

Ashford Borough Council: Planning Committee

Minutes of a Virtual Meeting of the Planning Committee held on Microsoft Teams on 15th July 2020.

Present:

Cllr. Burgess (Chairman);

Cllr. Blanford (Vice-Chairman);

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

In accordance with Procedure Rule 9.3, Cllrs. Ledger and Anckorn attended as Substitute Members for Cllrs. Smith and Ward respectively.

Apologies:

Cllrs. Smith, Ward.

Also Present:

Cllrs. Cornish, Dehnel, Farrell, Hayward, Walder.

In Attendance:

Head of Planning and Development; Principal Urban Designer; Spatial Planning Manager; Team Leader Planning Applications; Principal Planning Officer; Senior Planning Officer; Planning Consultant; Development Management Manager; Senior Urban Designer; Planning Officer; Principal Solicitor (Strategic Development); Member Services Officer; Civic Engagement Officer; Member Services and Ombudsman Complaints Officer.

448 Declarations of Interest

Councillor	Interest	Minute No.
Blanford	Made a Voluntary Announcement as she was a member of the Campaign to Protect Rural England and the Weald of Kent Protection Society.	
Burgess	Made a Voluntary Announcement as he was a member of the Weald of Kent Protection Society. Declared that he had stated his views many times publicly on the application so his views were well known. He would hand the chairmanship of the meeting over to the Vice-	451 – 19/0997/AS

	Chairman for this item, make a statement as Ward Member and exit the meeting for the entirety of the item.	
Chilton	<p>Declared that he had previously expressed public opinions on the application and had predetermined it. He would make a statement as Ward Member but would not participate in the debate and would leave the meeting for the entirety of the item, which he did.</p> <p>Made a Voluntary Announcement that he had visited the site and had met a member of the Parish Council there. However, they had only looked at the site and did not discuss the application and he did not make any determination.</p>	<p>451 – 18/01861/AS</p> <p>451 – 19/00483/AS</p>
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 an Other Significant Interest as a Member of Kent County Council (for Ashford South Division) which was the applicant. He would speak as a local resident on this item and then leave the meeting for the entirety of the item, which he did.	451 – 18/01861/AS
Harman	Declared an Other Significant Interest as she was a close friend of an immediate neighbour of the site. She would leave the meeting for the entirety of the item.	451 – 19/01540/AS
Shorter	<p>Made a Voluntary Announcement that he was the Ward Member for the immediately adjoining Ward of Washford.</p> <p>Made a Voluntary Announcement as he had known the adjacent landowner in the past, but he had no recent association with him.</p>	<p>451 – 18/01861/AS</p> <p>451 – 19/0997/AS</p>
Sparks	Made a Voluntary Announcement as he had known the adjacent landowner in the past, but he had no recent association with him.	451 – 19/0997/AS
Walder	Declared an Other Significant Interest as she was a long-standing friend of the owner of one of the joint applicants. She would leave the meeting for the entirety of the item.	451 – 19/01540/AS

449 Public Participation

The Member Services Officer drew attention to the Public Participation note contained within the agenda.

450 Minutes

Resolved:

That the Minutes of the Meetings of this Committee held on the 3rd June 2020 and 17th June 2020 be approved and confirmed as a correct record.

451 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 Parish/Town/Community Council's views**
- (c) The views of Statutory Consultees and Amenity Societies etc. (abbreviation for consultee/society stated)**

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

Application Number	19/01736/AS
Location	Land west of, New Cut Road, Chilham, Kent
Grid Reference	06044/54893
Parish Council	Chilham
Ward	Downs North Ward
Application Description	New Winery and Visitor Centre for Domaine Evremond Winery including vehicular access
Applicant	Mr P McGrath, C/O Agent
Agent	Mr C Noel, Strutt and Parker, 201 High Street, Lewes, East Sussex, BN7 2NR
Site Area	1.61 ha

Initial plans consultation

(a) 9/3S, 4R, 3+	(b) S	(c) KHS/X, KCC LLFA/+, EA/X, SWS/X, KCC PROW/X, BHS/+, AONB/R, ABC ED/S, ABC Tourism/S, CTRG/S, KCC Bio/+, KAS/X
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Amended plans consultation

(a) 9/-	(b) S	(c) KCC LLFA/X, AONB/R, KCC Bio/X
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The Principal Planning Officer gave a presentation and drew Members' attention to the Update Report. There were updates to pages 21 and 24, and a clarification that the lighting scheme referred to on page 22 should be amended from 2200 hours to 2000 hours. The Kent Downs AONB Unit had submitted additional comments and one additional letter of objection had been received. The Principal Planning Officer provided advice on the points raised, including that there was no statutory requirement for consultation with the AONB Unit at the Environmental Impact Assessment screening stage, and that the question of whether a proposed development would have significant environmental effects was a matter of planning judgment for the local planning authority to determine. There was also one further

supporting statement.

In accordance with Procedure Rule 9.3, Ms Marriott, a local resident, had registered to speak in objection to the application. Her speech was read to the Committee by the Civic Engagement Officer and this is attached to these Minutes at Appendix A.

In accordance with Procedure Rule 9.3, Mr MacLean, a local resident, had registered to speak in support of the application. He dialled into the meeting to address the Committee and his speech as submitted in advance of the meeting is attached to these Minutes at Appendix B

The Ward Member attended and spoke on the application on behalf of Chilham Parish Council.

