

## Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **10<sup>th</sup> February 2020**.

### Present:

Cllr. Burgess (Chairman);

Cllr Blanford (Vice-Chairman);

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

In accordance with Procedure Rule 1.2(c) Cllrs. Pauley and Campkin attended as Substitute Members for Cllrs. Smith and Wright.

### Apologies:

Cllrs. Smith, Ward, Wright.

### Also Present:

Cllr. Farrell.

Strategic Development and Delivery Manager, Team Leader Place Making, Head of Planning & Development, Principal Solicitor (Strategic Development); Member Services and Ombudsman Complaints Officer.

## 296 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 the Campaign to Protect Rural England.	
Chilton	Declared that he was Ward Member for this application. He had previously made public and written comments and had been involved in Parish Council discussions. He would make a statement and leave the room for the debate and vote, which he did.	297 – 18/01861/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.	
Farrell	Declared that he was the KCC elected Member for Ashford South. As KCC was the applicant he would leave the room for the debate and vote, which he did.	297 – 18/01861/AS

## **297 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 /01861/AS
<b>Location</b>	Land at Playing Fields and Linden Grove Primary School, Stanhope Road, Stanhope, Kent
<b>Grid Reference</b>	599666 / 140550
<b>Parish Council</b>	Stanhope
<b>Ward</b>	Stanhope Ward (immediately adjoins Norman Ward, Washford Ward and Roman Ward)
<b>Application Description</b>	Outline application with all matters reserved, except the 3 main "Access" points off Stanhope Road into the site, for the construction of up to 205 no. dwellings and up to 65 no. bedroom Extra Care housing, replacement of the Ray Allen Children's Centre, together with the provision of open space, landscaping, drainage, infrastructure and earthworks.
<b>Applicant</b>	Kent County Council
<b>Agent</b>	Barton Willmore LLP The Observatory Southfleet Road Ebbsfleet Dartford, Kent DA10 0DF
<b>Site Area</b>	7.06 hectares

#### Consultation

(a)	335/46R/2X	(b)	R	(c)	KCC H&T – X, KCC SUDs – X, KCC Arch – X, KCC Bio – X, EHM – X, ABC Refuse – X, ABC Housing – X, Open Spaces – X, Police – X, Kent F&R – X, NHS – X, SW – X, SGN – X, UKPN – X, SE – X, RS IDB – X
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The Team Leader Place Making gave an oral update as follows:

### **Conditions relating to Submission of Reserved Matters & Commencement Of Development**

The applicant had stated that they wanted to maintain flexibility over the time period for the submission of Reserved Matters and the commencement of development to avoid any barriers to the sale of the land and to ensure it had more likelihood of coming forward for development. It was therefore recommended that condition 1 should be amended to allow a longer time period for reserved matters and a longer period for the subsequent commencement of development.

The Council's retained viability consultants Bespoke Property Services recommended a deferred contributions obligation if the site did not build to slab level on 24 plots within 2 years, and paragraph 3 of policy IMP2 of the Local Plan required a deferred contributions approach in a verified case of unviability. In this highly unusual case, the forward-funding of the Primary School had already occurred at the applicant's risk and cost, so it was therefore recommended that the shortened implementation timescale would be an alternative to requiring Deferred Contributions. However, as the applicant was asking for 3 years to approve the first reserved matters plus 2 years to implement them, then a Deferred Contribution approach would be necessary in order to recover a share of any increased sales values from the site. This would go towards Affordable Housing.

Therefore if the applicant was content with a Deferred Contributions obligation in return for 3 years and 2 years, the applicant may prefer to settle for a shorter period to implement. It would be an option for the Committee to consider whether to delegate this matter to Officers to resolve during negotiations.

### **Transport Plan**

Kent Highways & Transportation had confirmed that as the site was not allocated in the Local Plan and was a HOU3a Policy site, the Council could only ask for a 5 year plus application scenario. So adding 5 years to 2019 led to 2024. In the guidance on Transport Assessments by the Department for Transport - Paragraph 4.4.7 stated - 'For the local transport network, a development should be assessed with regard to the Local Development Framework, and for a period of no less than five years after the date of registration of a planning application.'

Kent Highways & Transportation had advised that there was not anything specifically mentioned in the NPPF about future assessment years.

### **NHS Contributions**

In the Health Care item on page 5 of the Update Report, it stated that 41 square metres of new surgery floorspace was required by the NHS. The NHS made an

error; they subsequently advised that 45.42 square metres was required with a corresponding correction to the contribution.

