

Ashford Borough Council: Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on **10th November 2021**.

Present:

Cllr. Burgess (Chairman);

Cllr Blanford (Vice-Chairman);

Cllrs. Anckorn, Clokie, Harman, Howard, Howard-Smith, Iliffe, Meaden, Mulholland, Ovenden, Shorter, Sparks.

Apologies:

Cllr. Bell.

Also Present:

Cllr. Campkin.

In Attendance:

Urban Designer/Planner; Head of Planning & Development; Planning Officer; Principal Solicitor (Strategic Development); Member Services Officer; Member Services and Ombudsman Complaints Officer.

177 Declarations of Interest

Councillor	Interest	Minute No.
Blanford	Made a Voluntary Announcement that she was a Member of the Weald of Kent Protection Society and the Campaign to Protect Rural England.	
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.	

Meaden	Made a Voluntary Announcement that he was a Member of the Campaign to Protect Rural England's planning committee.	
	Declared that he was a member of Chilham Parish Council. He said he had addressed the Committee's meeting on 15 th September as a Parish Councillor, but was also Ward Member for Downs North Ward. The Principal Solicitor advised that there was no reason why he may not address the Committee on application 19/00483/AS as Ward Member, however he should not move or second a motion or vote on the application.	181 – 19/00483/AS

178 Public Participation

The Member Services and Ombudsman Complaints Officer advised that at this meeting registered public speakers had been invited either to address the Committee in person, or to have their speech read out by a designated Council Officer, not from the Planning Department. On this occasion there were three public speakers, all of whom had chosen to have their statements read out on their behalf.

179 Officers' Deferral/Withdrawal of Reports

The Head of Planning and Development advised that application 21/01173/AS had been deferred at the applicant's request. He also advised that, with regard to application 17/01613/AS, the applicant had withdrawn this application and it would therefore no longer be determined at the meeting.

180 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 13th October 2021 be approved and confirmed as a correct record, subject to the Minutes being amended to include the Declaration of Interest made by Cllr Burgess in relation to application 21/00541/AS. He had declared that he was Deputy Portfolio-Holder for Housing, but had taken no part in any discussions on that application.

181 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	19/00483/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)	(b)	(c)
	30/8R;2C;1S	PC R	SW X
	Chilham Parish		EA +
	Recreation		KCCH&T -
	Ground Trust R		KCC Bio -
	St. Marys C of E		Kent Police -
	Primary School		ABC street scene X
	R		

Second consultation

(a) 30/8R	(b) PC R	(c) EA + KCCH&T XKCC Bio X KCC Infrastructure -
-----------	----------	---

Third consultation

(a) 30/30R	(b) PC R	(c) SW X EA + KCCH&T X KCC Bio X KCC F & WM X KCC Infrastructure –KD AONB Unit Kent Fire and Rescue XRefuse X
------------	----------	---

The Urban Designer/Planner gave a presentation and drew Members' attention to the Update Report. Nine further representations had been received, together with a petition from local residents. Further information was provided on First Homes, and there was additional text to be added to the Recommendation under (A) and (B). A further petition of some 700 names had been received since the Update Report was published.

In accordance with Procedure Rule 9.3, Dr Kinnersley, a local resident, 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 is attached to these Minutes at Appendix A.

In accordance with Procedure Rule 9.3, Mr Anthony, the agent, had registered to speak in support of the application. His speech was read to the Committee by the Member Services and Ombudsman Complaints Officer and is attached to these Minutes at Appendix B.

In accordance with Procedure Rule 9.3, Mrs Marriott, on behalf of Chilham Parish Council, 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 is attached to these Minutes at Appendix C.

Resolved:

Permit

(A) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations detailed in Table 1 (and any section 278 agreement so required), in terms agreeable to the Head of Planning and Development, the Development Management Manager or the Strategic Development and Delivery Manager in consultation with the Solicitor to the Council, with delegated authority to either the Development Management Manager or the Strategic Development and Delivery Manager to make or approve changes to the planning obligations and planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit;