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
3. Design details
4. Parking spaces
5. Construction Management Plan
6. Access and Visibility splays
7. Bound surface for access
8. Access gates
9. Means of enclosure
10. PD rights removal – walls and fencing
11. Hard landscaping
12. Protection of Trees and hedgerow

13. Landscaping
14. Biodiversity enhancement management plan
15. Ecological Mitigation and Enhancement Plan
16. Lighting
17. SUDs – no infiltration
18. SUDs scheme
19. Foul disposal
20. Unexpected contamination condition
21. Sight lines for PROW
22. Archaeology
23. BREEAM – Sustainability
24. Restriction of use – Sui Generis Use applied for only
25. In accordance with the approved plans
26. Available for Inspection

Note to Applicant

1. Working with the Applicant

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

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

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- the applicant 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.

2. Ecological

3. Highways

4. Environment Agency

5. PROW

Application Number	18 /01861/AS
Location	Land at Playing Fields and Linden Grove Primary School, Stanhope Road, Stanhope, Kent
Grid Reference	599666 / 140550
Parish Council	Stanhope
Ward	Stanhope Ward, (immediately adjoins Norman Ward, Roman Ward and Washford Ward)
Application Description	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 64 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.
Applicant	Kent County Council
Agent	Barton Willmore LLP The Observatory Southfleet Road Ebbsfleet Dartford, Kent DA10 0DF

Site Area 7.06 hectares

Consultation

(a) 335/ 2R / -	(b) KPC –R SPC – X	(c) SE –X, UKPN-X, SWS – R, KCCH&T-X, KCCF&WM-X, ABCEP-X, ABCSSOS-X
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The Principal Urban Designer gave a presentation which included an update regarding an objection received from Southern Water, and an amendment to recommended condition 3.

In accordance with Procedure Rule 9.3, Cllr Farrell, a local resident, had registered to speak in objection to the application. He attended the meeting and addressed the Committee and his speech as submitted in advance of the meeting is attached to these Minutes at Appendix C.

In accordance with Procedure Rule 9.3, Mr Landsberg, the agent, had registered to speak in support of the application. His speech was read out to the Committee by the Civic Engagement Officer and this is attached to these Minutes at Appendix D.

In accordance with Procedure Rule 9.3, Stanhope Parish Council had registered to speak in objection to the application. The speech was read out to the Committee by the Civic Engagement Officer and this is attached to these Minutes at Appendix E.

Resolved:

- A. Subject to the Head of Planning & Development or the Strategic Development & Delivery Manager considering any representations received from the consultation expiring on 16/07/2020, that relate to any material planning considerations not already addressed within the report or any update report or otherwise at the Committee meeting, and;**
- B. Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations detailed in Table 1 in terms agreeable to 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 and notes (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit.

TABLE 1: Planning Obligations			
	Detail	Amount(s)	Trigger Point(s)
1.	<p><u>Children's and Young People's Play</u></p> <p>Contribution towards investment in play facilities within public open space within 1km of the development</p>	<p>£649 per house / £473.23 per flat for capital costs</p> <p>£663 per house / £483.44 per flat for maintenance</p>	<p>Contribution for each phase to be paid before occupation of 75% of the dwellings in that phase.</p>
2.	<p><u>Informal/Natural Space</u></p> <p>Provision on site of approx. 1.5 hectares of open land on Site 1 and 0.65 hectares on Site 2, plus off-site provision of shortfall of approx. 0.6ha of open space (dependent on final number of units on site) by way of contributions to the value set out in the adjacent column towards investment in open space within 1km of the development.</p> <p>On-site space to be provided, made available to the public</p>	<p>£434 per house / £316.46 per flat for capital costs</p> <p>£325 per house / £236.98 per flat for maintenance</p>	<p>Contribution for each phase to be paid before occupation of 75% of the dwellings in that phase.</p>

	and maintained through a management regime with details to be approved by the Council.		
3.	<u>Outdoor Sports</u> Contribution towards replacing and renewing the existing 3G pitch adjoining the site, and /or other facilities in the area, plus maintenance thereof	£1,589 per house / £1,158.65 per flat for capital costs £326 per house / £237.71 per flat for maintenance	Contribution for each phase to be paid before occupation of 75% of the dwellings in that phase.
4.	<u>Strategic Parks</u> Contribution off site towards investment at Conningbrook Lakes Country Park	£146 per house / £106.46 per flat for capital costs £47 per house / £34.27 per flat for maintenance	Contribution for each phase to be paid before occupation of 75% of the dwellings in that phase.
5.	<u>Allotments</u> Contribution towards investment in off-site allotment sites within 1km of the development, including private, public and community sites	£258 per house / £188.13 per flat for capital costs £66 per house / £48.13 per flat for future maintenance	Contribution for each phase to be paid before occupation of 75% of the dwellings in that phase.
6.	Undertaking by the applicant to recycle all disposal receipts towards repaying the previous forward-funding provided for the delivery of the primary School at John Wallis Academy campus.	Applicable to all disposal receipts, whenever received	Within 3 months of disposal of each part of the former Linden Grove School and Oak Field sites

	<p>(subject to the prior payment of any deferred contributions due under Head 19 below)</p> <p>Provide written evidence of the terms of disposal and receipts (including any overage or other deferred consideration) for the Oak Field (site 1) and the former Linden Grove school site (site 2) and evidence of how the receipts have been used to repay the forward-funding.</p>		
7.	<p>Primary Schools</p> <p>Project: Towards Phase 2 of Finberry Primary School</p>	<p>£4,535.00 per applicable house</p> <p>£1,134 per applicable flat</p>	<p>Contribution for each phase to be paid as follows:-</p> <p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
8.	<p><u>Secondary Schools</u></p> <p>Project:- Towards Phase 2 Additional 2FE provision at the new Chilmington Green Secondary School, and/or provision of new secondary education places within the relevant group of schools</p>	<p>£4,687.00 per applicable house</p> <p>£1,172.00 per applicable flat</p>	<p>Contribution for each phase to be paid as follows:-</p> <p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p> <p>To be index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment (Oct-16</p>