In accordance with Procedure Rule 9.3, Mr Landsberg, the agent, spoke in support of the application. The applicant had listened to the concerns of the local community regarding the former Linden Grove primary school, which was considered to be no longer fit for purpose. In responding to these concerns, the applicant had forward-funded the building of the new John Wallis Academy primary school. This application had been submitted to recoup some of the funds used to forward-fund the project. The applicant's technical team had worked closely with Council Officers to establish the optimal development for the site that was beneficial to all parties. This had included 18 months of pre-application discussions and further discussions during the 12 months during which the application had been submitted. This engagement had involved Planning and Housing Officers, as well as Sports England and Kent County Council's Highways Officers. A public exhibition had been held, as well as meetings with key stakeholders. Following these discussions the application had been amended, to accommodate comments made by members of the public. The application was for Outline Planning Permission, including the three access points off Stanhope Road. However, the framework for redevelopment of the site had been established through hard work and proactive engagement with Council Officers and Ward Councillors. The size of the extra care housing had been increased to allow for a facility that would be viable to developers and had been relocated to be closer to existing older people's housing for possible shared use of facilities. Stanhope Parish Council and members of the public had raised concerns around highways issues and traffic congestion. The applicant had taken comprehensive transport and parking surveys and traffic modelling, including analysing the cumulative impacts of other approved developments in the area, and formulated appropriate mitigation measures through close work with KCC Highways. This work had demonstrated that there would be no detrimental impact on traffic over and above the existing situation as a result of the development. KCC Highways had no objections on transport grounds. The concerns and objections around parking had been acknowledged. The proposals would result in an increase in the total amount of parking in and around the site, as shown on page 54 of the report. This would include some on-street parking along Stanhope Road, the potential for use of the existing parking at John Wallis Academy and potential parking at the Stanhope Sports Hall. KCC Highways had raised no objections on parking grounds and had welcomed the potential additional parking. The final details of the parking would come forward with the reserved matters and, should any of the proposed parking not be able to come forward due to highways safety or land ownership reasons, the required parking could all be accommodated on the application site itself. The applicant proposed to work proactively with all parties to resolve and effectively manage the existing and proposed parking arrangements. The public benefits of the scheme would substantially outweigh the disbenefits. These benefits included forward-funding the primary school, creating an all-through-school in the community, 205 new homes, a much needed extra care facility, a new and much-improved Ray Allen Children's Centre and replacement and improved sports facilities. Mr Landsberg asked Members to approve the application.

In accordance with Procedure Rule 9.3, Ms Hayward, on behalf of Stanhope Parish Council, spoke on the application. She explained that she was speaking in her capacity as a Stanhope Parish Councillor at the request of her colleagues on Stanhope Parish Council. The Parish Council understood the need for housing but wished to record various areas of concern, which they felt needed to be addressed prior to any approval. Firstly, there was a concern regarding traffic. Given that the plan was for 205 dwellings and 65 beds in an extra care facility, it was surprising that the report suggested only an extra 24 car movements at the Stanhope Road/Kingsnorth Road roundabout and the Kingsnorth Road/Tennyson Road roundabout. A deep dive into the KCC Highways data had revealed that the old primary school traffic had been double-counted. KCC Highways assessed the new primary school application on the basis that the old primary would be closed, thus only the net increase in traffic would be considered due to the larger primary school. It appeared that a new and entirely fictional set of trips had been deducted from the traffic generated by this application. Whilst improvements to the Tennyson Road junction were welcomed, there was no mention of the large volume of traffic which would be going down Kingsnorth Road towards the blind bend at the corner of Millbank Road, or any controls to manage this and ensure the route was safe. Many children resident within the parish attended the John Wallis Academy and accessed it via Kingsnorth Road/Millbank Road. This stretch of road needed transport assessment too. The transport evidence failed to consider the impacts of the development over an appropriate area. Despite a third of the traffic departing or arriving to the west of the site no assessment had been presented. There was also no assessment of the Romney Marsh Road roundabout to the east. Traffic regularly backed up to the Great Chart bypass and often turned east at Tithe Barn Lane, using Stanhope as a cut through to reach Junction 10. Stanhope could therefore be expected to receive a higher traffic level at peak times than the model suggested. Also, there were no documents within the application showing how the traffic from this development and the other South Ashford developments would link up. This site could prejudice delivery of Local Plan sites and result in no net increase in housing delivery in the short to medium term. Chilmington was 700m from this site and Court Lodge was 600m. The two sites combined were due to deliver 7000 homes. At the moment there was no South Ashford transport plan showing how these developments linked up. With regard to the S106, there were concerns about the retrospective funding of the school being used as a material planning consideration. In addition, it was considered that any S106 funding from this development should be used to benefit the Stanhope and South of Ashford community, not projects on the other side of town. Regarding Affordable Homes, there was no valid justification presented for the lack of Affordable Housing provision which was contrary to the recently assessed Development Plan, to which significant weight should be attached.

During the debate the Strategic Development and Delivery Manager drew Members' attention to the Update Report which had been issued the previous week.

**Resolved**

**To defer the consideration of the application for the following reasons:**

- 1. For the officers to seek clarification of the traffic impact assessment to ensure that the traffic movement figures are accurate and have not been double counted; and**
- 2. For the officers to seek from the applicant its agreement to the provision of 20% affordable housing (shared ownership) within the non-flatted element of the proposed development through the S106 obligation.**

At the conclusion of the meeting, the Chairman advised Members that this would be the last meeting attended by the Strategic Development and Delivery Manager, who would shortly be leaving the Council in order to take up another position, and he wished her well for the future.

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Queries concerning these Minutes?

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