

## Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **19<sup>th</sup> February 2020**.

### Present:

Cllr. Burgess (Chairman);

Cllr. Blanford (Vice-Chairman);

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

In accordance with Procedure Rule 1.2(c) Cllrs. Mulholland, Ledger and Anckorn attended as Substitute Members for Cllrs. Howard, Smith and Ward respectively.

### Apologies:

Cllrs. Howard, Smith, Ward.

### Also Present:

Cllrs. Farrell, Suddards, Webb, White.

Team Leader Planning Applications, Team Leader Strategic Applications, Head of Planning and Development, Principal Solicitor (Strategic Development), Member Services and Ombudsman Complaints Officer.

## 302 Declarations of Interest

Councillor	Interest	Minute No.
Anckorn	Declared an Other Significant Interest because he was closely associated with a tenant of a shop below the proposed development. He would leave the Chamber for the debate and vote, which he did.	305 – 19/00766/AS
Blanford	Made a Voluntary Announcement as she was a Member of the Weald of Kent Protection Society and the Campaign to Protect Rural England.	
Chilton	Made a Voluntary Announcement that knew a tenant of a shop below the proposed development, but not as a close associate.	305 – 19/00766/AS
	Declared an Other Significant Interest as a very close neighbour of the application site was a	19/00189/AS

	family friend. He left the Chamber for the debate and vote.	
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.	
Farrell	Made a Voluntary Announcement that he was a Member of Kent County Council.	305 – 19/00189/AS 19/00709/AS 18/01763/AS 19/00715/AS
	Made a Voluntary Announcement that he was a Governor of the John Wallis Academy but that he had had no involvement in a letter from the Principal of the Academy which expressed support for the application.	19/00709/AS
	Made a Voluntary Announcement that knew a tenant of a shop below the proposed development, but not as a close associate.	19/00766/AS
Mulholland	Declared that as Ward Member for Smarden he opposed the application, and would speak on it prior to the debate. He would not take part in the discussions or vote.	305 – 18/01763/AS
	Declared that as a Member of Tenterden Town Council's Planning Committee he had already considered and determined the application. He would not take part in the discussions or vote.	19/00715/AS
Shorter	Made a Voluntary Announcement as he knew the agent as a fellow director of the Chilmington Management Organisation, but not as a close associate.	305 – 18/01763/AS
Spain	Made a Voluntary Announcement that his daughter attended Homewood School. However he did not consider that this fact compromised his duties as a Member of the Committee.	305 – 19/00715/AS
	Declared an Other Significant Interest because he was closely associated with a tenant of a	19/00766/AS

shop below the proposed development. He would leave the Chamber for the debate and vote, which he did.

### **303 Minutes**

**Resolved:**

**That the Minutes of the Meeting of this Committee held on the 22<sup>nd</sup> January 2020 be approved and confirmed as a correct record.**

### **304 Amendment to the agenda order**

The Chairman put forward a motion to bring Application No 19/00709/AS forward to the first item on the agenda. This was because a large number of members of the public were in attendance to hear this application and waiting time would be reduced for them if this item was considered first.

**Resolved**

**That Application No 19/00709/AS be brought forward to the first item on the agenda.**

### **305 Schedule of Applications**

**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>	19/00709/AS
<b>Location</b>	Land at junction of Romney Marsh Road and north of, Norman Road, Ashford
<b>Grid Reference</b>	01228/41493
<b>Parish Council</b>	None
<b>Ward</b>	Norman
<b>Application Description</b>	Development of 212 flatted units, in six blocks, new vehicular and pedestrian access, internal estate road, footpaths and car parking, earthworks, creation of a new section of active floodplain and floodplain compensation for the development, sustainable drainage systems, open space and hard and soft landscaping.
<b>Applicant</b>	Quinn Estates Ltd, c/o agent
<b>Agent</b>	Mr Peter Keenan, Q+A Planning Ltd, One Mortimer Street (third floor), London, W1T 3JA
<b>Site Area</b>	2.67 hectares

(a)	310/105R	(b)	-	(c)	Kent F&R- X, NE- X, Police – X, UKPN – X, KCC Ecology – X, EA – X, SW – X, SACF – R, KCC H&T – X, HE – X, KWT – X, KCC SUDS – +, KWT-R, ABC OSSS – X, HOUSING – X, IDB – R, ABC REFUSE – R, ABC EHM – X, KCC ARCH –X, KCC DC- X
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The Team Leader Strategic Applications drew Members' attention to the Update Report. There were two errata, and comments from KCC Flood and Water Management. There were also further representations in support, in objection and from the applicant.