			Index 328.3)
9.	Libraries Contribution for additional bookstock for the Stanhope library that serves the local area.	£48.02 per dwelling and per extra care unit	Contribution for each phase to be paid as follows:- Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
10	Health Care Extension / refurbishment / upgrade of the following:- <ul style="list-style-type: none"> • Kingsnorth Medical Practice, • Hollington Surgery, • Sydenham House Medical Centre, • Ashford Medical Partnership, • St Stephen's Health Centre and/or <ul style="list-style-type: none"> • towards new general practice premises in the Ashford Stour Primary Care Network area 	£177,125 (based on population growth of 545 will require 41m ² based on NHS standard of 12 patients per square metre. At current build costs of £3,000 psm this equates to £136,250 plus a further 30% allowance for development fees) Regarding the Indexation: A) The £3000 psm is based on the average cost of a new surgery building in 2018/2019 B) the NHS would typically look at the BCIS All-In Output Price Index, and also General Building Cost Index	Contribution for each phase to be paid as follows:- Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
11	Community Learning Project:- Additional portable IT and Equipment to enable the re-configuration	£34.45 per dwelling and extra care unit	Contribution for each phase to be paid as follows:- Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings

	and greater use of rooms at the Ashford Adult Education Centre		
12	Youth Services Project:- additional equipment at Ashford North Youth Centre.	£27.91 per dwelling (Extra Care Units are not applicable)	Contribution for each phase to be paid as follows:- Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
13	Adult Social Care Project:- Changing Place Facility in the vicinity	£47.06 per dwelling	Contribution for each phase to be paid as follows:- Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
14	Voluntary Sector Contribution towards investment in voluntary sector projects within 1km of the site	£15,337.38 total	Contribution for each phase to be paid before occupation of 75% of the dwellings in that phase.
15	<u>Public Art</u> Contribution towards the cost of retaining artist(s), embedded within the design team of the new Ray Allen Children's Centre, and the incorporation and delivery of public art within it	£59,657.10 in total	No less than 6 months prior to submission of reserved matters application for the new Ray Allen Children's Centre
16	<u>Custom/Self Build Housing</u> Provide and market	5% of house plots	Phased during delivery of the development

	serviced plots		
17	<p><u>Accessible and adaptable Housing</u></p> <p>Level 2 access homes (M4(2)) to be provided on-site</p>	20% M4(2) across the whole site	All accessible and adaptable homes for each phase are to be identified on a plan and provided before the occupation of 75% of open market dwellings in that phase
18	<p><u>Affordable Housing</u></p> <p>Contribution towards provision of offsite affordable housing elsewhere in the borough, in lieu of onsite provision of the relevant proportion namely 20% of the non-flatted dwellings as affordable housing (shared ownership) as required by policy HOU1.</p>	Total cost of offsite provision of 20 units = £654,188 at current costs	From any Deferred Contributions received.
19	<p><u>Deferred payments Mechanism</u></p> <p>Mechanism to monitor sales/rental values to ensure that 40% of any rise in values above those predicted in the Council's Consultants' viability appraisal, is paid to the Council towards the Affordable Housing contributions above that are deferred</p>	Up to the value of all deferred contributions (index linked).	To be paid if the circumstances prevail.
20	<p><u>Monitoring Fee</u></p> <p>Contribution towards</p>	£1000 per annum until	First payment upon

	the Council's costs of monitoring compliance with the agreement or undertaking.	development completed	is	commencement of development and on the anniversary thereof in subsequent years
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Notices will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be index linked in order to ensure the value is not reduced over time. The costs and disbursements of the Council's Legal Department incurred in connection with the negotiation, preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs.

If an acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused.

- C. Grant Outline Planning Permission, including approval for the three proposed accesses onto Stanhope Road, with all other matters, (including all further vehicular, pedestrian and cycle accesses to and through the site) to be dealt with as reserved matters, subject to the following conditions and notes:**

Commencement

- 1) Standard time conditions.
- 2) Phasing Plan of construction of residential units and children's centre to be submitted and agreed.
- 3) Children's Centre tied into phasing of the whole development so that it is constructed and open to use before the existing Children's Centre can be closed.
- 4) Development carried out in accordance with the approved plans including all parameter plans.

Highways and Parking

- 5) Parking and cycle parking to be retained
- 6) Details of cycle parking facilities
- 7) Provision of site access prior to occupation of any dwellings

- 8) Provision of footway to be constructed on the northern highway verge between the application site and the signalled crossing.
- 9) Provision of other highway infrastructure / works (i.e. signalled crossing)
- 10) No development shall commence until the highway works, including proposed double yellow lines on Stanhope Road (as set out in drawing number 12861 H-03 Revision P2) have been secured through a traffic regulation order. The double yellow lines shall be implemented prior to the occupation of the first dwelling on the site.
- 11) Car barns/PD restrictions
- 12) Provision of final wearing course
- 13) Construction Management Plan
- 14) Visibility splays
- 15) Details of any pedestrian crossings, speed restriction measures and segregation of the pedestrian / cycleway and vehicular access onto Stanhope Road including levels and sections through and details of road markings and barriers and final surface finish.
- 16) Details of highway infrastructure / services.
- 17) Details of final surface finish for roads, driveways, cycleways and footpaths and parking areas
- 18) Details of a new east west footpath and cycle link connecting the two parts of the application site and integrating with all adjacent the main streets, cycleways and footpaths.
- 19) Details of continuous footpath and cycle link along entire south side of Stanhope Road, including tree planting, parking spaces.
- 20) Details of traffic calming measure Stanhope Road to provide pedestrian crossing points
- 21) Grampian Condition - Replacement parking, JWA existing car park and secure availability of parking.
- 22) Grampian Condition - Details of a minimum of 118 replacement car parking spaces in Stanhope Sports Centre car parking

23) Grampian Condition Details of car parking for a minimum of 38 spaces in Stanhope Road to serve the new Ray Allen Children's Centre and 36 further on street perpendicular parking adjacent to site 2.

