



## PLANNING COMMITTEE

Notice of a Meeting, to be held in the Council Chamber - Ashford Borough Council on Wednesday, 9th November, 2022 at 7.00 pm.

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The Members of the Planning Committee are:-

Councillor Burgess (Chairman)  
Councillor Blanford (Vice-Chairman)

Cllrs. Bell (ex-Officio, non-voting), Campkin, Chilton, Forest, Harman, Howard, Iliffe, Meaden, Mulholland, Ovenden, Shorter, Spain and Sparks

If any member of the public, Councillor or organisation wishes to submit any written, pictorial or diagrammatic material to the Planning Committee relating to any item on this Agenda, this must be **concise** and must be **received by the Contact Officer specified at the end of the relevant report**, and also copied to [Planning.help@ashford.gov.uk](mailto:Planning.help@ashford.gov.uk), **before 3.00 pm on the second working day before the Meeting** so that it can be included or summarised in the Update Report at the Meeting, in the interests of transparency and fairness. Otherwise, the material cannot be made available to the Committee. Material should be submitted as above at the earliest opportunity and you should check that it has been received.

### IMPORTANT INFORMATION FOR THE PUBLIC ABOUT THIS MEETING

This is a public meeting and the Council encourages everyone to take advantage of the opportunity to watch and listen to the proceedings at the Meeting via a weblink, which will be publicised on the Council's website at [www.ashford.gov.uk](http://www.ashford.gov.uk) about 24 hours before the Meeting.

### Agenda

Page Nos..

1. **Apologies/Substitutes**

To receive Notification of Substitutes in accordance with Procedure Rule 1.2(c) and Appendix 4

2. **Declarations of Interest**

1 - 2

To declare any interests which fall under the following categories, as explained on the attached document:

- a) Disclosable Pecuniary Interests (DPI)
- b) Other Significant Interests (OSI)
- c) Voluntary Announcements of Other Interests

See Agenda Item 2 for further details

3. **Public Participation**

3 - 4

See Agenda Item 3 for details.

4. **Officers' Deferral/Withdrawal of Reports**

5. **Minutes**

To approve the Minutes of the Meeting of this Committee held on 14<sup>th</sup> September 2022 and 12<sup>th</sup> October 2022.

[\(Public Pack\)Minutes Document for Planning Committee, 14/09/2022 19:00 \(moderngov.co.uk\)](#)

[\(Public Pack\)Minutes Document for Planning Committee, 12/10/2022 19:00 \(moderngov.co.uk\)](#)

6. **Schedule of Applications**

(a) **22/00510AS & 22/00511/AS - Coldharbour Farm, Amage Road, Wye TN25 5DB**

5 - 22

**Full Application (22/00510/AS)** for: Proposed change of use from offices to residential dwelling houses conversion of Oasthouse to provide a total of 6no.residential units and conversion of existing storage building to dwelling houses to provide 2no. residential units, together with reconfiguration of parking area and all associated external works (including hard and soft landscaping)

**Listed Building Consent (22/00511/AS)** for: Internal walls removed and new partitioning walls introduced with external window and door alterations to Oasthouse to enable change of use from office to residential dwelling-houses. Internal and external alterations/refurbishment of existing office building (at north of site).

(b) **22/00569/AS - 240 Beaver Road, Ashford, Kent, TN23 7SW**

23 - 32

Convert 3-bedroom 2-storey house to 2 self-contained flats single occupancy, for social housing

**Note for each Application:**

- (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 (abbreviation for consultee/society stated)

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

### **Note on Votes at Planning Committee Meetings:**

At the end of the debate on an item, the Chairman will call for a vote. If more than one motion has been proposed and seconded, the motion that was seconded first will be voted on first. When a motion is carried, the Committee has made its determination in relation to that item of business and will move on to the next item on the agenda. If there are any other motions on the item which have not been voted on, those other motions fall away and will not be voted on.

If a motion to approve an application is lost, the application is not refused as a result. The only way for an application to be refused is for a motion for refusal to be carried in a vote. Equally, if a motion to refuse is lost, the application is not permitted. A motion for approval must be carried in order to permit an application.

DS

30 October 2022

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Queries concerning this agenda? Please contact Margaret Hill 01233 330564 Email: [margaret.hill@ashford.gov.uk](mailto:margaret.hill@ashford.gov.uk)

Agendas, Reports and Minutes are available on: [www.ashford.gov.uk/committees](http://www.ashford.gov.uk/committees)

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## Declarations of Interest (see also “Advice to Members” below)

- (a) **Disclosable Pecuniary Interests (DPI)** under the Localism Act 2011, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares a DPI in relation to any item will need to leave the meeting for that item (unless a Dispensation has been granted in advance, to speak and/or vote).