In accordance with Procedure Rule 9.3, Mr Cummins, a local resident, spoke in objection to the application. When the Designer Outlet had been planned, residents had been assured that the piece of land in question would only ever be used for recreational purposes as it was floodplain. There had been eight flood alerts since

Christmas and the area was currently waterlogged. Residents were far from convinced that the flood problem would improve with this project being built. The developer planned to remove the high bank on the south side of the river and make an active flood plain. This would make the cycle path unusable during periods of flood as well as reduce any privacy the residents may have had from the footpath traffic. The proposed development was totally out of keeping. All their properties were of 2 storey construction, and these flats would blight the whole area. The buildings would have a vast impact on the daily lives of the people of Riversdale Road and the surrounding streets. The residents of Riversdale would suffer. The construction of these flats, all with balconies, would actively encourage people to sit out and overlook existing gardens and properties. Privacy would be a thing of the past for many. The way that blocks C and D had been set out would place the blocks almost on the riverbank, which was unacceptable. In midwinter residents in Riversdale Road would be lucky to see any winter sun until midday. The developer's own utility appraisal report stated that the development was predicted to receive a good terrestrial television signal from the Dover transmitter but other residents would suffer worse signal if these flats were built. Already properties in Riversdale and surrounding area had to fit 4-6ft high masts to get any signal. The project would interfere with signals from Dover and the Sky satellite as the satellite was so low on the horizon in the south/south-westerly direction. If this project went ahead the traffic problems in the area were set to get much worse. The Designer Outlet's expansion had made life for car users a nightmare and alterations to the roundabout had done nothing to alleviate the problems. In fact, it had probably made them worse. The egress from the proposed properties was ill thought out. Residents who wished to turn right out of the development would have to go via the roundabout. When it was very busy they would not want to do that and people may try to illegally turn right. By doing so, there would be the added problem of the siting of the proposed pelican crossing. Residents of Beaver Road had no choice but to use the roundabout if going toward the town, as egress to the north was blocked by the taxi and bus gate. Mr Cummins had asked where overflow vehicles from the development would park and had been told that they would park in the Outlet, for which there was a charge. There were no prizes for guessing where they would park instead. People used Riversdale and Torrington Roads to park to go to the station and the Designer Outlet. Mr Cummins hoped that Committee Members would see how bad the development would be for the community and that this application would be refused permission.

In accordance with Procedure Rule 9.3, Mr Hollaway, the agent, spoke in support of the application. Work had been undertaken over the last two years to bring the application to this Committee. The site sat next to the Designer Outlet, which was destined to have 4-5 million visitors and hundreds of staff. It was also very close to the proposed Newtown works, where it was hoped 1,500 jobs would be created, and a stone's throw from the International Station. Therefore, this was a highly sustainable location in the town centre. Ashford was now a place to come, be, live and work which was exciting for the future of Ashford. This would be an incredible place to live. It would take away what was currently scrubland and replace it with a new parkland. The site was highly sustainable, with a high quality housing scheme that would run alongside the river. It would be hidden behind the tree line along the road. The Environment Agency supported the scheme and raised no objection. The bund would be moved from the river, thus increasing the flood capacity in extreme

conditions and improving the position for local residents. This was an engineered solution that had taken considerable time to work out and it would help with emerging climate change. The architecture of the scheme was all about landscape. Consultation had been undertaken with the Design Review Panel. Thought had been given to the proximity and height of the building in relation to the neighbouring properties, so there would no overlooking impact or impact in terms of sun tracking. Lower units would be located closer to the existing houses, with an increase in building height around the parkland. Oversized balconies, sedan roofs, solar panels, zero fossil fuel, 1:1 parking, 24 visitors spaces, electric charge points, cycle parking and Affordable Housing would all be provided. It was considered this was a highly sustainable, well-designed scheme in the town centre, with Environment Agency support. Mr Hollaway urged Members to support the Officer's recommendation to approve the scheme.

In accordance with Procedure Rule 9.3, Mr Shrubbs, on behalf of South Ashford Community Forum, spoke in objection to the application. He said the Forum had supported the construction of higher density housing on brownfield sites in South Ashford as a valuable contribution to meeting the Borough's housing need. However, the Forum did object to this development. It was not considered that the NPPF intended to restrict the search for sites in the sequential test in the way that had been done for this site. The applicant appeared to be saying that they had designed this site, which would not fit anywhere else, therefore it should be permitted. That alone was a reason to object to this development. One of the benefits of the green corridor was that it promoted the movement of wildlife through the town. The proposed development would severely restrict the green corridor in an area adjacent to that where the green corridor was already constrained by the infrastructure surrounding the International Station, and would further inhibit the movement of wildlife. This was a view supported by Kent Wildlife Trust in its objection to this development. Regardless of the ecological mitigation included, this development was bound to have an impact on the movement of wildlife and hence could not meet the exception criteria for development on the green corridor required by Local Plan Policy ENV2. The development was not required to meet the housing needs of Ashford and should not be regarded as a windfall site, having been submitted as available for development through the SHELAA process, but not selected for inclusion in the Local Plan. Developments of this size on greenfield sites should go through that selection process, which considered and compared all aspects of each site submitted. The Council spent five years preparing its Local Plan, and the anniversary of its adoption fell later in the week. Permitting this development would make a mockery of that five years of preparation.