24) Parking Strategy Condition

Uses

25) Limit on residential tenure mix of up to 99 (2 ,3 and 4 bed) houses and up to 106 (1 and 2 bedroom) flats including

26) Restriction in use site 2 a maximum of 64no. Extra Care Unit (C2 use), plus no more than 205no. C3 dwellings and public open green space

27) Restriction in use site 1- Ray Allen Centre, 2 junior football pitches, MUGA, and open space

28) Any conditions required by Sports England

29) Details of location of at least two 7-a-side sized junior football pitches and unobstructed associated overrun areas around fringes of both pitches.

30) Details of location and replacement changing rooms

31) Details, and the timescale for the replacement surface of the 3G AstroTurf at Pitchside in agreement with ABC

32) Details location and timescale for the replacement toilets directly serving the Pitchside 3G pitch in agreement with ABC.

33) Details of a direct level access route from base of existing primary school access ramp connecting through Oak Field connecting to Stanhope Road and aligned with any potential new crossing points.

34) Pedestrian/cycle route from Oak field to eastern housing site secured

35) Footpath along south side of Stanhope Road behind parking and respecting the protected trees.

36) Details of pedestrian access from JWA car park to 3G pitch.

37) Details of the pedestrian access to The Limes public footpath

38) Details of potential improvements to the surface of the footpath and access road adjacent to entrance to The Limes that links the site to Kingsnorth Road.

- 39) No development shall commence until details of mitigation scheme consisting of double yellow lines on Tennyson Road at the Kingsnorth Road / Tennyson Road mini-roundabout (as set out in drawing number 12861 H-05 Revision P1) have been secured through a traffic regulation order. All related works including the double yellow lines shall be implemented prior to the occupation of any of the residential units hereby permitted.

Sustainable Design

- 40) Sustainable designs for housing and Ray Allen Centre in accordance with policy ENV11.

Residential

- 41) Details of residential space standards including minimum garden sizes
- 42) Refuse storage details
- 43) Level thresholds
- 44) Electric car charging points
- 45) Water efficiency condition pursuant to policy ENV7
- 46) Dwellings used for C2 purposes only
- 47) Removal of PD rights for extensions and alterations and outbuildings
- 48) Reserved matters (appearance) shall limit scale of dwellings to 2 or 3 storey form with any 4 storey elements kept to an absolute minimum.
- 49) Architectural details for the dwellings
- 50) Materials/samples to be submitted
- 51) Joinery, colour finish and depth of reveals

Landscaping & Open Space

- 52) Details of hard and soft landscape proposals including all open spaces
- 53) Protection of TPO trees
- 54) All boundary treatment including open spaces.

- 55) If two replacement sports pitches require the loss of the existing oak tree on Oak Field then 2 replacement semi mature specimens (no less than 5metres in height) will be planted in an agreed central location
- 56) Reserved matters shall include details of the extra care facility secure boundary treatments and landscape buffer to back of houses and no balconies overlooking.
- 57) Reserved matters shall detail a landscaped buffer to new residential units adjoining Courtside pitches and to backs of properties adjoining the rear of homes in The Limes adjoining the site, to avoid disruption from floodlights and any methods necessary to mitigate noise.
- 58) Details of management strategy for green spaces and landscaped buffers to be submitted
- 59) Open space designed in accordance with Secured By Design.

Drainage & Disposal of Foul water and flooding

- 60) Reserved matters shall include Integrated SUDs
- 61) Sustainable Surface Water Drainage Scheme relating to SPD Kent County Councils Drainage and Planning Policy Statement.
- 62) SUDs Verification Report
- 63) Protect or divert sewers
- 64) Surface Water drainage/run off
- 65) Foul water and sewerage disposal for site and in relation to Ray Allen Children's Centre

Others

- 66) Broadband
- 67) Contamination and remediation / verification report
- 68) Lighting Design Plan
- 69) Noise control measures / mitigation
- 70) Air quality mitigation measures
- 71) Archaeology

72)Standard approved plans condition

73)Standard enforcement condition.

74)Ecological, mitigation and biodiversity enhancements

75)External Lighting

76)Dark skies

Note to Applicant

1. Working with the Applicant

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

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

In this instance

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

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

2. EA Informatives
3. UK Power Networks
4. Others to be clarified.

Application Number	19/00483/AS		
Location	Harvest House, Branch Road, Chilham, CT4 8DR		
Parish Council	Chilham		
Ward	Downs North west		
Application Description	Full planning application for the erection of 10 2-storey dwellings with associated access, parking, private amenity space and landscaping and provision of 5 no. additional parking bays for use in association with existing surgery		
Applicant	Caroline Jackson and Philippa Salmon		
Agent	Lee Evans Planning		
Site Area	0.8ha		
First consultation			
(a)	30/8R;2C;1S Chilham Parish Recreation Ground Trust R St. Marys C of E Primary School R	(b)	PC R
(c)	SW X EA + KCCH&T - KCC Bio - Kent Police - ABC street scene X		

Second consultation

(a)	30/14R	(b)	PC R	(c)	EA + KCCH&T X KCC Bio X KCC Infrastructure -
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The Senior Urban Designer gave a presentation and drew Members' attention to the Update Report. Six additional representations in objection had been received, and there was an additional 'Head' to be added to Table 1.