TABLE 1

Planning Obligation		
Detail	Amounts (s)	Trigger Points (s)
<p><u>Informal/Natural Green Space</u></p> <p>Project: Enhancement/maintenance of public open space and equipped play at the Village recreation ground.</p>	<p>£434 per dwelling for capital costs</p> <p>£325 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>
<p><u>Affordable Housing</u></p> <p>Provide not less than 40% of the units as affordable housing, comprising 10% affordable rent units and 30% shared ownership units in the locations and with the floorspace, number of bedrooms and size of bedrooms as specified. The affordable housing shall be managed by a registered provider of social housing approved by the Council.</p> <p>Shared ownership units to be leased in the terms specified. Affordable rent units to be let at no more than 80% market rent and in accordance with</p>	<p>1 affordable rent unit</p> <p>3 shared ownership units</p>	<p>Affordable units to be constructed and transferred to a registered provider upon occupation of 75% of the open market dwellings.</p>

the registered provider's nominations agreement		
<p><u>Governance of public or community space and facilities onsite</u></p> <ul style="list-style-type: none"> Ecological area <p>Scheme for ongoing management to include details of management entity. Scheme to include details of constitutional documents of management entity which must ensure owners of dwellings are members of the entity, that they can fully participate in strategic decisions regarding the maintenance of the space and that the entity is accountable to the owners for the management thereof. Scheme must also include details of ongoing funding/endowment of management entity to ensure it is financially sustainable and details of any mechanism for securing such ongoing endowment.</p>	N/A	<p>Scheme to be approved before construction of any dwelling above foundation level.</p> <p>Scheme to be implemented for each dwelling before its occupation.</p> <p>Areas to be transferred to approved management entity and funding/endowment secured, before occupation of more than 50% of the dwellings.</p>
<p><u>Accessible Housing</u></p> <p>At least 20% of all homes shall be built in compliance with building regulations M4(2) as a minimum standard.</p>	Provide on-site 20% of all units.	<p>Dwellings required to be built in accordance with the standard to be approved prior to construction commencing.</p> <p>Prior to first occupation of 50% of the dwellings not required to be built in accordance with the standard.</p>
<p><u>Libraries</u></p> <p>Contribution for additional resources and bookstock for the mobile library service attending Chilham for the new net borrowers generated by this</p>	£55.45 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on

development		occupation of 50% of the dwellings
<p><u>Community Learning</u></p> <p>Project: Additional resources and equipment for additional learners form development at Ashford Adult Education Centre</p>	£16.42 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
<p><u>Secondary Schools</u></p> <p>Project:</p> <p>Towards Norton Knatchbull expansion</p>	£4540.00 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
<p><u>Youth Services</u></p> <p>Project: Towards additional resources for the Ashford Youth Service</p>	£65.50 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
<p><u>Adult Social Care</u></p> <p>Project: Towards Extra care Accommodation Ashford</p>	£146.88 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
<p><u>Long-term availability of parking facilities and surrounding land for use of Chilham Surgery</u></p> <p>Scheme to secure that the parking facilities, access to them and surrounding land are completed, inspected and made available for the exclusive use of Chilham Surgery and</p>	N/A	Scheme to be approved before construction of any dwelling above foundation level.

its doctors, staff, patients and visitors. Scheme to include details of long- term management and maintenance responsibilities, and tenure to be offered to the Surgery (as appropriate).		Approved scheme to be implemented before occupation of more than 25%of the dwellings.
Monitoring Fee Contribution towards the Council's costs of monitoring compliance withthe agreement or undertaking	£500 per annum until developmentis completed	First payment upon commencement of development and on the anniversary thereof in subsequent years
<p>Notices must be given to the Council at various stages in order to aid monitoring. All contributions are index linked in order to maintain their value. The Council's legal costs in connection with the deed must be paid.</p> <p>If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.</p>		

(B) Subject to the applicant submitting information to enable an AppropriateAssessment under the Habitats Regulations to be adopted by the Head of Planning and Development which identifies suitable mitigation proposals suchthat, in his view, having consulted the Solicitor to the Council and Natural England, the proposal would not have a significant adverse effect on the integrity of the Stodmarsh SAC, SPA and Ramsar Site; and with delegated authority to the Development Management Manager or the Strategic Development and Delivery Manager to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation;

(C) Resolve to permit subject to planning conditions and notes, including those dealing with the subject matters identified below, with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018

1. Standard time condition
2. Development carried out in accordance with the approved plans.
3. Details and samples of materials including surface finish to driveway / parking.
4. Architectural details (dentils; protruding bands, cant brickwork and headers, window reveals, sections through eaves, entrance porches/canopies etc).