- (b) **Other Significant Interests (OSI)** under the Kent Code of Conduct relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a Dispensation has been granted in advance, to participate in discussion and/or vote). However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

- (c) **Voluntary Announcements of Other Interests** not required to be disclosed under (a) and (b), i.e. announcements made for transparency or good governance reasons, such as:

- Membership of amenity societies, Town/Community/Parish Councils, residents' groups or other outside bodies that have expressed views or made representations, but the Member was not involved in compiling or making those views/representations, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

Note: Where an item would be likely to affect the financial position of a Member, relative, close associate, employer, etc.; OR where an item is an application made by a Member, relative, close associate, employer, etc., there is likely to be an OSI or in some cases a DPI. ALSO, holding a committee position/office within an amenity society or other outside body, OR having any involvement in compiling/making views/representations by such a body, may give rise to a perception of bias (similar to that arising when a Member has made his/her views known in advance of the meeting), and require the Member to take no part in any motion or vote.

### **Advice to Members on Declarations of Interest:**

- (a) Government Guidance on DPI is available in DCLG's Guide for Councillors, at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5962/2193362.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5962/2193362.pdf)
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, and a copy can be found in the Constitution alongside the Council's Good Practice Protocol for Councillors dealing with Planning Matters. See <https://www.ashford.gov.uk/media/2098/z-word5-democratic-services-constitution-2019-constitution-of-abc-may-2019-part-5.pdf>
- (c) Where a Member declares a committee position or office within, or membership of, an outside body that has expressed views or made representations, this will be taken as a statement that the Member was not involved in compiling or making them and has retained an open mind on the item(s) in question. If this is not the case, the situation must be explained.

**If in doubt about any matters that they may need to declare, Members should seek advice from the Corporate Director (Law and Governance) and Monitoring Officer, the Deputy**

**Monitoring Officer, or other Solicitors in Legal and Democracy as early as possible, and in advance of the Meeting.**

## Agenda Item 3

### Summary of the Scheme of Public Participation for Planning Committee Meetings

1. **Written notice of a wish to speak at the meeting** (by means of either procedure below) **must be given, either to [membersservices@ashford.gov.uk](mailto:membersservices@ashford.gov.uk) or on the Council's website at <https://secure.ashford.gov.uk/committeesystem/haveyoursay.aspx>, by 15:00 hours on the second working day before the meeting.**

Hence, for example, for meetings of the Planning Committee on Wednesdays:-

- (i) If there is no Bank Holiday on the Monday preceding the meeting, written notice must be given by 15:00 hours on the Monday.
- (ii) If there is a Bank Holiday on the Monday preceding the meeting, written notice must be given by 15:00 hours on the preceding Friday.
- (iii) If the meeting immediately follows the Easter Weekend, written notice must be given by 15:00 hours on Maundy Thursday.

2. Registering to speak at the meeting confers the right to either make a speech in **person or submit a speech to be read on your behalf by a Council Officer, as follows:**

- (i) on a first-come, first-served basis, **one speech in support of**, and **one speech against**, an item for decision, or
- (ii) as a duly-authorized representative of the Parish Council<sup>1</sup> or Community Forum affected by an item for decision.

3. Those who have registered to speak and wish a Council Officer to read their speech on their behalf must submit a copy of the speech to [membersservices@ashford.gov.uk](mailto:membersservices@ashford.gov.uk) by 10.00 hours on the day of the meeting. The speech must be no longer than 400 words, and must be in English and in a 12-point non-italic sans-serif font (e.g. Arial); any text above 400 words will not be read out. No speech should contain personal data about individuals, other than the speaker's name and (if relevant) postal address. Late or incorrectly-presented copies of speeches cannot be accepted, but any registered speakers who do not submit their speeches as above may speak in person at the meeting as set out below

4. At the meeting:-

(i) Speakers who are **present in person** may speak to the meeting for a **maximum of 3 minutes** when called to do so. No speech should contain personal data about individuals, other than the speaker's name and (if relevant) postal address. Please note there is no ability to present any material such as photographs or diagrams at the meeting.

(ii) If speakers are **not present in person**, but had previously submitted speeches as above, their submitted speeches will be read to the meeting by a competent

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<sup>1</sup> The term "Parish Council" includes Town Councils and Community Councils.

Officer for and on behalf of the speakers, at the normal times and in the normal order (subject to the Chairman's normal discretion).

**IMPORTANT:**

An Officer reading any speech on behalf of any speaker shall have discretion to omit/edit out any inappropriate language, information or statements.