In accordance with Procedure Rule 9.3, Mr Hobday, a local resident, had registered to speak in objection to the application. His speech was read out to the Committee by the Civic Engagement Officer and this is attached to these Minutes at Appendix F.

In accordance with Procedure Rule 9.3, Mr Anthony, the agent, had registered to speak in support of the application. His speech was read out to the Committee by the Civic Engagement Officer and this is attached to these Minutes at Appendix G.

In accordance with Procedure Rule 9.3, Chilham Parish Council had registered to speak in objection to the application. The speech was read out to the Committee by the Civic Engagement Officer and this is attached to these Minutes at Appendix H.

The Ward Member attended and spoke on the application.

Resolved:

Deferred for Officers to:

- **relook at traffic management measures and the possibility of providing a footpath link from the site to Bagham Road.**
- **Seek an alteration to the layout in order to allow roadside planting and screening.**
- **Relook at density in respect of the amount of built development and the size of the units to create a more spacious layout with more generous gardens. The Number of dwellings should remain at 10.**
- **Relook at the design of the dwellings so that they are more in keeping with the immediate surroundings and appropriate for an edge of village location.**

Application Number	20/00039/AS
Location	Land opposite Highdown west of, Mulberry Hill, Chilham
Parish Council	Chilham
Ward	Downs North Ward
Application Description	Erection of 2 dwellings
Applicant	Mr & Mrs J Healy Sheldon, GSE Group
Agent	Mr G Holloway, Guy Hollaway Architects
Site Area	0.72ha

(a) 12/8R, 2S 1+ (b) Chilham PC X (c) KCC H&T X, KCCE X

The Planning Officer gave a presentation and drew Members' attention to the Update Report. One further letter of objection had been received and a revision to condition 3 was proposed.

In accordance with Procedure Rule 9.3, Ms O'Connor, a local resident, had registered to speak in objection to the application. She dialled into the meeting to address the Committee and her speech as submitted in advance of the meeting is attached to these Minutes at Appendix I.

In accordance with Procedure Rule 9.3, Mr Holloway, the agent, had registered to speak in support of the application. His speech was read out to the Committee by the Civic Engagement Officer and this is attached to these Minutes at Appendix J.

The Ward Member attended and spoke on the application.

Resolved:

Deferred for Officers to:-

- seek more information from the applicant / agent in respect of the sustainability credentials and the design of the dwellings and for this to form part of the application for Members' consideration.

- **Seek the submission of further photomontage views as part of the application, showing additional views of the development in the landscape, including from roads, footpaths and neighbouring houses.**
 - **Request the agent to refer the application to Design South East (Design Panel) for their views.**
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452 Termination and Adjournment of Meeting

Resolved

That the meeting be terminated and the remaining items on the agenda be adjourned to the following meeting, namely:

Application 19/01540/AS – Land rear of Minnis Moor Stables, Scots Lane, Brabourne, Kent

Application 19/0997/AS - Land between Doctors Surgery and 80, The Street, Appledore, Kent

Queries concerning these Minutes?

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APPENDIX A

Planning application 19/01736/AS, Winery, New Cut Road, Old Wives Lees

Good Evening ladies & gentlemen

I very much support the principle of the development; it is to be welcomed for the local employment and tourism it would bring, but this should not outweigh the need for good design and materials and consideration for the impact on the AONB so I object to the application in its current form.

- 1. The building colour proposed is inappropriate for the AONB. It has been suggested cedar cladding would be more acceptable for a building in that location.
The white colour has been slightly muted through addition of a little beige, but the building will still cause harm to its setting in the Downs. In its current form it would harm the residential amenity of residents in the area and people walking the Downs.
We could paint our outbuildings white too! They are just on the opposite ridge.
More appropriate muted building colour should be negotiated.**
- 2. Too much lighting is proposed and too bright, especially in the adjacent carpark/hardstanding, where it is reported it will be greater than 1lux, indeed when I read the lighting strategy, it appears up to 50 lux? It cannot be necessary to have lighting on all the time, even if only until 10pm or 11pm. Surely it would be sufficient to have lighting on sensors only. The report seems silent on internal lighting times; can that be controlled by condition and switched off at night?**
- 3. Comparison with the building in Selling (north), which is in Swale and is highly visible across the Downs? 2 wrongs don't make a right.**
- 4. The Officer's report states the harm would reduce from moderate adverse to slight over 15 years. 15 years is a long time.**
- 5. The building is to be connected to the mains water supply and that could be a concern for us as we suffer low water pressure during the growing season when there is irrigation for crops: our property is on high ground. Could water be taken for the storage mentioned outside the growing season?**

I do hope that further negotiation will be made on colour of building materials and use of lighting to lessen the impact of the development on our beautiful AONB. These could all be controlled through conditions.

Thank you

Jane Marriott

APPENDIX B

I moved into Chilham parish in 1997 and was struck by the fact that this was yet another dying village. It had lost its' bakery, its' butchers, its' grocery store, and recently its' art gallery and bookshop. All that was left were two pubs, a tea shop, a post office, a gift shop and a moribund antiques shop which closed a couple of years later. The gift shop closed late last year.

I was intent on trying my best to stop the malaise and so, as the owner of a small holiday let on my farm, joined the CTRG. This group represented the largest employers in the parish and I soon concluded that tourism was the lifeblood of the parish. Without this input, Chilham would become yet another dead dormitory.

This is one reason why I welcome the decision by Taittinger to invest large sums of money in establishing the Domaine Evremonde vineyards. Their winery and visitor centre will be a significant draw making village businesses more viable. As a result there is already talk of development in the square to capitalise on it.