5. No flues, vents, stacks, extractor fans or meter boxes to be located on the primary elevation.
6. Air Source heat pumps.
7. Landscaping scheme to include proposed new tree planting to southern site boundary with open countryside.
8. Planting plans required to accompany the landscaping scheme.
9. Retention of existing hedgerows.
10. Tree protection measures.
11. Tree protection for new trees.
12. Details of boundary treatments.
13. Landscape management plan.
14. Removal of permitted development rights – extensions, alterations and boundary treatments.
15. Occupation as a single dwelling house only.
16. Reptile mitigation implementation / reptile mitigation and management report
17. Bat Sensitive Lighting Design / No additional External Lighting
18. Ecological enhancements.
19. Construction Management Plan/Hours of working.
20. Completion and maintenance of access.
21. Provision and maintenance of visibility splays.
22. Provision of footpath to Branch Road and traffic calming.
23. Use of bound surface for first 5m.
24. Provision of measures to prevent discharge of surface water onto public highway.
25. Provision and retention of parking and turning.
26. Provision and retention of parking spaces/garaging.
27. Provision and Retention of Bicycle Storage.
28. Electrical charging points.
29. Provision of parking bays for surgery and their permanent retention.
30. Detailed drawings of traffic calming features in accordance with plan 08696 –A-L-(00)-X-0104 G
31. Sustainable surface water drainage scheme.

32. Verification report.
33. Details of the sewage treatment system.
34. Provision and retention of refuse collection facilities.
35. FTTP
36. Unexpected contamination.
37. Enforcement condition.

Informatives

1. S106
2. Refuse collection indemnity

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, which were found to be acceptable and permission was granted
- 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.

Application Number	21/01290/AS	
Location	6 Pondmore Way, Ashford, Kent, TN25 4LU	
Grid Reference	99789/43785	
Parish Council	Central Ashford	
Ward	Repton Ward	
Application Description	First floor extension to existing garage.	
Applicant	Mr L Roberts, 6 Pondmore Way, Ashford, Kent, TN25 4LU	
Agent	Mr C Brian, CB Planning Agent, Silverwood, Stone Street, Westenhanger, Hythe, CT21 4HT	
Site Area	0.06 ha	
(a) 5/1R	(b) N/A	(c) N/A

The Planning Officer gave a presentation.

Resolved:

Permit

Subject to the following Conditions and Notes:

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

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

2. The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied.

Reason: In the interests of visual amenity.

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

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

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

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

Working with the Applicant

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 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.

Application Number	21/01592/AS	
Location	Bennetts, 56 The Street, Appledore, Ashford, Kent, TN26 2AE	
Grid Reference	95593 / 29517	
Parish Council	Appledore	
Ward	Isle of Oxney Ward	
Application Description	Erection of 2-bay garage with log store; erection of greenhouse; erection of a gazebo.	
Applicant	Mrs E Mitchell. Bennetts, 56 The Street, Appledore, Kent, TN26 2AE	
Agent	N/A	
Site Area	0.35 Ha	
(a) 5/3S	(b) S	(c) KCC Archaeology Section - +

The Planning Officer gave a presentation. He advised two representations of support had been received since the report had been published, one from a neighbour and one from the Parish Council.

Resolved:

Permit

Subject to the following Conditions and Notes:

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

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

2. The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied.

Reason: In the interests of visual amenity.

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

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

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

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

Working with the Applicant

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 application was acceptable as submitted and no further assistance was required.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Queries concerning these Minutes?

Please contact membersservices@ashford.gov.uk

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

DR DALE S KINNERSLEY BSc (Hons) MBBS DRCOG DCH DGM MRCP

THE OLD SCHOOL SURGERY
BOLTS HILL
CHARTHAM
CANTERBURY CT4 7JY
Telephone 01227 738282
Fax 01227 732122

THE SURGERY
BRANCH ROAD
CHILHAM
CANTERBURY CT4 8DR
Telephone 01227 730210

9th November 2021

Dear Planning Committee Members,
Re: Application Ref: 19/00483/AS
Harvest House, Branch Road, Chilham, CT4 8DR

I have been a GP since 1991 and have worked at both the Old School Surgery in Chartham and the Branch Surgery in Chilham, currently rated as one of the top 10 GP practices in Kent in the 2021 GP Patient Survey. These Surgeries are co-dependent serving a rural population of 6000 patients and my comments to the previous planning committee about closure of Chilham surgery were clearly not taken on board .

There has been a Surgery in Chilham since 1920, To maintain a service to the community special permission was granted to build Chilham Surgery and for Dr Salmon's dwelling (Harvest House). This was built on pasture and orchard land. It is therefore now disturbing that this current planning application will lead to the loss of this valuable community medical facility built up by the Dr and Mrs Salmon I do not agree with the Planning Officer's statement that "the surgery and dispensary are not affected by this proposal." The Architects have not given any consideration to the Surgery nor do they care . They have not consulted the surgery at all . The 4 parking bays at the front of the Surgery will not be able to be used, with the parking bays going outside of the legal boundary of the site, blocking the site lines as required by Kent Highways.

This current layout creates a very dangerous parking arrangement with additional traffic going directly past the patient and staff parking areas and across the patient entrance .Patients will now be leaving the building via the one way system directly onto a road way. Indeed the Harvest house parking and garage opens onto this roadway causing further dangers This scheme is NOT safe for patients accessing or leaving the Surgery.