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

**Resolved:**

**Refuse**

For the following reasons:

The proposal would be contrary to Policies SP1 and ENV2 of the Ashford Local Plan (ALP) 2030, the Green Corridor Action Plan 2017 supporting the ALP and policies in the NPPF and would be harmful to interests of acknowledged planning importance for the following reasons;

- (a) the application site is located within the designated Ashford Green Corridor and the proposed residential development is not compatible with, or ancillary to, the principal role and current use of the application site and would be harmful to the existing visual function of this part of the Green Corridor through the loss of an important undeveloped open space 'buffer' located between the existing built-up area to the west and the A2042 located to the east,
- (b) as a consequence of (a) above, the proposal would result in a detrimental change to the landscape character and visual amenity of this part of the Green Corridor,
- (c) the proposal would give rise to a detrimental change in the ability of the site to continue to function as a wide undeveloped corridor supporting varied wildlife habitat, wildlife connectivity and biodiversity,
- (d) the proposal would result in unjustified residential development on land which is flood zone 3, and
- (e) the site is not a brownfield site and the proposal would not provide overriding planning benefits sufficient to outweigh the significant harms identified above.

### **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,
- was provided with pre-application advice,

- 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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<b>Application Number</b>	19/00189/AS	
<b>Location</b>	Land west of Stonebridge House, Stonebridge, Brook	
<b>Grid Reference</b>	606237/144240	
<b>Parish Council</b>	Brook	
<b>Ward</b>	Bircholt	
<b>Application Description</b>	Outline planning application for the erection of three dwellings with all matters reserved.	
<b>Applicant</b>	Skylark Kent LLP	
<b>Agent</b>	Mr Steven Davies, Hobbs Parker Property Consultants, Romney House, Monument Way, Orbital Park, Ashford, Kent TN24 0HB	
<b>Site Area</b>	0.36 hectares	
(a) 14/5R 1X	(b) Brook - R	(c) KH&T - X; PRoW – X; KCC ECO - X; Ramblers - X

In accordance with Procedure Rule 9.3, Mr Redfern, a local resident, spoke in objection to the application. He lived at Stonebridge House. He referred to the Officer's report, paragraph 23, which stated that the village envelope exercise began in 2019. The process actually started in 2018 and in December of that year the Brook Parish Council consulted with local residents and proposed a revised line. It was a core planning principle of the NPPF that planning should be genuinely planned, empowering local people to shape their surroundings. Thus, determining this application before finalising the envelope ignored the views of local residents and was contrary to the NPPF. Paragraph 22 referred to Policy HOU3a and defined built up confines as 'the limits of continuous and contiguous development'. The Local Plan said that this definition may include sites suitable for infilling, which was the completion of an otherwise substantially built up frontage by the filling of a narrow gap, usually capable of taking one or two dwellings only. The character of the village

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was that of housing intermittently separate by fields, rather than a continuous or contiguous line through the village. To the east of the development site, and on the same side of the road, there was a gap formed by access to the pumping station and the stream. To the east of the stream there were 11 properties, in front of which was an area of green with trees. To the east of the crescent there was a large field bordering the road. The application did not fit the description of infill as the frontage could not be described as substantially built up and the application was for 3 dwellings, not one or two. Para 3 stated that whilst the site was within flood zone 1, the land around the watercourse was within flood zones 2 and 3. This included land at Stonebridge House and properties opposite. The development would increase the volume of run-off, putting additional pressure on the capacity of the stream. It would not contribute to an overall flood risk reduction and therefore did not comply with Local Plan Policies ENV6 and ENV9. Para 54 stated that unit 3 would share an access with the new access to the field. The current access to the field and access to the pumping station were not visible to cars exiting Stonebridge House, due to the shape of the bend, which was already dangerous. Furthermore, during cold winter weather black ice formed on the road surface in the vicinity of the bridge over the stream. Thus, the development did not accord with HOU3a with regard to safe access. Paras 27 and 28 referred to access to local services. There was no shop and the pub had recently closed. There was no bus service, except for the school service. Wye was only accessible by car, adding to the volume of traffic on country roads, already in a poor state of repair.