As to the design. Agriculture is the second largest employer in the area. This is an agricultural project and the building is essentially an agricultural one. I am nevertheless impressed with the design changes which have been made to attempt to accommodate the views of as many local residents and organisations as possible. Obviously not everyone will agree but in order for the parish to prosper, compromises will have to be made. If one stands on the ridge opposite the site, on the extreme right is a new large packhouse which makes no concessions to being anything other than a massive barn. Then Stone Stile Farm with prestressed concrete barns and industrial estate. Dotted around the orchards are 1950's era grey slab cold stores which can only be described as being ugly in the extreme

Domaine Evremonde seem to have made every effort to blend this building in with the surroundings and, once the projected trees have matured, it will be very difficult to see the building either from the opposite ridge or from the New Cut road.

I hope that the committee will view this application favourably. It scores on so many points. Tourism, agricultural development and employment, and is sympathetic to its' environment.

As next-door neighbour to the winery development, I wholeheartedly support it.

APPENDIX C

Mr Chairman, members of the committee, thank you for allowing me to address you as a lifelong Stanhope resident and member of KCC.

I was really pleased when this committee voted to defer the application in February. Residents of the Borough deserve the opportunity to get onto the housing the ladder and live in a safe, well resourced community.

But the application before you this evening is greatly disappointing.

KCC has made every effort to avoid providing an affordable housing element within this scheme. While off site affordable housing will be sought, if this Council is unwilling to secure affordable housing in the town centre and now in communities such as Stanhope, where will it be acceptable? People of all levels of income deserve a stake in the urban area of this Borough. Conversely, we're told 1 bedded flatted developments are most appropriate in the town centre. This application proposes 57 x 1 bed flats to be built South of Stanhope.

KCC postulates itself as a benevolent applicant. We must remember that lack of investment in both the Ray Allen Centre and Linden Grove Primary meant they were no longer fit for purpose. How can it be right that re-providing a children's centre is considered a 106 contribution? That doesn't offset development, it simply replaces what's being lost. KCC already has a dedicated budget for the replacement of the Ray Allen.

I am pleased however that some contributions will be sought from this development. It was an outrageous insult to the people of the Estate when the former chief executive put into writing that he would offer to forgo 106 on this development.

I won't apologise for continuing to raise scandalous 106 schedules. Hasn't Conningbrook had enough from developments from the town centre? Residents will rightly be angered when money is taken away so serve communities miles away. Indeed, the same can be said for the youth service again taking money away from deprived wards. This, while agreeing spend over £59,000 on children's centre artwork. Embarrassing!

Tomorrow, KCC will receive a report from a Conservative majority committee calling on it to release land for genuinely affordable and even social housing. Residents need action, not just warm words. As one of the most deprived wards in the Borough the applicant had an opportunity to provide a reachable, aspirational goal in providing some affordable housing. An opportunity it has actively avoided.

APPENDIX D**18/010861/AS – Land at Playing Fields and Linden Grove Primary School,
Stanhope Road, Stanhope, Kent****1.0 Speech to Planning Committee – 15.02.2020**

- 1.1 Following the deferral of the application to further consider traffic impacts and the potential for affordable housing, the Applicant has listened and responded to the comments made by Members of the Planning Committee on 10th February 2020.
- 1.2 In terms of the traffic impact assessment, this has now been remodelled including all the movements of the new JWA Primary School, and not the net difference between the old and new schools. KCC Highways have subsequently confirmed that the impact on the local highways network would not be severe, including on junctions to the west of the site, subject the agreed mitigation at the Kingsnorth Road/Tennyson Road roundabout.
- 1.3 Regarding affordable housing, since the February Planning Committee, an updated viability assessment has been undertaken, using most of the inputs of the Council's own viability consultant, and unfortunately it has been demonstrated that the development cannot deliver any affordable housing. This has been independently verified by the Council's own viability consultant, and the Applicant agrees to the deferred contributions being applied as per Head 6 of Table 1, and the findings of GL Hearn's updated viability assessment.
- 1.4 As part of this outline application there will be no loss of the green space known as 'Oak Field'.
- 1.5 Finally, in the 'planning balance' established in the National Planning Policy Framework, the public benefits of the scheme would substantially outweigh the disbenefits. These benefits include the forward funding of the new JWA Primary School, creating an 'all through' school, which has transformed education provision on the Stanhope Estate, and as identified in the original committee report, this is a significant public benefit, particularly as it replaced a school that was no longer fit for purpose. The other benefits include 205 new homes, a much needed extra care facility, a new and much improved Ray Allen

Childrens Centre, replacement and improved sports facilities, and a number of contributions to local social, community and sports facilities through the sustainable development of a brownfield site.

- 1.6 We therefore respectfully request that Members of the Planning Committee approve the application.

APPENDIX E

Stanhope Parish Council's key priorities is the security of the Children's Centre. However, the provision of these is a core service of Kent County Council. Section 106 monies exist to mitigate the impact of a development and should not be used for capital funding. KCC are proposing in this document to use those mitigation monies to fund a facility that they should have funded themselves; approximately £700,000 was allocated by KCC to do this.

We believe that Stanhope, and all of Ashford need more affordable homes, and social housing; this development falls short of this need.

Stanhope underwent a PFI development which saw the removal of high-rise buildings as they were deemed inappropriate for families. This development takes us back twenty years with high rise buildings being proposed.

The traffic assessments have been updated and in the opinion of KCC Highways the existing traffic infrastructure will manage. With our local knowledge we do not agree. The roundabout leading from Stanhope to Kingsnorth Road and Kingsnorth Road itself is, in our opinion, not adequate to manage the inevitable increased flow of traffic; this needs further consideration.