If any defamation, insult, personal or confidential information, etc. is contained in any speech received from any speaker, and/or is read to the meeting by an Officer, each speaker accepts by submitting the speech to be fully responsible for all consequences, thereof and to indemnify the Officer and the Council accordingly.



Ashford Borough Council - Report of the Head of Planning and Development  
Planning Committee 9 November 2022

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<b>Application Numbers</b>	22/00510AS & 22/00511/AS
<b>Location</b>	Coldharbour Farm, Amage Road, Wye TN25 5DB
<b>Grid Reference</b>	606668 / 146466
<b>Parish Council</b>	Wye with Hinxhill
<b>Ward</b>	Wye with Hinxhill
<b>Applications Description</b>	<p><b><u>Full Application (22/00510/AS)</u></b> for: Proposed change of use from offices to residential dwelling houses conversion of Oasthouse to provide a total of 6no.residential units and conversion of existing storage building to dwelling houses to provide 2no. residential units, together with reconfiguration of parking area and all associated external works (including hard and soft landscaping)</p> <p><b><u>Listed Building Consent (22/00511/AS)</u></b> for: Internal walls removed and new partitioning walls introduced with external window and door alterations to Oasthouse to enable change of use from office to residential dwelling-houses. Internal and external alterations/refurbishment of existing office building (at north of site).</p>
<b>Applicant</b>	KD Attwood & Partners
<b>Agent</b>	Hume Planning Consultancy Ltd.
<b>Site Area</b>	0.48 ha

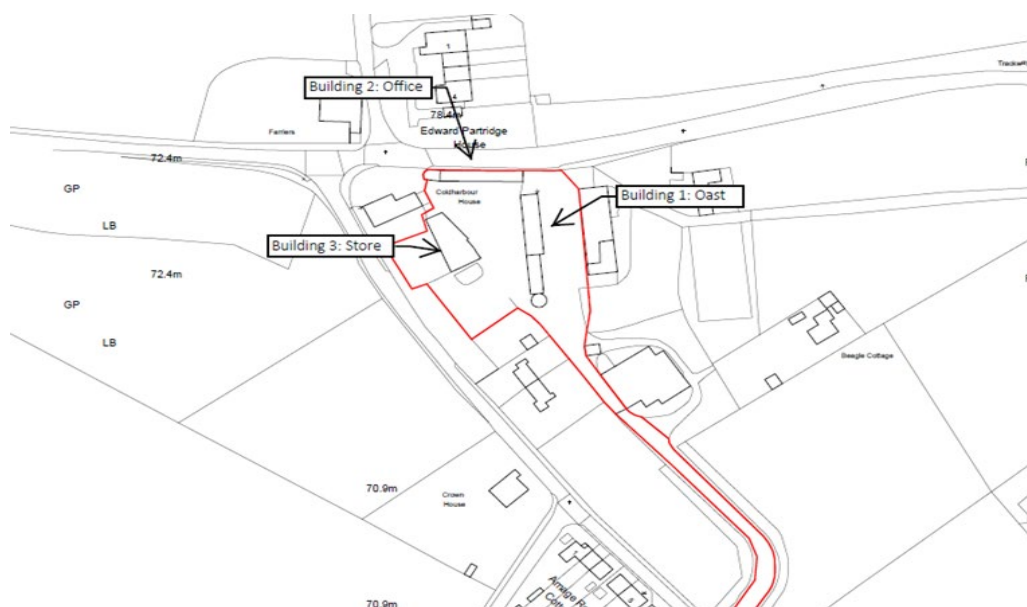
## Introduction

1. This application is reported to the Planning Committee at the request of Councillor Noel Ovenden.

## Site and Surroundings

2. Coldharbour Farm is a holding which extends to approximately 14.5 hectares. However, the proposals under consideration relate solely to the main yard and associated buildings which comprise: an existing oasthouse, office building and storage barn. The total site area of the application site amounts to 0.48 hectare – including access from Amage Road and associated land.

3. The application site lies beyond the eastern settlement confines of Wye. It has an extensive open curtilage and lies within the AONB. Its main components are:
  - Building 1: A 2-storey Grade II Listed Oasthouse with rounded oast and cowl;
  - Building 2: A single storey office building (parallel to Coldharbour Lane – considered to have curtilage listed status – see figure 1 below); and
  - Building 3: An existing storage barn/workshop adjacent to the rear garden area of the Farmhouse.
4. Coldharbour House lies to the north-west of the application site and is currently occupied as five self-contained residential apartments with associated curtilage and parking at the junction of Amage Road and Coldharbour Lane. The Oasthouse is vacant but understood to be last occupied as offices. The other outbuildings are also vacant.
5. To the east and south-east of the Oasthouse are two detached commercial buildings occupied by The Woodenspoon Company (preservatives and jam producers), which are also accessed from Amage Road. To the east of the Woodenspoon buildings is a single storey stable block and associated external menage and parking area. Open fields that are part of the wider holding extend to the south-east. Immediately to the south-east of the menage is Beagle Cottage, a detached bungalow with associated private garden land. This property utilises the shared access to/from Amage Road. A pair of semi-detached properties front onto Amage Road to the south of the Oasthouse with rear access through Coldharbour Farm. These properties form a residential streetscene with a number of existing, two-storey dwellings on the opposing side of Amage Road to the south.