In accordance with Procedure Rule 9.3, Mr Davies, the agent, spoke in support of the application. He said new development of an appropriate scale was essential within rural communities to allow for sustainable growth that would aid the community and support the continued provision of local services. Without some growth rural services would increasingly lack support or otherwise require people to travel some distance. This development would assist with the support of local services including the local pub. It was noted that the Honest Miller closed at the start of the year and was currently being marketed for a new landlord to take over the establishment. The chances of its long term future success, as well as that of other village services, would be improved by new development. The application was a modest infill development of three houses. The Council was unsuccessful in allocating a large in-depth development site as part of the current Local Plan. The Inspector concluded that only development of the site frontage was sound. However, the Inspector recommended no allocation be made as a reduction in numbers that would result would not justify this and it would be necessary to demonstrate that the proposal would allow suitable living conditions. The Inspector identified no concern regarding the impact of infilling the frontage on the character and appearance of the street scene or the wider protected landscape. It should be noted that the character of the southern part of the site, adjacent to the Nats Lane Junction, was not impacted by the development and was retained in its current form as an open area as part of the ecological mitigation proposals. Overall, the Officers accepted that the site was within the village confines and development accorded with Policy HOU3a, that the site could be developed without detriment to residential amenity of the surrounding area. The scale and form of the development was also in keeping with the linear form of Brook and would not result in any unacceptable harm to the amenity of the surrounding area, or inappropriately impact on highways safety. An appropriate package of ecological mitigation had been put forward to ensure that

the scheme resulted in ecological betterment of the site.

In accordance with Procedure Rule 9.3, Mr Betty, on behalf of Brook Parish Council, spoke in objection to the application. He said the site had previously been rejected for development on two previous occasions; firstly by Ashford Borough Council in 2014, following a site submission request and also by the Inspector, when it was included as site S53 in the draft Local Plan. Following the Public Inquiry, the Inspector did not recognise the need for residential allocation in Brook, which subsequently led to the entire site being rejected. The Inspector's reasons were quoted in full in the Officer's report, but of particular interest was the suggestion of uncertainty as to whether the site could support even limited windfall frontage development without impacting on the living conditions of nearby residents. The Local Plan suggested that the spirit of windfall development, as outlined by HOU3a, related to the infilling of a narrow gap with a single dwelling to complete an otherwise built-up frontage. The site offered significant frontage and certainly constituted more than just infill. Recalling the Inspector's comment, this site could not support windfall development without impacting on the living conditions of nearby residents. In fact, the first floor windows of the nearest proposed house would be level with and less than 20m from the existing decking area in the rear garden of the neighbouring property in Nats Lane. Fairly ordinary houses in Brook sold for £500K to £750K, with several now breaking the £1m barrier. In this case, the Committee was considering an outline application to build three £1m houses. In particular, the wording of paragraph 77 of the 2019 NPPF stated 'in rural areas planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs'. Mr Betty questioned whether this application met local housing need or whether it was pure speculation to support housing greed. He asked whether housing was intended for the many, not the few, and in the context of meeting housing targets, what difference three £1m houses would make. Brook Parish Council was very concerned that, whilst all the other village confines plans had been adopted, the plan for Brook had not yet, despite the exercise initiated by the Council on 14<sup>th</sup> November 2018, and not 2019 as stated in the Officer's report. The plan was subject to public consultation in December 2018 and submitted with amendments, ready for adoption, in early 2019. Contrary to the Officer's report, the Parish Council requested that the Committee acknowledge that the confines plan was in a draft form before this outline application was submitted, and that, in the interests of transparency, the boundaries of the plan, as amended, were recognised when considering this application. The Parish Council was firmly of the opinion that this site was not capable of supporting any form of development and respectfully requested that the Committee refuse to grant outline planning consent for this application.

## **Resolved**

### **Permit**

**Subject to the following Conditions and Notes:  
(with delegated authority to the Strategic Development and Delivery Manager or Development Management Manager to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit).**

**Standard**

1. Standard time and reserved matters conditions
2. Materials
3. Architectural details i.e. sections through eaves, ridge, window reveals, joinery etc
4. Removal of permitted development rights for extensions and alterations, outbuildings and walls and fences

**Highways and Parking**

5. Parking spaces in accordance with TRA3a
6. Cycle Storage in accordance with TRA6
7. Highway surfacing and gates
8. Visibility Splay provision and maintenance
9. Compliance with approved Construction Management Plan with regards to site personnel parking, storage, wheel washing facilities etc.
10. Electric car charging points

**Landscaping**

11. Walls/Fencing and other boundary treatments
12. Landscaping scheme – to include native planting
13. Trees/hedgerow protection measures