A key concern has been the allocation of Section 106 monies. The proposed 106 allocations were visible only when the report came before the Council. There were no consultations with local community groups, services and clubs, as well as statutory providers to ensure the maximum spend was allocated to the immediate community. We suggest that the Councils Overview and Scrutiny Committee scrutinise the way 106 monies are determined to ensure local residents' benefit and hold an examination of the process by which monies are determined.

Many of the 40 odd objections to this application voice concerns regarding the future and the downgrading of the facilities of the soccer centre/pitchside/courtside. This area needs a large financial contribution so that it can be refurbished. We ask that funding is also provided to safeguard its future and that the management of the site is independent of the Academy.

We hope that when we come to reserved matters, the Parish Council and the community will be involved in thorough consultation. These consultations should take place in Stanhope at a time when people can get there and this time well-advertised.

In conclusion we are disappointed regarding the lack of affordable housing and the poor allocation of S106 and ask that a review of the S106 funding is undertaken.

APPENDIX F**19/00483/AS: Objection Comment for Planning Committee 15 July 2020****Summary**

1. Housing density too high: not in keeping with local housing density.
2. Insufficient visitor parking: only 2 for 10 properties
3. Negative visual impact on the Conservation area: major village entry road and view turned from a rural lane running across the open flood plain into an urban sprawl.
- 4.

1. **High Housing Density**

The Arden Grange development opposite Harvest House has a housing density of 11.3 dph. The Harvest House plot, excluding the pre-developed Harvest House has a housing density of 14.9 dph. **The housing density should be reduced to 11 dph, in keeping the Arden Grange development and to conserve the Conservation area. At this density, there would be circa 8 dwellings.**

2. **Insufficient Visitor Parking:** only 2 visitor car spaces for 10 properties. How many should there be? More visitor car parking must be made available, otherwise visitors will park in Branch Road & make a narrow lane impassable.
3. **Negative Visual Impact on the Conservation Area**

Despite:

- the Chilham Parish Design Statement: stating ***“The ancient narrow lanes leading into the villages are essential parts of the area. Their existing character should be respected and any new development should not detract from that...”***
- The ABC Local Plan Policy S56 requiring that the development ***“retain and enhance the hedge and tree boundaries within and around the site”***

the proposed layout requires the entire 80 metre native yew hedge that runs along the eastern boundary is removed. The proposed layout will turn the southern entrance to the Conservation area from a green corridor to an urban sprawl and is contrary to the Local Policy S56. The Planning Officer's report to the Committee does not make this negative impact clear in paras 10 or 40.

Proposed Design Change

The number of dwellings should be reduced from 10 to 8, removing plots 6 & 7.
This will enable:

- A single access road to the site, with vehicular access to plots 8, 9 & 10 to be achieved from the west, from within the site
- Provide room for additional visitor car parking
- Reduce the visual impact of the site from the south and possibly allow retention of some of the yew hedge on the eastern boundary

I urge the Planning Committee to uphold their statutory duty to conserve and enhance the AONB and reject this application in its current form.

Mark Hobday

APPENDIX G**ABC Planning Committee Meeting - 15th July 2020 - Harvest House, Branch Road, Chilham, CT4 8DR – 19/00483/AS
Supporting statement on behalf of the applicant - Caroline Jackson and Philippa Salmon**

Members, Chair, thank you for inviting us to speak.

As outlined in the case officers report, the application site is allocated for development for approximately 10 dwellings in Policy S56 of the Local Plan. The applicant has undergone extensive dialogue with the planning officer and KCC Highways over a period of more than 12 months on matters including layout, density, design, access and highway safety.

The scale of development proposed responds to the indicative number of units outlined in the site policy and also reflects upon the surrounding built and natural setting. 10 dwellings on this plot equates to approximately 13 dwellings per hectare, which is a low density and appropriate for the location. The original scheme proposed 11 units but the applicant reduced this to 10 to achieve a more generous layout.

The design of the dwellings has evolved from an appreciation of surrounding built character and the Chilham Parish Design Statement. This makes reference to two-storey heights and the use of red bricks, stained black timbers and white infill panels, hung tiles and clay roof tiles. The proposed development is all two-storey and utilises the materials discussed.

Turning to the matter of highway safety, the transport assessment has been produced by an established and well recognised consultancy using the TRICS database (an industry recognised source) and results from a traffic survey. KCC Highways have assessed the proposals and confirm that they have no objection to the proposals on highway safety, access or parking grounds.

The applicant has accepted a commitment to funding traffic calming measures on Branch Road, to a specification proposed by KCC Highways.

As you can appreciate, the applicant has no powers when it comes to the operation of Branch Road. This application is not the appropriate mechanism through which to seek changes such as a one-way road. In any event, we would note that such a change could serve to only increase speeds.

The applicant is committed to achieving energy standards required by adopted policy and will aspire to deliver in excess of these where possible.

There has been some commentary relating to the future use of the surgery. We would remind Members that these proposals enhance the facilities at the surgery site by adding 5 spaces, rather than diminish them. Furthermore, any change of use of

the surgery building would likely require planning permission so would need to be approved by this Council first.

APPENDIX H

CHILHAM PARISH COUNCIL
Objection Speech
Application: 19/00483/AS
Location: Harvest House, Branch Road Chilham CT4 8BD
Submitted by Chilham Parish Council

Thank you Chair.

Chilham Parish Council has reviewed its position and opposes some of the content of the application, and would therefore like to request that this application be deferred in order to address our following concerns.

The applicant has made no attempt to consult with the CPC despite agreeing to do so on the 2nd June. However comments were received on the 14th July from the agent, 48 hours prior to this meeting, but these have failed to answer our concerns.