**Figure 1: Existing Site Arrangement – with building referencing**



**Figure 2: The Oasthouse (Building 1)**



**Figure 3: : The office (Building 2) on the right-hand side of image (Coldharbour House to the left)**



**Figure 4: The storage barn (Building 3); Coldharbour House visible in background**

## The Proposals

5. Full Planning Permission and Listed Building Consent are sought for the following:
  - Renovation and conversion of the vacant Grade II Listed Oasthouse (providing 6 x 2 bed self-contained dwellings) (planning application & listed building consent) There are no extensions or other external modifications proposed;
  - Refurbishment of the existing and vacant, curtilage listed office building to the north of the site to provide modern office accommodation arranged as three small units (listed building consent only) The conversion involves the remodelling of the interior of the building through minor interventions of internal partitions to provide three small office units. Parking provision for the office units is proposed to the east of the Oasthouse; and
  - Conversion of the existing dark stained timber clad single storey storage barn to provide 2 x 2 bed dwellings (planning application only). Both dwellings would have access to private amenity space together with use of an existing communal garden area to the rear of Coldharbour House.
6. The proposed development would be assessed from Amage Road along the established vehicular access (no alterations required) and there is also an opportunity for pedestrian and cycle access directly onto Coldharbour Lane at the north-west corner of the site (it is understood that this area of land is also in the applicant's ownership). Parking provision for the proposed dwellings is



shown to the south within an existing reconfigured parking area. This parking provision would be located alongside the parking provision for the existing apartments within Coldharbour House (approved under reference 08/01394).



**Figure 5: Proposed Site Layout & Landscape Strategy**

7. It is noted that the yard area is enclosed by the existing buildings, is currently unused and is not associated with the use of any of the surrounding buildings. Within this proposed development the yard would retain its open character and would provide an open communal amenity area for future residents of the converted buildings and office space.

## Planning History

8. Coldharbour House, Amage Road  
08/01394/AMND/AS: Change windows from timber to uPVC on approved application – Approved 08/12/2011  
08/01394/AS - Change of use and conversion to five residential dwellings including associated garaging, storage and car parking – Approved 18/02/2009

Oasthouse/Curtilage Building

88/0202; 86/0425; 85/1249 - Change of use of Oasthouse to offices -  
Approved

## Consultations

9. **Wye with Hinxhill Parish Council** requested for the pre-application advice provided to the applicant, but have not made any formal representation on the proposal.

**KCC Highways & Transportation** have considered the proposals and commented that they fall below the threshold that warrants their involvement.

**KCC Flood & Water Management** – The application falls outside their remit as a statutory consultee.

**KCC Ecology & Biodiversity** – Notwithstanding the submission of a landscape strategy, they have recommended the imposition of a landscape condition to ensure that native species are present. A condition to ensure that the Bat Mitigation Strategy and biodiversity enhancement measures identified in the supporting document is also recommended.

## Planning Policy Context

### The Development Plan

10. The relevant parts of the Development Plan comprise the Ashford Local Plan 2030 (adopted February 2019) and the Wye Neighbourhood Plan (2016).

Ashford Local Plan

The relevant policies in the Ashford Local Plan relating to the application are as follows:-

SP1 - Strategic Objectives

SP6 - Promoting High Quality Design

HOU5 - Residential Windfall Development in the Countryside

HOU12 - Residential Space Standards

HOU15 - Private External Open Space

TRA3a - Parking Standards for Residential Development

TRA7 - The Road Network and Development

EMP2 - Loss or redevelopment of Employment Sites and Premises

ENV1 - Biodiversity

ENV3b - Landscape Character and Design in AONBs

ENV5 – Protecting Important Rural Features

ENV13 - Conservation and Enhancement of Heritage Assets

11. Wye Neighbourhood Plan  
Wye Neighbourhood Plan (2016) identifies at Policy WNP1a that development outside the village envelope will only be permitted in accordance with development plan and national policies or the countryside
12. The following are also material considerations in the determination of this application.