**Biodiversity / Ecology**

14. Ecological Mitigation Measures as set out in GCN Survey Letter
15. Compliance with approved Construction Management Plan with regards to ecological mitigation measures
16. Ecological Enhancement Measures
17. Scheme of reasonable avoidance measures for reptiles submitted and approved
18. External lighting design plan for biodiversity

**Residential**

19. Details of residential space standards including minimum garden sizes
20. Refuse storage details
21. Water efficiency condition pursuant to policy ENV7

**Drainage & Disposal of Foul water**

22. Sustainable urban drainage
23. Foul water and sewerage disposal for site

**Others**

24. Development in accordance with the approved plans

## 25. Development available for inspection

**Notes to Applicant**

1. Working with the Applicant
2. KCC Highways and Transportation informative regarding vehicular crossing works
3. Wildlife and Countryside Act 1981 – Nesting Birds

Councillor Blanford requested it be recorded that she abstained from voting on both the motion to refuse the application and the motion to approve the application.

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<b>Application Number</b>	19/00766/AS	
<b>Location</b>	Northdown House, 4 Station Road, Ashford, Kent, TN23 1PT	
<b>Grid Reference</b>	01200/42755	
<b>Ward</b>	Victoria Ward	
<b>Application Description</b>	Change of use of B1 office to 24no. 1 and 2 bed residential units to include first and second floor extensions and roof extension above existing second floor together with works to include external treatments and fenestration alterations, car parking, basement and surface cycle parking, surface water storage tank and bin storage	
<b>Applicant</b>	Abbey Commercial Ltd.	
<b>Agent</b>	Mr G Simpkin, Graham Simpkin Planning Ltd., 2 The Parade, Ash Road, Hartley, Longfield, DA3 8BG	
<b>Site Area</b>	0.1ha	
(a) 18/2R	(b) -	(c) KH&T/X, NHS/-, Housing/+, OSS/X, Refuse/+, ED/+, EHM/X,

In accordance with Procedure Rule 9.3, Ms Barr, the agent, spoke in support of the application. Permitted development rules currently encouraged the conversion of

unused offices into residential accommodation. A prior approval application for 20 units was granted, and as a result the site was included as a major windfall with permission in the five year housing supply projections. There was an opportunity to improve the scheme, and as a result it was decided to submit this planning application. Planning permission would allow for improvement of the quality of residential units and the appearance of the building. The building was in a prominent location and its dated and run-down appearance did not make a positive contribution to the town. The building had been vacant for a long time and the objective was to provide a new use for the upper floors of the building, and to get it re-occupied. It was a perfect location for a new residential use, representing efficient use of an under-used urban building in a sustainable and accessible location. All the ground floor commercial units would remain. All the units met Government guidance on minimum sizes and would be fitted out to provide good quality living spaces. Changes to the windows would be key to this. New window units would be designed to provide a quiet internal environment and this was important for town centre residential accommodation. The building itself would be visually enhanced by cleaning the existing brickwork and stone frame and improving the arrangement of windows, which were very dated. The extensions to the building were all very modest compared to the size of the building, and had been carefully designed to ensure that they enhanced the appearance of the building and the area generally. The heritage statement confirmed that the proposals enhanced the Conservation Area. All the units had secure, dedicated cycle storage. KCC had commented on the scheme and had no objection. The scheme would also include surface water storage, which would reduce the speed at which surface water left the site and contribute to reducing the rate at which water reached the river. This was a benefit in times of climate change. Ms Barr hoped Members would see the benefits of the scheme for future residents, for the appearance of the building and the area generally. The new residents would be able to enjoy the services and facilities in the town centre for day to day living and take advantage of the excellent public transport system available close by. They would provide a boost to the evening economy and local retailers, and be part of the regenerated town centre. This was an opportunity to provide better housing than would otherwise be provided. The focus was to improve the scheme and the appearance of the building.

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

The Team Leader Planning Applications advised that the Officer's Recommendation was to permit.

**Resolved:**

**(A) Permit**

**Subject to the applicant first entering into a section 106 as set out in Table 1 agreement/undertaking in respect of planning obligations 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,

Table 1

<b>Planning Obligation</b>		
<b>Detail</b>	<b>Amounts (s)</b>	<b>Trigger Points (s)</b>
<b>Potentially applies to any size/scale of residential development</b>		
<b><u>Informal/Natural Green Space</u></b>		
Project: Site furniture at Queen Mothers Park, Ashford:	£434 per dwelling for capital costs  £325 per dwelling for maintenance	Upon occupation of 75% of the dwellings
<b>Applies to sites of 11 dwellings or more</b>		
<b>Planning Obligation</b>		
<b>Detail</b>	<b>Amounts (s)</b>	<b>Trigger Points (s)</b>
<b><u>Children's and Young People's Play Space</u></b>		
Project: provision of new Town Centre play space, Ashford	£649 per dwelling for capital costs  £663 per dwelling for maintenance	Upon occupation of 75% of the dwellings
<b><u>Libraries</u></b>		
Contribution for additional bookstock at Ashford Library	£48.02 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
<b><u>Outdoor Sports Pitches</u></b>		
Project: New goals at pitch side facility	£1,589 per dwelling for capital costs  £326 per dwelling for maintenance	Upon occupation of 75% of the dwellings

