of the part of the existing public open space to be developed as apartments through improvements benefitting the local community		
10.	<b>Creation of on-carriageway parking restrictions in Halstow Way</b> Funding the costs of making a TRO to introduce parking restrictions in order to remove the on-street parking that occurs close to the frontage of No's 1-7 Halstow Way and prevent any obstruction to the proposed off-carriageway spaces to serve those properties and the TRO's subsequent implementation	£ TBA	TBA
11.	<b>ABC: Provision of replacement car parking resource north of No. 7 Halstow Way</b> Providing the replacement parking resource to serve No's 1-7 Halstow Way and relocating the barrier to the west thereof	Not applicable – direct provision by the Council	Prior to any TRO coming into operation or prior to the occupation of the first dwelling in the building whichever is the sooner.
12.	<b>ABC: Monitoring Fee</b>	£1,500 one off payment	Upon commencement of development
13.	<b>Affordable Housing</b> Retain the new homes as		all dwellings to be constructed and

	affordable rented housing	all dwellings	transferred to a registered provider
14.	<b>Provision of dropped kerbs</b> The applicant to install (either directly or through sub-contract) a dropped kerb to any of the front gardens of No.1,3,5 & 7 Halstow Way	Dropped kerb installation costs to be funded by the applicant	Subject to;-  (a) the prior receipt of a written request from any the occupiers of those properties to carry out such works to their property, and  (b) the same written request being accompanied by confirmation from the occupiers that the works to be carried out at the occupiers' own cost to enable the parking of a vehicle (thus necessitating the installation of a dropped kerb) would constitute 'permitted development' as a result of hardstanding location / proposed surfacing / proposed drainage arrangements.

**(B) Permit**

**Subject to planning conditions and notes, including those dealing with the subject matters identified below, with any 'pre-commencement' based planning conditions to have been the subject of agreement with the applicant**

1. Standard time condition
2. Development carried out in accordance with the approved plans
3. Materials to be agreed

4. Code of Construction practice
5. Hours of construction
6. Wheel washing, site set-up and contractor parking arrangements
7. Access and highways
8. Measures to prevent the discharge of surface water onto the highway
9. Provision and retention of parking and turning areas
10. EV charging points and future proofing strategy
11. Provision and retention of secure cycle parking and bin storage
12. Remediation, verification and dealing with any unexpected contamination
13. Foul water sewerage disposal details
14. Sustainable surface water disposal scheme
15. Tree protection measures
16. Arboricultural Method Statement
17. Details and hard and soft landscaping works within and beyond the site
18. Landscape management arrangements
19. Water use of dwelling no more than 110 litres per person per day.
20. Fine details of construction, boundary walls and railings and bollard lighting in the residents' car park
21. Monitoring
22. Submission of a bollard lighting scheme around the x4 new parking bays to serve 1.3.5 & 7 Halstow Way to supplement the light from existing street lights
23. Provide HOU14 accessibility standard flats and thereafter retain
24. List of approved drawings and documents

### **Notes to Applicant**

1. S106
2. Working with the Applicant
3. KCC as Leading Flooding Authority advise that through technological advances the surface water discharge rate of 2/ltrs/second/ha should be able to be bettered and the applicant is invited to do explore this matter further in moving to a detailed SUDs scheme to be submitted for approval pursuant to planning condition.

4. The applicant is advised that Policy ENV7 of the ALP 2030 requires a maximum water consumption of no more than 110 litres per person per day and this standard subject of planning condition needs to be met.
5. The applicant is expected to explore a range of measures at detailed design stage to ensure that the development minimises its impacts on climate change and should seek to create a carbon neutral development.
6. Southern Water advise that sewer records show that a public foul and surface water sewer may cross the application site and might impact upon the layout and/or require to be diverted. The applicant should discuss the matter further with Southern Water.

### **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 provided with pre-application advice,
  - the applicant was provided the opportunity to submit amendments to the scheme/ address issues, and
  - 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**      19/00445/AS

**Location**                      Millgarth, The Hill, Charing, Ashford, Kent, TN27 0LU

**Grid Reference**              595582 / 149772

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<b>Parish Council</b>	Charing
<b>Ward</b>	Charing
<b>Application Description</b>	Demolition of existing dwelling and erection of 2 dwellings
<b>Applicant</b>	Mr P Kang
<b>Agent</b>	Mr Ian Woodward-Court, Plainview Planning Ltd
<b>Site Area</b>	0.15 hectares
(a) 18/9/R	(b) Parish Council    X                      (c) CPRE        X

The Team Leader Planning Applications drew Members' attention to the Update Report. One further letter of objection had been received.