The recent petition in support of Chilham surgery show the huge opposition to this scheme with more than 700 signing in a few days since notification of the committee date

Having survived and operated throughout a pandemic, I would ask the Committee to support the NHS and support our Surgery for the community service that it provides and reject this proposal.

It has to be understood, that Chilham Surgery will not be able to operate safely under the proposed plans and if approved, will necessitate, following risk assessment, closure of the Surgery and service to the community.

Yours sincerely

Dr D S Kinnersley

Appendix B

ABC Planning Committee Meeting 10th November 2021 Harvest House, Branch Road, Chilham, CT4 8DR – 19/00483/AS Supporting speech on behalf of the applicant –

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

This application has previously been heard by the Planning Committee on two occasions, both times with a recommendation to approve.

The most recent deferral was on two grounds; design and energy credentials.

Design of the Dwellings

The revised drawing package provides greater information regarding the application of materials and detailing that was lost in previous drawings. This is best seen on the Elevation Material Study, drawing 0126, which shows the rich detail proposed, including dentil courses under eaves, cant bricks under windows and projecting courses through all elevations.

The 'grey' elements of the proposed dwellings have been removed and replaced with a softer and more 'local' colouring. Tiles are now red/orange/brown and doors/windows/soffits/fascias are a traditional white.

Energy Efficiency

Whilst adopted planning policy only requires energy efficiency of new build dwellings at building regulation standards, the applicant has proposed to exceed that.

Detail of the measures proposed are now included in the application documents but in summary several properties will now use air source heat pumps for heating, whilst all properties will be designed to fabric first principles, benefitting from triple glazing and insulation above required levels.

Operation of the Surgery

The applicant would emphasise that the proposals were carefully conceived to retain full use of the surgery, whether that be with the current GP or a new operator in the future. The continued operation of the surgery can continue with the proposed residential neighbours as it does currently with the existing residential neighbour.

The proposals include 5 new, dedicated parking spaces for the surgery and retains the existing informal parking. The applicant would be willing to accept a condition requiring provision of the new parking spaces prior to occupation of the new dwellings if this is considered necessary.

Comments have also been made regarding the safety of future visitors walking between the proposed rear parking spaces and the entrance of the surgery. This would occur via a shared surface driveway. As Members will know, shared surfaces are common in smaller residential developments and KCC have approved the proposed access and parking arrangements.

Nonetheless, the applicant would be willing to lay a path around the north side of the surgery, away from the driveway, if deemed necessary. Again, the applicant would be happy to accept a condition to this effect.

Thank you.

Jane Marriott

Good Evening Ladies and Gentlemen

Chilham Parish Council continue to object to application 19/00483/AS. It must be noted, the Parish Council was not consulted on amendments to this application until after the 10th November meeting agenda was published. Amendments to the application are inadequate and do not address the reasons for deferral on 15th September.

Petitions by residents to 'Save the Surgery' raised 705 signatures in just days. These online and hard copy petitions are in ABC's possession.

1. Traffic to plots 1-4 is still directed via the Doctor's surgery access. It was reported at the Planning Committee meeting on 15th September that the additional traffic on the Doctor's surgery access from these 4 houses risked closure of the surgery because of safety issues for patients. If the design layout is not changed to remove traffic to plots 1-4 from the access to the Doctor's Surgery, the Surgery and Dispensary will be forced to close! The currently proposed design layout for plots 1-4 is also at odds with ABC Policy. ABC Policy has always been to integrate Social Housing within a site, not to segregate Social Housing from the rest of the site. The proposal to route traffic from plots 1-4 via the Doctor's Surgery access instead of through the main access to the site would segregate the Social Housing from the rest of the site as well as forcing closure of the Doctor's Surgery. Originally, the access for Plots 1-4 was via the main access to the site. This should be reinstated with KCC adopting the roads within the site.

2. S56 Policy provides for 5 additional parking spaces for Chilham surgery. This is not complied with. ABC advised the existing parking spaces at the front of the surgery are to be reduced to 3 formal bays. The net gain of parking spaces will therefore be only 2.

3. The sparse planting on the southern boundary is insufficient and does not comply with S56 of local plan or AONB comments.

4. Carbon neutrality is not complied with. We are advised PV's are not possible due to this site's location. Interestingly, the sports pavilion and houses just opposite this site have solar PV's!

5. Oil receptors are not evident.

6. Stodmarsh remediation is neglected.

7. There is still no S106 provision for Chilham primary school. For all the reasons above, please refuse this application.

Thank you.

Jane Marriott