<p><b><u>Strategic Parks</u></b></p> <p>Project: Signage and furniture, Conningbrook Lakes, Ashford</p>	<p>£146 per dwelling for capital costs</p> <p>£47 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>
<p><b><u>Voluntary Sector</u></b></p> <p>Project: Grant application service to be delivered by the Volunteer Centre, Ashford</p>	<p>£63 per dwelling</p>	<p>Upon occupation of 75% of the dwellings</p>
<p><b><u>Monitoring Fee</u></b></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking</p>	<p>£1000 per annum until development is completed</p>	<p>First payment upon commencement of development and on the anniversary thereof in subsequent years (if not one-off payment)</p>
<p><a href="#">Notices</a> must be given to the Council at various stages in order to aid monitoring. All contributions are <a href="#">index linked</a> in order to maintain their value. The Council's legal costs in connection with the deed must be paid.</p> <p><b>If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.</b></p>		

**(B)****Subject to the following conditions and notes:**

1. Standard time condition
2. Development carried out in accordance with the approved plans
3. Materials
4. Design details including joinery, rainwater goods, eaves, fascia (including material finish) and windows reveals
5. Location and style of mechanical vents
6. Enclosures for private garden areas

7. Parking provision
8. Electric car charging point
9. Cycle Parking
10. Refuse Storage
11. Construction management plan
12. SUDs
13. Water efficiency
14. Fibre broadband to premises
15. C3 use only
16. Ecological enhancements
17. Details of noise mitigation
18. In accordance with the approved plans
19. Available for Inspection

### **Notes to Applicant**

1. S106
2. Working with the Applicant
3. Code of construction practice
4. Burning of waste
5. Dust and construction emission

### **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,
- was provided with pre-application advice,
- the applicant/ agent responded by submitting amended plans
- 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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<b>Application Number</b>	18/01763/AS
<b>Location</b>	Land between Stanley House and Long Meadow, Pluckley Road, Smarden, Kent
<b>Grid Reference</b>	588721 142689
<b>Parish Council</b>	Smarden
<b>Ward</b>	Smarden
<b>Application Description</b>	Erection of two detached 2 storey dwellings and creation of new vehicular access together with associated infrastructure.
<b>Applicant</b>	Chilmington Construction Ltd
<b>Agent</b>	Ian Bull Consultancy
<b>Site Area</b>	0.72 hectares (development area)
(a) 17/9R & 1+	(b) Parish Council – R (c) KCCH&T/X, KCCE/X,

The Team Leader Planning Applications drew Members' attention to the Update Report. There was a correction to a typo, and four further objections from local residents.

In accordance with Procedure Rule 9.3, Mr Bull, the agent, spoke in support of the application. The application had been the subject of ongoing discussions with Officers since its submission in 2018, culminating in the recommendation to Committee that permission be granted. The application originally sought permission for three dwellings, but following discussions with Officers, had been amended to two dwellings. The proposed dwellings were of high quality design and utilised traditional materials, sympathetic to the character of the immediate area. The proposed dwellings would be accessed by a shared drive to Pluckley Road, with parking and turning facilities in accordance with adopted standards. The development incorporated an ecological mitigation strategy, which had been agreed with Kent County Council Ecology, and a comprehensive landscape strategy, agreed with the Council's Tree Officer. In addition, the applicant had agreed to extend the existing footpath along Pluckley Road, as requested by Kent Highways. The application site lay within a ribbon of residential development fronting Pluckley Road, immediately adjoining the village confines of Smarden. The site sat between Long Meadow and Stanley House with other residential properties opposite the site to the north of Pluckley Road. The NPPF set out a presumption in favour of sustainable development and required that planning applications be determined in accordance with an up-to-date development plan. The development proposed clearly lay within a highly sustainable location and constituted sustainable development. The Ashford Local Plan was adopted in February 2019, following an independent examination. The Plan set out a series of policies designed to meet the five year housing land supply and achieve the Borough's housing requirements. In addition to a number of allocated sites, the Local Plan relied on a significant number of dwellings being delivered on other allocated or windfall sites which met the requirements of Policy HOU5. This Policy permitted residential development adjacent to or close to the built confines of Smarden, subject to the criteria set out in Policy HOU5. All those criteria were fully met by this application. The application was accompanied by a number of technical reports, including ecological surveys, a tree survey, a design and access statement and a heritage statement. These reports all demonstrated the acceptability of the development, which met all relevant technical requirements. In conclusion, the sustainable development proposed was fully compliant with Policy HOU5. The NPPF required that applications which accorded with an up-to-date development plan should be approved. Mr Bull asked Members to endorse the Officer's recommendation and grant planning permission.