In accordance with Procedure Rule 9.3, Mr Adams, a local resident, spoke in objection to the application. The Hill was characterised by large detached dwellings and its unique character provided an appropriate street scene and sense of place for everyone entering historic Charing and the AONB. The proposed eight bedroom structure, with hard standing for six cars, did not fit into the existing settlement and was contrary to the Council's Local Plan policies. Mr Adams referred to the decision made by the Planning Inspector earlier in the year when two appeals were dismissed for constructing semi-detached dwellings on the site. The plot sizes of the proposed two dwellings was one-third of the size of the established average plot size on the Hill. As garages would not be provided, there would be a large dominant hard standing for six vehicles. To facilitate this large area a mature hedging would be removed, thus accentuating the urban style of the development. The Planning Officer, in addressing these points, stated they were not grounds for refusal alone. However, it was considered that the impact of the style of the two units had been underestimated. With time, the site would become more and more out of place as owners personalised their half of the structure and garden. The Inspector's report supported the dismissal of an appeal for a similar development on the land behind Millgarth and stated that semi-detached dwellings in this site were at odds with the layout of the rest of the development. It would also be out of character with the pattern and style of the site's immediate surroundings. If these were deemed to be at odds with their surroundings, then the semi-detached dwellings in this application would also be at odds with the pattern and style of their immediate surroundings. The dominant parking area for six cars and the style of dwellings gave rise to a development that was incompatible with the existing street scene. It was contrary to the requirements of policy HOU3a and paragraph 127 of the NPPF. Mr Adams asked Members to support the community in maintaining the street scene and reject this application.

In accordance with Procedure Rule 9.3, Ms Leyland, on behalf of Charing Parish Council, spoke in objection to the application. It was out of line with the character of the road and the reasons given in the Planning Inspector's dismissals of the two earlier applications also applied to this application. The Hill was an edge of village location consisting of detached houses set back from the road. It joined the Kent Downs AONB to the conservation area of the village centre. Millgarth was towards the top of the road, and the centre of its plot was only around 80m from the AONB boundary. Since 2016 the applicant had made no less than six planning applications for this site, as well as three for the site immediately behind. He already had permission to replace the current bungalow with a single detached house, which was a proposal in character with the road. This was his third attempt to obtain permission for two four bedroom semi-detached houses, but this time by making the two houses appear as one, with one of the houses having its front door at the side. Ms Leyland asked whether the two houses would continue to look like one, and what would happen in the future when the neighbours wished to paint their houses in different colours or redecorate at different times. A major concern was the urbanising effect of having six car parking spaces in the front. The application suggested that shrubs could be planted along the boundary to screen the parking but on the north side this would not be possible because the parking spaces filled the width between the grass verge and the house itself. Either the proposed shrubs would take up part of the grass verge or they would encroach on the nearest car park space. In contrast, the permitted plan had plenty of space for planting or retaining existing trees or shrubs. The applicant had presumably bought the land and house as an investment and was entitled to maximise his profit but Ms Leyland questioned what benefit this proposal would have to the village of Charing over the permitted scheme. Ashford had a five year housing supply. The number of houses in Charing was already set to grow substantially so there was no need for this additional house, which would spoil the character of a pleasant road and was contrary to policy HOU3a.

**Resolved:****Refuse**

The proposal would represent unacceptable development contrary to policies SP1, SP2, SP6, HOU3a and HOU10 of the Ashford Borough Local Plan 2030, the Charing Parish Design statement and the aims and objectives of the National Planning Policy Framework, for the following reason:-

1. The erection of a pair of semi-detached dwellings on the site along with their narrow plot widths would be out of character with the established grain of development along this section of the Hill, which in the main comprises detached dwellings on wide plots, to the detriment of the visual amenity of the immediate street scene and surrounding area. This harm would further be exacerbated by the large area of hardstanding to provide the necessary parking and the urbanising effects this would have.

<b>Application Number</b>	19/00941/AS
<b>Location</b>	Peniel, Bethersden Road, Smarden, Ashford, Kent, TN27 8QU
<b>Grid Reference</b>	588165 141428
<b>Parish Council</b>	Smarden
<b>Ward</b>	Smarden
<b>Application Description</b>	Demolition of the existing dwelling, detached garage and storage buildings and replacement with 2 no. detached dwellings with associated landscaping and parking
<b>Applicant</b>	Mr Dodd and Ms Minter
<b>Agent</b>	Price Whitehead
<b>Site Area</b>	0.16 hectares

(a) 2 /3R & 7S (b) Parish Council – X (c)

