

Ashford Borough Council: Planning Committee

Minutes of a Virtual Meeting of the Planning Committee held on Microsoft Teams on 17th March 2021.

Present:

Cllr. Burgess (Chairman);

Cllr. Blanford (Vice-Chairman);

Cllrs. Anckorn, Chilton, Clokie, Forest, Harman, Howard, Howard-Smith, Iliffe, Ovenden, Shorter (ex-Officio – non-voting), Sparks, Walder, Wright.

Also Present:

Cllrs. Mrs Bell, Clarkson, Ledger, White.

In Attendance:

Head of Planning & Development; Deputy Team Leader - Planning Applications; Development Management Manager; Tree Officer; Planning Consultant; Principal Solicitor (Strategic Development); Member Services Manager (Operational), Member Services and Ombudsman Complaints Officer.

285 Declarations of Interest

Councillor	Interest	Minute No.
Mrs Bell	Made a Voluntary Announcement that she was a Member of KCC and its Cabinet Member for Adult Social Care, whose clients might reside at the property. However, she had no direct link with the application.	290 – 19/00921/AS
Blanford	Made a Voluntary Announcement that she was a member of the Weald of Kent Protection Society and the Campaign to Protect Rural England.	290 – 19/00921/AS
Burgess	Made a Voluntary Announcement that he was a member of the Weald of Kent Protection Society.	
Clokie	Made a Voluntary Announcement that he was a member of the Weald of Kent Protection Society.	
Harman	Made a Voluntary Announcement that she was a member of the Campaign to Protect Rural England, who had commented on the item. However, she had not been party to their discussion of it.	290 – 19/00921/AS

286 Public Participation

The Member Services Manager (Operational) drew attention to the Public Participation note contained within the agenda. He advised that four speakers had registered to speak at the meeting, all of whom had agreed that their speeches would be read out by the designated Council Officer.

287 Officers' Deferral/Withdrawal of Reports

The Development Management Manager advised that application 20/00194/AS – Copperfield, Kingsford Street, Mersham, Ashford TN25 6PF – had been withdrawn at the request of the applicant.

288 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 20th January 2021 be approved and confirmed as a correct record.

289 Information/Monitoring Items

Appeal Decisions Received between 01/10/2020 and 31/12/2020

The Head of Planning and Development advised Members that this item had been reintroduced as a quarterly report for information, at the request of the Chair, Vice-Chair and Portfolio Holder for Planning and Development. He explained that there had been a total of 21 appeal decisions in the period 01/10/2020 – 31/12/2020. Only four of these appeals had been allowed, and none were on decisions made by the Planning Committee. The Head of Planning and Development also advised that an information report would be provided to the Local Plan & Planning Policy Task group on a six-monthly basis for consideration of any policy issues arising from appeal decisions.

290 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	19/01597/AS
Location	Home Plus, Beaver Road, Ashford, Kent, TN23 7RR
Grid Reference	Easting 601063 Northing 142081
Parish Council	No Parish Council
Ward	Victoria
Application Description	The erection of 216 residential units comprising 207 apartments and 9 townhouses (C3) and commercial floorspace comprising 3 commercial units (Units A, B and C) for a flexible range of uses (A1, A3, A4, A5, B1, D1 and D2) and roof top restaurant, with associated access and landscaping..
Applicant	A Better Choice for Property Developments
Agent	Emma Hawkes – DHA Planning
Site Area	9093 sqm
(a) 7/4R	(b) - (c) KCCH&T-X

The Head of Planning and Development advised that the applicant had requested deferral of this application to next month's Committee due to unforeseen personal circumstances.

Application Number	19/00921/AS
Location	Lakeside Nursing Home, Chapel Road, Hothfield, Ashford, TN25 4LN
Grid Reference	96773/46428
Parish Council	Hothfield
Ward	Upper Weald
Application Description	Outline planning permission considering access, layout and scale for the demolition of two out of use wings and

erection of two new wings on the same site to create 40 self-contained extra-care units with associated communal support facilities and infrastructure

Applicant	Mr Hensher, Lakeside Land Limited, 11a Ivor Place, London, NW1 6HS		
Agent	Mr N Blythe, Nicholas Blythe Architects, PO Box 305, Tonbridge, Kent, TN11 8FX		
Site Area	0.79ha		
(a) 46/6R	(b) +	(c) KHS/X, Housing/+, KCC LLFA/X, KAS/-, KCC Bio/X, EH/+, NE/X, NHS/X, KCC SS/-, Pol/X, CPRE/+,	

The Deputy Team Leader - Planning Applications gave a presentation and drew Members' attention to the Update Report. Two further representations had been received raising additional issues.