### **Supplementary Planning Guidance/Documents**

Sustainable Design SPD  
Sustainable Drainage SPD  
Residential Parking  
Residential Space & Layout (External Space Standards)

### 13. **National Guidance**

National Planning Policy Framework (NPPF): The NPPF reflects the statutory provision at section 38(6) of the Planning and Compensation Act 2004 that mandates the determination of all planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise (paragraph 47). The NPPF was published on 27 March 2012 but has been amended on several occasions, with the most recent in July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

4. Decision-making
5. Delivering a sufficient supply of homes
11. Making effective use of land
12. Achieving well-designed places
16. Conserving and enhancing the historic environment

Planning Policy Guidance: In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains a range of subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Design
- Determining a planning application

Technical housing standards – nationally described space standards

## **Assessment**

14. The main issues for consideration are:

- a) Principle of Development and Loss of Employment Space
- b) Character, Appearance and Heritage Impact
- c) Residential Amenity and Standards
- d) Parking Provision and Highway Safety
- e) Ecological Impact and Biodiversity Enhancement
- f) Other Matters

### **Principle of Development and Loss of Employment Space**

15. The application site falls outside the settlement confines of Wye which lies to the west of the site. In the circumstance, policy HOU5 of the Local Plan is the key relevant policy to establishing the principle of the proposal. The first part of the policy states that proposals for residential development adjoining or close to the existing built up confines of the urban area of Ashford and sustainable villages will be acceptable providing that certain criteria are met, including:

a) The scale of development proposed is proportionate to the size of the settlement and the level, type and quality of day to day service provision currently available and commensurate with the ability of those services to absorb the level of development in combination with any planned allocations in this Local Plan and committed development in liaison with service providers;

16. The Ashford Local Plan 2030 allocates a number of sites in and around Wye and the surrounding area. However, it is considered that the proposal for additional dwellings in this location would not create unacceptable additional pressure and would be proportionate to the size of the settlement and the services available in Wye, which include a train station, shops, a primary and secondary school, several public houses and restaurants, a doctor's surgery and small businesses.

17. b) The site is within easy walking distance of basic day to day services in the nearest settlement, and/or has access to sustainable methods of transport to access a range of services;

The site is located in proximity to the village services and facilities and is connected by dedicated walking routes. Furthermore, there is a footpath running the entire length of Coldharbour Lane / Scotton Street (a lit and level route), providing safe pedestrian and cycle connection to Wye High Street.

18. The proposed development of this brownfield site would not result in any significantly adverse harm to the character of the rural landscape or setting of Wye Village. The proposals would bring vacant buildings into productive use with no material increase in footprint or built form and would therefore have limited impact on the AONB. In the light of the foregoing, the proposals are acceptable in principle, subject to compliance with the other relevant adopted policies and standards.



19. The Wye Neighbourhood Plan (2016) identifies at Policy WNP1a that development outside the village envelope will only be permitted in accordance with the Development Plan and national policies for the countryside. The proposals comply.
20. In compliance with Local Plan policy EMP2 concerning the loss or redevelopment of employment sites and premises in the Villages, it should be borne in mind that these proposals are for a mixed use development with new and compensatory employment space being created. The Oasthouse was converted to office accommodation for use by a single Government department occupier (DEFRA) – rather than in response to commercial market demand. However, the buildings have since been vacant for a significant period of time (over 8 years) and fallen into a state of disrepair.
21. It is understood that marketing was undertaken for a period of three years (2017 – 2020) prior to the applicant acquiring the site. At the time, no viable response was recorded that expressed an interest in reinstating its former office use. Occupancy of a listed building inherently generates additional costs for any potential business to shoulder in terms of upkeep and repair, particularly on the scale of the oasthouse. The heritage status of the building limits scope for any potential future expansion of floor space and the required upgrades to the existing building (ventilation, insulation, electrics etc) would be costly vis a vis a purpose built/modern office unit.
22. Marketing advice confirmed that the building would require significant investment in terms of upgrade of facilities and refurbishment to bring it back up to a reasonable standard to even *market* as viable employment space which, in the absence of previous market interest for the office space, does not provide a financially viable option. In the circumstance, the proposals comply with the third strand of policy EMP2 which requires a demonstration that the unit has remained unlet or for sale for a substantial period for all appropriate types of B class employment uses or other suitable employment generating uses, despite genuine and sustained attempts to let or sell it on reasonable term.