In accordance with Procedure Rule 9.3, Ms Whitehead, the agent, spoke in support of the application. The application replaced an existing dilapidated chalet bungalow, a substantial garage and other outbuildings with two new dwellings. These were designed to sit comfortably on the site, reusing existing footprints and forming a linear layout matching adjacent built forms. The Officer's report advised that the proposal was for full 2-storey dwellings. This was incorrect. The styles ensured that both dwellings had first floors within roofs. Overall ridge height was graduated from Buffalo Cottages to Melville. Materials would match vernacular in brickwork tile hanging and timber cladding. No immediate neighbours objected and one stated that the scheme looked attractive. This style of dwelling had been built elsewhere, including recently at Challock. The report claimed the spacing between the dwellings would overdevelop the site, but new approved housing in Smarden would produce density spaced at just 1.75m. The spacing at Peniel would be acceptable, from 2.8m up to 6.2m between the houses. The report alleged that the location was unsustainable, being over 800m from the village confines and contrary to policy HOU5. However, the site was within 627m of the bus stop and 0.63 miles of the pub. The walk by footpath was level and easy, either by road or cross country. The policy allowed housing further than 800m from the village confines, as paragraph 6.58 in the Local Plan confirmed. The Officer approved a windfall plot in High Halden this year which was located 1.5km from the nearest shop. This was granted using the higher distance guide policy for HOU5, which could also be applied to Peniel. The applicants did walk to the village, caught the bus and cycled to the shop. There was no incentive to drive when living so close to village services. There were confusing contradictions in the report from point 30 contesting and then accepting the design, as well as an error in point 5 stating a new highway access would be created. This was wrong as Peniel had two existing highway entrances that would

be reused. Ecology was fully covered with new enhancements for bats, hedgehogs and newts and the designs ensured energy efficiency and low carbon footprints, including electric vehicle charging points.

The Ward Member attended and spoke in support of the application.

Members raised the following points:

- Whilst outside of the confines of the settlement, the proposed development added to the need for housing in the locality;
- The development made a better use of the site through the creation of an additional dwelling;
- The development fitted within the context of the street scene and within this rural location.

**Resolved:**

**Permit**

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

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

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

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

- 3 Prior to the first occupation the dwelling shall be provided with at least one electric vehicle charging point. The charging point may be a dedicated electric vehicle charging socket, or a suitably rated three-pin socket capable of safely providing a slow charge to an electric vehicle via a domestic charging cable. The charging point shall thereafter be retained available, in a working order for the charging of electric vehicles.

**Reason:** To take into account the cumulative impacts of development on air quality and to encourage the use of sustainable transport modes including incorporation of facilities for charging plug-in vehicles in accordance with the National Planning Policy Framework.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within Classes A - E of Part 1 of Schedule 2 of that Order (or any Order revoking and re-



enacting that Order), without prior approval of the Local Planning Authority.

**Reason:** In the interests of protecting the character and amenities of the locality.

- 5 Prior to and during the demolition of the bungalow the mitigation detailed within the Bat Survey and Mitigation Strategy (KB Ecology; July 2019) must be implemented as approved.

**Reason:** To protect and enhance existing species and habitat on the site in the future.

- 6 Prior to works commencing on site (including vegetation clearance) a detailed GCN mitigation strategy shall be submitted for written approval by the Local Planning Authority. The approved strategy shall be implemented as approved.

**Reason:** To protect and enhance existing species and habitat on the site in the future.

- 7 Prior to occupation of either dwelling, an ecological enhancement plan shall be submitted for approval in writing by the Local Planning Authority, detailing what ecological enhancements will be incorporated in to the site. These enhancements shall be carried out within 6 months of the first occupation of 1 dwelling and thereafter retained.

**Reason:** To protect and enhance existing species and habitat on the site in the future.

- 8 A landscaping scheme for the site (which may include entirely new planting, retention of existing planting or a combination of both) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced above damp proof course level. Thereafter, the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

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

- 9 The area shown on the drawing number D1367 D04 Rev3 as vehicle parking space and turning areas shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

**Reason:** Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users.

- 10 Details of walls and fences to be erected within the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences above damp proof course level. The walls and fences shall then be erected before the adjoining part of the development or dwelling is occupied in accordance with the approved details.

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

- 11 Prior to the commencement of the development above damp proof course level details of drainage works, designed in accordance with the principles of sustainable urban drainage, shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out and maintained in accordance with these details.

**Reason:** In order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development pursuant to Local Plan policy ENV9.

- 12 The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents Approved by this decision.

**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.

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

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

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<b>Application Number</b>	19/01341/AS
<b>Location</b>	11 Bornefields, Ashford, Kent, TN23 3RF
<b>Grid Reference</b>	00121/41177
<b>Parish Council</b>	Central Ashford
<b>Ward</b>	Beaver Ward
<b>Application</b>	Erection of Single storey rear extension

**Description**

<b>Applicant</b>	Ashford Borough Council	
<b>Agent</b>	RDA Consulting Architects, Evegate Park Barn, Evegate, Smeeth	
<b>Site Area</b>		
(a)	7/1R	(b) (c)

**Resolved:****Permit**

Subject to the following Conditions and Notes:

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

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

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

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

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

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

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

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

### **Working with the Applicant**

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

In this instance:

- 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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