In accordance with Procedure Rule 9.3, Ms Teare, on behalf of Smarden Parish Council, spoke in objection to the application. She said Smarden Parish Council strongly objected to this development. The site was an ancient area of permanent pasture abutting important Grade II listed buildings. The site created a green field setting amongst its historical heritage, now its only green gap which formed a principal entrance to the village. The proposed site sat beside a very dangerous double blind bend to the south-west and the junction of Mill Lane to the north-east, which acted as a significant arterial route for diverted lorries and tractors that were unable to navigate through the narrow main street of Smarden. The current residents that would be beside this site already made a leap of faith as they moved their cars to and from their properties. This site was not identified in the Local Plan. These proposed large modern dwellings would appear to be over prominent and not in line with the local vernacular style of this area, and no need had been

demonstrated for additional dwellings of this size. In fact, Smarden more than fulfilled its quota of new housing stock when an appeal was lost for an application for 50 houses, which were currently under construction. Additionally, the near completion of those 50 new dwellings around the double blind bend would significantly increase the volume of traffic passing this proposed site by potentially 2 cars per household, thus an increase of 100 cars. This area was used by pedestrians, cyclists and horse-riders, as it formed a circular recreational route around the village. The proposed development was totally out of character from its neighbours, that made up listed buildings, and would cause harm to the look and layout of this rural pasture. This was particularly the case for Stanley House, which was a Grade II listed building, where the 50 new houses came close to its border. This proposed site would border its other side. Ms Teare drew attention to the Inspector's report of his recent refusal of the 2018 application, reference 1818 – Boughton Cottage, Mill Lane, that developments should be sympathetic to the local character of the surrounding built environment and landscape setting.

## **Resolved**

### **Permit**

#### **Subject to the following Conditions and Notes:**

**(with delegated authority to either the Strategic Development and Delivery Manager or the Development Management Manager 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
3. Architectural details – sections through eaves, ridge, dormers, chimneys, entrance porches, window reveals, joinery details

#### **Highways/Parking**

4. Provision / Retention of parking spaces and turning areas
5. Electric car charging
6. Visibility splays
7. Completion and maintenance of the access and roadside footpath prior to first occupation.
8. Closure of the existing access prior to first occupation
9. Construction Management Plan
10. Cycle parking and refuse storage

#### **Landscaping**

11. Walls/Fencing
12. Landscaping scheme
13. Trees/protection measures

## Drainage

- 14. SUDs scheme

## Ecology

- 15. Biodiversity Mitigation and Enhancement Strategy
- 16. GCN mitigation strategy
- 17. Ecology lighting
- 18. Dormice precautionary mitigation strategy
- 19. A Landscape and Ecological Management Plan (LEMP) – to include details of a management company responsible for maintaining the habitat.

## Other

- 20. Development in accordance with the approved plans
- 21. Development available for inspection
- 22. Removal of PD rights for extensions / alterations, outbuildings and wall and fences.

## Note to Applicant

- 1. Working with the Applicant

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<b>Application Number</b>	19/00715/AS
<b>Location</b>	Land at Homewood School adjoining Fire Station, Ashford Road, Tenterden, Kent
<b>Grid Reference</b>	588805 134276
<b>Parish Council</b>	Tenterden
<b>Ward</b>	Tenterden North
<b>Application Description</b>	Erection of apartment block containing 7 dwellings with associated parking and amenities.
<b>Applicant</b>	Churchview Estates
<b>Agent</b>	Batcheller Monkhouse, 1 London Road, Tunbridge Wells TN1 1DH
<b>Site Area</b>	0.27 hectares (red line site boundary)

(a) 17/11/R & 1/X

(b) Parish Council - R

(c) KCC ECO X;  
KH&T X

REFUSE X  
ESM X  
KF&R X  
EA X

Re-consultation following receipt of additional information

(a) 17/3R

(b)

(c) KH&T X

The Team Leader Planning Applications drew Members' attention to the Update Report. There were two additional conditions and a letter from the Ward Member, who was unable to attend the meeting. One additional neighbour objection had been received.