We have been informed by the Doctor that he has been issued with a section 25 notice to terminate or amend the lease. This would appear to confirm that the adjacent surgery, dispensary and parking are to be withdrawn, resulting in closure of the medical centre. This is unacceptable to CPC and all the Community.

The fact that this application requires 5 additional surgery car parking spaces indicates that this application is intrinsically linked to the surgery and thus the issue of the section 25 is a major concern

The current section 106 agreement offers no meaningful financial contribution to the local community.

Chilham Parish Council would like to request that within the S106 agreement there is provision to ensure that the GP surgery remains on this site and that road safety is paramount.

Chilham Parish Council has the additional concerns:

- 1 There is no safe pedestrian access along Branch Road for school children attending the sports hall.
- 2 Branch Road is the main arterial road from the A28 into the village and safety upon this road as a result of this development remains a significant concern.
- 3 Chilham Parish Council are disappointed that there has not been a site based appraisal between the agent, local planners and a representative of Chilham Parish Council in order to review the impact of the proposed development.

- 4 Significant concerns remain around the density of the site, the lack of affordable housing, the proximity to neighbouring properties, the design and appearance which is not in keeping with the local vernacular.
 - 5 ABC declared two carbon caps 2025/2030; accordingly, mandatory ground source heat pumps are mandatory for house utilities and electric cooking. Report is imprecise and does not address this.
 - 6 The S106 should consider the adoption of the cartilage of the surgery by ABC in perpetuity and to lease the premises on a index linked lease for the duration of the surgery life.
-

APPENDIX I

20/00039/AS

Councillors, our family lives opposite this beautiful field, protected as an AONB. We oppose this development and ask you to reject this application or defer it until amended plans comply with S41, including sufficient detail to persuade you that there will be a positive contribution to the local setting; even if so satisfied, conditions would be needed to ensure the (vague) promises to minimise its environmental impact are greatly enhanced and honoured as it will cause irreversible damage to a diverse habitat vital for insects, bats, reptiles and numerous threatened native species.

S41 non-compliance:

- 'provision of 2 low density 'high quality' detached dwellings' (Chapter 5.5); 'extremely low density 'exclusive' housing' (5.3) - buildings are high density; plot 1's fill most of site; less dense if reduce height and footprint, limit to single-storey or site lower to reduce prominence. Plot 1's house towers over plot 2's (p4 Part 2 Design & Access Statement) and is on elevated land; both appear massive in terms of bulk (Existing & Proposed Block Plans) with floor spaces larger than 4 houses opposite.
- 'high quality design of the 2 properties and the landscaping of the curtilage must make a positive contribution to the landscape setting and must have regard to the amenity of the neighbouring properties' (5.6) - plot 1's height will dwarf and overshadow our cottages opposite and impair countryside views for all; positive contribution not shown.
- 'well-integrated with the natural topography of the site' - unduly large, prominent and out of character; apart from our ancient cottages Mulberry Hill homes are well set back with modest heights and ample screening.
- 'utilise design to make a positive contribution to local character and that of the AONB'; '[d]esign proposals...must also indicate how the immediate setting could be enhanced' (5.8) - not addressed save for some planting on roofs.
- 'retain and enhance the existing hedge and tree boundaries around the site to create soft landscaping along site boundaries'- removal of 8m of boundary to create new access point unnecessary (draft Local Plan expected use of 2 existing accesses); new hedge between plots insufficient compensation.

Only a truly exceptional and well integrated development can be allowed to outweigh the negative impact on this AONB; these proposals fall short. There are no attempts to mitigate its impact or benefits to the community which opposes it. Please reject this application or defer it until compliant with S41.

Gail O'Connor

APPENDIX J

Guy Hollaway's written supporting statement in relation to 20/00039/AS (erection of 2 dwellings at Land opposite Highdown west of, Mulberry Hill, Chilham)

This application represents the culmination of two year's work, during which we have worked closely with Planning Officers, the applicants and landowners to attain a recommendation for approval and no objections from Chilham Parish Council, Kent Highways, KCC Ecology or any other statutory consultee.

The site creates a unique opportunity to realise two innovative and outstanding homes within the village of Chilham on an allocated site, as detailed under Policy S41, which identifies the land as being suitable for the creation of 'exclusive' residential development of up to two dwellings.

Paramount to the design of these houses was the creation of properties that are truly outstanding, are of the highest architectural merit, that respond to their context and fit into the natural typography of the site. In order to achieve this the design for each house was informed by a thorough analysis of materiality and existing surrounding properties resulting in the use of vernacular forms and a local material palette of natural stone, timber and glass used in a contemporary manner.

The two plots each respond to their specific settings with the lower house taking the form of a low lying and gently curving building with a living roof, which provides opportunities for biodiversity whilst ensuring that the property blends into its natural setting. The way in which the house is nestled into the slope of the site also reduces its visual impact whilst affording views across the landscape. The upper plot has a different approach utilising a pitched roof with a contemporary gabled design. This gives each property its own distinctive character.

Both properties have been designed to the highest sustainable standards and utilise:

- Low embodied energy
- Thermal mass
- Zero fossil fuels
- Air source heat pumps and underfloor heating
- Solar thermal and PV
- Highest levels of air tightness

The houses have been designed to provide safe access arrangements, with on-plot parking and turning areas, which has raised no objection from KCC Highways.

Great care and careful consideration has also been given to ecological matters and the landscape design of the proposals resulting in no objection from KCC Ecology.

We believe this proposal to be of the highest architectural quality, aspiring to the highest levels of sustainability and ecological design, which fulfils the spirit of the site's allocation for two exclusive residential homes.

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