### **Character, Appearance and Heritage Impact**

23. Local Plan Policy SP6 requires that all design proposals should respond to the sensitivity of the site and its surroundings and must contribute positively to the character of the area in which it is proposed and should seek to contribute positively to local views, townscape, heritage assets and natural features and contribute to the creation of a positive sense of place. Policy ENV3b requires development proposals within AONBs to have regard to the purpose of conserving and enhancing the natural beauty of the Kent Downs and High Weald AONBs.
24. The retention and conversion of the existing buildings, together with the maintenance and active use of the yard area associated with the group of

existing buildings would, with sympathetic alterations, maintain and enhance the historic setting of the heritage assets and the productive use of the vacant buildings would enhance the character of the site and the wider AONB, in compliance with policies ENV3b, ENV5 and ENV13.

25. The proposed conversion works do not involve any material increase in built form, volume or site coverage. External alterations to the buildings are restricted to fenestration works primarily related to the conversion of some windows to doors within the main Oasthouse and the insertion of openings within the converted storage barn. With regard to the latter, the design presented has sought to retain (or replace) the main doors within the eastern elevation facing the yard, which would be 'pinned open' to remain true to its current character, whilst allowing the insertion of glazing to provide natural light/outlook to/from the proposed dwellings.
26. The application proposals were drawn up in collaboration with the Conservation / Heritage Officer who has expressed satisfaction with the scheme as a whole subject to the imposition of a condition seeking the submission of the following details for approval prior to the commencement of the development:
1. Material samples for new cladding/roof materials
  2. Details of rainwater goods which should be cast iron or aluminium
  3. Joinery details for all new windows and external doors
  4. Details of insulation and damp proofing to roofs, walls and floors
  5. Details of new FF construction within the Oathouse
  6. Details of paint removal method, to include a test patch to all relevant surfaces.
  7. No sand blasting
  8. Details of new vents and flues
  9. Details of any external lighting

### **Residential Amenity and Standards**

27. Section 12 of the NPPF refers to design and the standard of amenity. Paragraph 130 (paragraph f) states among other things that planning policies and decisions should ensure that developments:
- “Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”
28. Policy HOU5 echoes the NPPF provision on the protection of amenity. It seeks to ensure that new residential development does not harm the living conditions of neighbouring occupiers.

29. Given the location of the buildings relative to the neighbouring dwellings, it is not envisaged that the living conditions of the existing and future occupiers would be harmed. The proposed office units and the neighbouring industrial operations are relatively low key and are not expected to have any adverse amenity impact.
30. Policy HOU12 requires the layout of new residential development to comply with Nationally Described Space Standards. The internal layout of the 2 buildings being converted to residential dwellings would be expected to comply with the adopted standards. In respect of external amenity space, having regard to the extent of the open curtilage around the buildings, I do not foresee a situation where the external amenity space would fail to accord with adopted standards.
31. On the submitted plans, there is provision for enclosed private amenity space for the converted storage barn; however, the need to safeguard the heritage setting of the Oasthouse and associated yard area has directed that the proposed cottages have an enclosed area of space to the rear (east) providing a more functional amenity area; with an area of amenity space to the front (west) side that opens out into the communal amenity area of the yard, informally demarcated to the sides by planters.

### **Parking Provision and Highway Safety**

32. In accordance with policy TRA3a of the Local Plan, vehicle parking for the overall development is provided on the basis of 2 spaces for each of the proposed 8 dwellings. In addition, 2 visitor spaces and 4 spaces for the retained office building (Building 2) would be provided. There is currently no allocated parking spaces associated with this building. In addition to parking for the development as proposed, the parking provision for the existing apartments within Coldharbour House remains unaffected.
33. Access to the proposed residential units is shown to utilise the main farm access from Amage Road it is considered that the existing design capacity of the access would be suitable to serve the proposed development. It is not considered that the development would neither have a detrimental impact on the surrounding road network nor on highway safety.

### **Ecological Impact and Biodiversity Enhancement**

34. Local Plan Policy ENV1 echoes the NPPF and supports proposals that conserve or enhance biodiversity. Proposals for new development are required to identify and seek opportunities to incorporate and enhance biodiversity. In particular, development should take opportunities to help connect and improve the wider ecological networks.
35. A Preliminary Ecological Appraisal (PEA) for the yard area and the three principal buildings accompanies the application proposals. The PEA identified potential opportunities for biodiversity enhancement – which can be maximised as a positive environmental factor of the development. Such

measures are limited in scope due to the nature of the existing site and desire to safeguard its character. Nonetheless, these can include the installation of bat boxes, bird boxes, climbing and nectar rich planting within amenity areas and secured by way of condition.