In accordance with Procedure Rule 9.3, Mr Loffman, a local resident, spoke in objection to the application. He was pleased to see that the issue of a higher than normal housing density had been accepted. With regard to massing context, the block development unacceptably overlooked and dominated adjacent low level housing. Consideration should be given to low level clapper board and traditional type housing in this area, which was more consistent with Silver Hill. Regarding overlooking issues, windows on rear elevations still overlooked adjacent neighbours. Windows on the rear and south side would have commanding views of the all-weather pitch where children played, and this created a safeguarding risk. Regarding the school travel plan, this was currently under significant strain. At the start of a typical day, the arrival of a significant number of buses exiting the A28 led to them having to queue on the drive. Similarly, when students disembarked, the pressure was on buses to return back up the drive, leading to a queue as they exited onto the A28. This also occurred at the end of the day and into the evening. Therefore, buses blocked housing access and residents would not have free movement along the shared drive. Toxic diesel fumes from buses queueing outside were a potential harm to young families. Double yellow lines would not address pressure of illegal parking along the shared drive without rigorous 24/7 enforcement. This would increase the current managed chaos and place children at significantly increased risk. Regarding the impact of the all-weather pitch, Mr Loffman was pleased to see that reference had been made to extending the noise barrier. He suggested that, in line with the previous all-weather planning condition, consideration should also be given to extending the no-floodlight glare condition. Mr Loffman drew attention to a photo on the screen showing the light shining directly into the camera, which was where the development would be. In terms of environmental protection, Save Our Tree, the photo showed a mature, healthy, TPO protected tree in a prominent position at the entrance to the shared drive and it should be incorporated into the design and not chopped down for profit. It was important to send a positive message to the next generation about being serious in protecting the environment.

In accordance with Procedure Rule 9.3, Mr Reidy, on behalf of the applicant, spoke in support of the application. He was the Estates and Facilities Manager for Homewood School and Sixth Form, who were supporting the application. Over the past year the School Management Team, along with the Safeguarding Team, had

worked closely with the applicant in relation to this application. Safeguarding was a high priority of the School, so they had been involved in the input, design, location and access of the new development, as well as future access to the School from the fire station entrance. Through a series of meetings with the applicant, it was agreed to add another set of gates on the School side of the development to add greater security to the School. This offered safeguarding during school hours and extra security after School. Adding this measure satisfied the Safeguarding Team, who had no objections to the application. The School also investigated the traffic management plan and reviewed the current process in place. This had been in place since 2000 and it was decided to manage the area in the same way as in the past, including enforcing the double yellow lines inside the school entrance, along with daily teams managing the buses on arrival and departure from the School grounds, providing safe crossing to the School entrance to both the public and students and ensuring safeguarding for the students on the arrival and departure of public buses on the School site. This whole procedure took 15-20 minutes after a school day. Buses that arrived at the School early parked in a designated area on the main road on the School site. The School intended to introduce a no-idling zone within the School grounds which would require all buses on the School site to turn off their engines while stationary and only turn on again when leaving the School.

### **Resolved:**

#### **Permit**

#### **Subject to the following Conditions and Notes:**

**(with delegated authority to the Strategic Development and Delivery Manager or Development Management Manager 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 / turning areas
4. Construction Management Plan
5. Electric car charging

#### **Landscaping**

6. Walls/Fencing
7. Landscaping scheme
8. Trees/protection measures

#### **Drainage**

9. SUDs scheme
10. Foul sewerage

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## Ecology

11. Ecological enhancements and mitigation

## Other

12. Obscure glazing northwest elevation upper floor windows
13. Contamination
14. External lighting
15. Development in accordance with the approved plans
16. Development available for inspection
  
17. Prior to the commencement of development above damp proof course level a scheme of mitigation to protect future residents from potential noise pollution from the artificial sports pitch shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

**Reason:** To safeguard the amenity of future occupants.

18. Prior to the commencement of development an Arboricultural Method Statement shall be submitted to and approved by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

**Reason:** To ensure the method of construction safeguards the trees to the north of the development.

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<b>Application Number</b>	19/01351/AS
<b>Location</b>	Land rear of 1, Ragstone Hollow, Aldington, Kent
<b>Grid Reference</b>	06232 / 36753
<b>Parish Council</b>	Aldington
<b>Ward</b>	Saxon Shore Ware
<b>Application Description</b>	Formation of new permanent car parking bay (retrospective)
<b>Applicant</b>	Ashford Borough Council
<b>Agent</b>	RDA Architects

**Site Area** 120 sqm

(a) 1/1+

(b) Parish Council - S

(c) -

**Resolved:**

**Permit**

**Subject to the following Conditions and Notes:**

**(with delegated authority to either the Strategic Development & Delivery Manager or the Development Management Manager to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit)**

**Conditions**

1. Development in accordance with the approved plans
2. Development available for inspection

**Note to Applicant**

1. Working with the Applicant

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Queries concerning these Minutes?

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