In accordance with Procedure Rule 9.3, Mrs Vernon, a local resident, had registered to speak in objection to the application. Her speech was read to the Committee by the Member Services and Ombudsman Complaints Officer and this is attached to these Minutes at Appendix A.

In accordance with Procedure rule 9.3, Mr Theedom, on behalf of Hothfield Parish Council, had registered to speak in objection to the application. His speech was read to the Committee by the Member Services and Ombudsman Complaints Officer and this is attached to these Minutes at Appendix B.

The Ward Member attended and commented on the application.

Resolved:

Defer

For Officers to consider concerns raised by Members regarding the impact of the development (including demolition and construction works and the vehicle movements associated with them) on Chapel Road and the residents in that road.

Application Number	20/01730/AS
Location	105 Bybrook Road, Kennington, Ashford, Kent, TN24 9JD
Grid Reference	601432 144359

Parish Council	Kennington
Ward	Bybrook
Application Description	Two storey side extension and change of use of land to residential curtilage.
Applicant	Ashford Borough Council (Housing)
Agent	RDA Consulting
Site Area	0.02 hectares

(a) 3/1S (b) - (c) -

The Planning Consultant gave a presentation and drew Members' attention to the Update Report, which clarified why the principle of extending the property to the side and changing the use of a small portion of open space was considered acceptable.

In accordance with Procedure Rule 9.3, Ms Ransley, the occupier of the property, had registered to speak in support of the application. Her speech was read to the Committee by the Member Services and Ombudsman Complaints Officer and this is attached to these Minutes at Appendix C.

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)

Commencement

1. Standard time condition
2. Replacement tree planting
3. Development in accordance with the approved plans
4. Development available for inspection

Note to Applicant

1. Working with the Applicant

Reference	TPO/20/00010
Report Title	Confirmation of Tree Preservation Order No.10 2020
Location	30 The Moat, Charing. TN27 0JH
Parish Council	Charing Parish Council
Ward	Charing

The Tree Officer gave a presentation and drew Members' attention to the Update Report. There was an amendment to paragraph 1 of the report and, at the request of the public speaker, an additional drawing was displayed showing trees protected by TPOs around the property in question.

In accordance with Procedure Rule 9.3, Mr Lloyd-Brunt, a local resident, had registered to speak in objection to confirming the Order. His speech was read to the Committee by the Member Services and Ombudsman Complaints Officer and this is attached to these Minutes at Appendix D.

The Ward Member attended and spoke against confirming the Order.

Resolved:

To confirm the Order due to the quality of the tree and notwithstanding the objections.

Queries concerning these Minutes?

Please contact membersservices@ashford.gov.uk

Agendas, Reports and Minutes are available on: <https://.ashford.moderngov.co.uk>

Mrs Vernon – Local Resident

Albeit many different groups have had an input into this plan. We are hoping that our points are considered and that the Planning Committee can request that concerns are resolved.

We overall are not against the idea of improving the site, and increasing the capacity. We would like the proposer to seriously consider requesting a joint approach with Highways to help improve the image and access to Chapel Road, which in turn, will make the units being proposed more desirable and potentially increasing their values.

Some background as a resident of Chapel Road.

- i. The road is very narrow at the mid point where there is a slight angle. This doesn't allow persons travelling down the road to have visual of those coming towards them. The road does not have drainage nor curbs. Surface water drains down the road and pools at the bottom.
- ii. There is no passing place for larger vehicles at any point in Chapel Road, unless in the top quarter of the road, cars parked have been moved. The only option for larger vehicles is to reverse back out onto the A20. Often cars and vans will pull onto my drive to save them reversing completely out.
- iii. Previously when Lakeside had works completed for drainage. The narrowing of the road outside our property restricted the drainage trucks from passing. They needed to wait outside the narrowing while residents moved their cars. When they did squeeze passed, our front wall was struck three times causing the brick works to be broken down. The solution for the company was to use traffic cones to close the parking spaces off.
- iv. There is two unofficial parking bays on the verge, however both are not planned Parking areas. Over the years this area has broken up and one is not a safe parking area.
- v. For persons wishing to walk up and down Chapel Road, there is not a path.