36. Bat Emergence Surveys were also carried out during the 2021 bat active period, and a report on the findings was submitted. No bat roost has been recorded within building B2 and no further surveys or restrictions have been recommended for this structure. However, roosts of small numbers of common pipistrelle and brown long-eared bats have been recorded in the oast of building B1. The roosts are considered to be of low conservation significance and consist of singleton bats roosting in a variety of locations within the roundel, under roof tiles and within the void space. The applicant is aware of the statutory responsibility and have stated their intention to secure a Bat Licence from Natural England to permit the renovation and conversion of building B1.
37. A Bat Mitigation Strategy has also been provided within the report which will ensure the favourable conservation status of the two bat species is maintained. Roost compensation has been provided, which entails the retention of dedicated bat void spaces and the modification of roof and ridge tiles to allow bats to access the gap between the roof lining and the tiles, as well as access tiles for crevice dwelling bat species. Bitumen felt lining must be used in areas where bat mitigation is installed, rather than modern breathable roofing membranes. Bat boxes will be installed within the wider Site

### **Other Matters**

38. Natural England (NE) have published advice regarding the consideration of certain planning applications within the Stour River Catchment (Great Stour between Ashford and Wye area) related to the potential impact upon the nationally and internationally designated protected sites at Stodmarsh lakes, east of Canterbury. This relates to the potential impact of an increased level of nitrates and phosphates within the protected sites which adversely affects the integrity of the habitat of the lakes.
39. The advice, based upon a 'precautionary principle' in line with established case law, sets out that planning applications for including a net increase in overnight accommodation with the Catchment and / or which discharge to particular Wastewater Treatment works within the catchment should be subject to screening under the Habitat Regulations. Therefore, an Appropriate Assessment (AA) must be undertaken prior to any decision to grant planning permission.
40. The site falls within the 'Stour Upper' Operational Catchment. As such, the applicant is required to assess and provide information regarding the potential impact of the development upon the nutrient load arising from the proposal. The findings would form the basis of an AA to be referred to Natural England (NE), and there is a duty to consider NE's response.

41. A Nutrient Neutrality Assessment (NNA) taking into account the baseline of the site has been prepared in support of the proposal. However, the Assessment is considered to be inadequate because it relies on the existing commercial use of the site. The existing employment land use should not be used within the nutrient calculations. This is because the Natural England Advice sets out that “Other types of business or commercial development, not involving overnight accommodation, will generally not need to be included in the assessment”. This is because for the purposes of the nutrient methodology it is assumed that anyone living in the catchment works and uses facilities in the catchment. In order to prevent double counting, the wastewater generated from the population increase is attributed to the new homes and overnight accommodation, rather than employment/commercial development.
42. On this basis, the applicant were advised to remove the existing commercial use wastewater generation from their nutrient calculations and recalculate accordingly. In the meantime, the applicant have requested that the applications be progressed whilst seeking a resolution on this issue.

## **Working with the Applicant**

43. In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation and the decision notice.

## **Human Rights Issues**

44. Human rights issues relevant to this application were taken into account in the assessment of this proposal. The “Assessment” section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

## **Conclusion**

45. The proposed development presents an opportunity for the restoration and refurbishment of heritage assets and bring them into productive use in compliance with the provisions of the NPPF and Local Plan policy HOU5. Furthermore, the proposals are considered to be a sustainable form of residential development with the scheme delivering a windfall of 8 dwellings which would contribute positively towards current the housing needs within the Borough, as well as providing refurbished office floorspace that would generate employment.

46. Other key benefits of the proposed development include the enhancement of the visual amenity and setting of the site both in terms of appearance, use and character to the benefit of the AONB and heritage context of the site and the biodiversity enhancements which the site can offer.
47. Overall, the proposed development is satisfactory.

## **Recommendation in respect of the full application (22/00510/AS)**

### **Permit**

**(A) Subject to the applicant submitting information to enable an Appropriate Assessment under the Habitats Regulations to be adopted by the Head of Planning and Development which identifies suitable mitigation proposals such that, in their view, having consulted the Solicitor to the Council & Monitoring Officer, 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 conditions as they see fit to secure the required mitigation; and**

**(B) 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 agreed with the applicant:**

- 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 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.

- 3 The development shall be carried out in accordance with the plans and the details (including Bat Mitigation Measures) in the accompanying documents 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 Full details including source/ manufacturer, and samples (where necessary) of all the matters listed below shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the development shall be carried out using the approved external materials.

- Material samples for new cladding/roof materials
- Details of rainwater goods which should be cast iron or aluminium
- Joinery details for all new windows and external doors
- Details of insulation and damp proofing to roofs, walls and floors
- Details of new First Floor construction within the Oathouse
- Details of paint removal method, to include a test patch to all relevant surfaces.
- Details of new vents and flues
- Details of any external lighting

Reason: In the interests of visual amenity, and to ensure that special regard is paid to the interests of protecting the special architectural and historic character detailing the integrity of the Listed Building under Section 16 of the Planning (Listed Building Conservation Areas) Act 1990.