For persons wishing to use the bus stop or the Beefeater, there is not a crossing point on the A20. Recently I requested support from Charlie Simkins to reduce the speed limit and implement a crossing. The speed limit was reduced to 50mph as part of the Cades Road safety improvements. However due to costs the crossing island, which was estimated at £37,000 and included a path and a 'cut away' for the bus stop opposite, was not implemented.

APPENDIX B**Mr Theedom, on behalf of Hothfield Parish Council**

1. Chapel Road is a narrow lane and is used by residents (mainly of Chapel Row) for street parking as there is no vehicular access to Chapel Row. Item 61 of the report states that there would be little or no conflict between the vehicle parking and construction movements as it was deemed that most residents' vehicles would be away during the day when construction traffic would be using the road. As it is proposed that construction take place between 08:00 and 18:00, it is almost certain that a number of residents' vehicles will still be in Chapel Road at 08:00 and will be returning prior to 18:00. HPC proposals would be:

- a) Widen Chapel Road to allow safe parking and movement of all traffic during and after construction and provide Lakeside with an enhanced vehicular approach.
- b) Utilise Grasscrete Plastic Tegular system to expand width of Chapel Road at the pinchpoint areas.
- c) Request Lakeside allow temporary parking permits for the duration of the construction at Lakeside for all residents who currently park in Chapel Road.

2. Provide regular road sweeping during construction to ensure no spillage from Lakeside is dragged out to Chapel Road or the A20.

3. The Application indicates a footway along Chapel Road that the residents of Lakeside could use, whereas, there is only a small 5m length of footpath at the junction with the A20, requiring residents of Lakeside to walk along the narrow uneven Chapel Road itself. A fully integrated footpath should be installed for the safety of all.

4. There is need of a traffic crossing at the top of Chapel Road to allow safe passage across the fast moving A20 to the bus stop taking passengers to Ashford and for returning passengers from the Maidstone direction.

5. Item 60 states that visibility exiting Chapel Rad is acceptable However, there is concern that slow heavily laden trucks pulling out, esp turning right, would pose a serious risk of collision with fast moving traffic coming from the north. A traffic management scheme would mitigate against this risk.

6. We believe there may be damage to Chapel Road due the number of heavy construction and plant movements taking place during the time of construction. The developer should be obliged to re-instate the road and any driveway surfaces damaged by construction traffic upon completion or during construction if necessary.

APPENDIX C

Ms Ransley – Property Occupier

We are a working family of 9 with 2 disabled sons who have additional needs that require the additional space that this extension would provide for our family. The extension will have positive affects for our family and minimal impact on the surrounding area and our neighbours. No additional car parking would be needed. The council have agreed to replant a tree to replace the one that has been removed. Please allow this planning application to be granted permission to go ahead.

APPENDIX D**Mr Lloyd-Brunt – Local Resident**

When we purchased 30 The Moat, Charing for my parents to live in 10 years ago we noted that the tree now under discussion was free from protection.

The Council had chosen not to protect the tree in question twenty years ago when the Council otherwise comprehensively surveyed and protected six other trees in adjacent gardens (please see the accompanying plan – the tree under discussion is shown shaded red).

We assume the tree was not protected twenty years ago as it is only 8.45 metres from the house on the property and overwhelms the property.

Last year my father and his neighbours decided they wanted the tree felled and in November 2020 my father instructed a tree surgeon to cut down the tree.

Without requesting permission to do so the tree surgeon telephoned the Council's tree officer and notified him of the proposed work.

The Council's actions have followed solely from this notification.

The Council's tree officer then made the proposed TPO under delegated authority without contacting my father or his neighbours.

In December, after making his TPO the tree officer visited my father and advised my father that he had taken his action on his whim. The Council has not rebutted this point in detailed correspondence I have had with the Council since December complaining about the Council's actions.

Given that the tree wasn't protected previously when a comprehensive survey of trees in the area had been undertaken this specific TPO bears out the statement of the Council's tree officer that it was something he did on his whim.

The report prepared for the Planning Committee does not make reference to the comprehensive survey and protection of six other trees in adjacent gardens over twenty years ago. Nor does it make reference to the manner in which the TPO came to be made.

You will, I hope, understand how my father and his neighbours at 28 & 31 The Moat (all of whom have made complaints against the proposed TPO) have been left feeling that the Council has to date acted underhand.

It would be inequitable for the Council to confirm the TPO acting against the wishes of local residents when the Council's action solely follows on from unauthorised notification by a tree surgeon of works to a then unprotected tree.

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