5. The approved dwellings shall be provided with at least 2 electric vehicle charging points prior to first occupation. These must be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list:  
<https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

Reason: To take into account the cumulative impacts of development on air quality and to encourage the use of sustainable transport modes including incorporation of facilities for charging plug-in vehicles.

6. The areas shown on the approved plans for vehicle and cycle parking spaces shall be provided, surfaced and drained before any part of the approved development is occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to the reserved parking spaces.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification no extension, enlargement or other alteration of the approved 2 dwellinghouses within Building 3 shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control the development of land and to protect the visual amenities of the locality

8. Within 3 months of planning permission being granted, details of how the development will enhance biodiversity shall be included within an updated site plan and shall include the location of the proposed ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The approved details will be implemented and thereafter retained.

Reason: To protect and enhance existing species and habitat on the site in the future.

9. Within 6 months of the commencement of construction works the full details of soft landscape works set out in the submitted Landscape Strategy shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a. planting plans;
- b. written specifications (including cultivation and other operations associated with plant and grass establishment);
- c. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- d. tree pits including root protection details;
- e. an implementation programme; and
- f. a landscape management plan

Thereafter these works shall be carried out as approved unless previously agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that adequate details of the proposals are submitted in the interests of the protection and enhancement of the area and to ensure its properly maintained in the interest of the amenity of the area.

## **Recommendation in respect of the listed building consent application (22/00511/AS)**

**Grant**



**Resolve to grant Listed Building Consent 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 agreed with the applicant:**

- 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 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 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.

- 3 The development shall be carried out in accordance with the plans and the details in the accompanying documents 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 Full details including source/ manufacturer, and samples (where necessary) of all the matters listed below shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the development shall be carried out using the approved external materials.

- Material samples for new cladding/roof materials
- Details of rainwater goods which should be cast iron or aluminium
- Joinery details for all new windows and external doors
- Details of insulation and damp proofing to roofs, walls and floors
- Details of new First Floor construction within the Oathouse
- Details of paint removal method, to include a test patch to all relevant surfaces.
- Details of new vents and flues
- Details of any external lighting

Reason: In the interests of visual amenity, and to ensure that special regard is paid to the interests of protecting the special architectural and historic

character detailing the integrity of the Listed Building under Section 16 of the Planning (Listed Building Conservation Areas) Act 1990.

## **Informative**

### **1. Working with the Applicant**

In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive 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,
- 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.

### **Background Papers**

All papers referred to in this report are currently published on the Ashford Borough Council web site ([www.ashford.gov.uk](http://www.ashford.gov.uk)). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application references 22/00510/AS and 22/00511/AS)

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Ashford Borough Council - Report of the Head of Planning and Development  
Planning Committee 9 November 2022

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<b>Application Number</b>	22/00569/AS
<b>Location</b>	240 Beaver Road, Ashford, Kent, TN23 7SW
<b>Grid Reference</b>	600691 / 141424
<b>Parish Council</b>	Central Ashford
<b>Ward</b>	Norman
<b>Application Description</b>	Convert 3-bedroom 2-storey house to 2 self-contained flats single occupancy, for social housing
<b>Applicant</b>	Ashford Borough Council
<b>Agent</b>	Head of Housing – Development & Regeneration
<b>Site Area</b>	0.03 ha

## Introduction

1. This application is reported to the Planning Committee because the Council is the applicant.

## Site and Surroundings

2. The application site lies on the north side of Beaver Road, close to the junction of Norman Road. It backs onto the South Ashford Allotment Gardens and is bounded to the west by the Council owned public car park, the extension of which received Committee resolution to approve in October last year under application reference 21/01060/AS.



Figure 1: Site Location Plan

3.



**Figure 2: Photograph showing the pair of semi-detached dwellings**



**Figure 3: Photo showing the flank elevation of the dwelling. The adjacent car park (under construction) in the foreground**

4. The site is occupied by one of a pair of 2-storey semi-detached dwellings with hip roof profile and an elongated rear projection which is about half the width of the main building. The dwelling comprises 4 bedrooms on the upper floor with a sizeable lounge, dining room, kitchen and an additional bathroom on the ground floor.



## The Proposal

- Full planning permission is sought for the conversion of the dwelling to 2 self-contained 1-bedroom flats (one on each floor). There are associated internal alterations, but the external alterations are minimal and comprise the replacement of the French doors on the rear elevation of the main building at ground level with a window with a height of 900mm and tilt & turn operation to allow secondary escape. On the flank elevation facing the car park, it is proposed to swap a window with a door and vice versa.

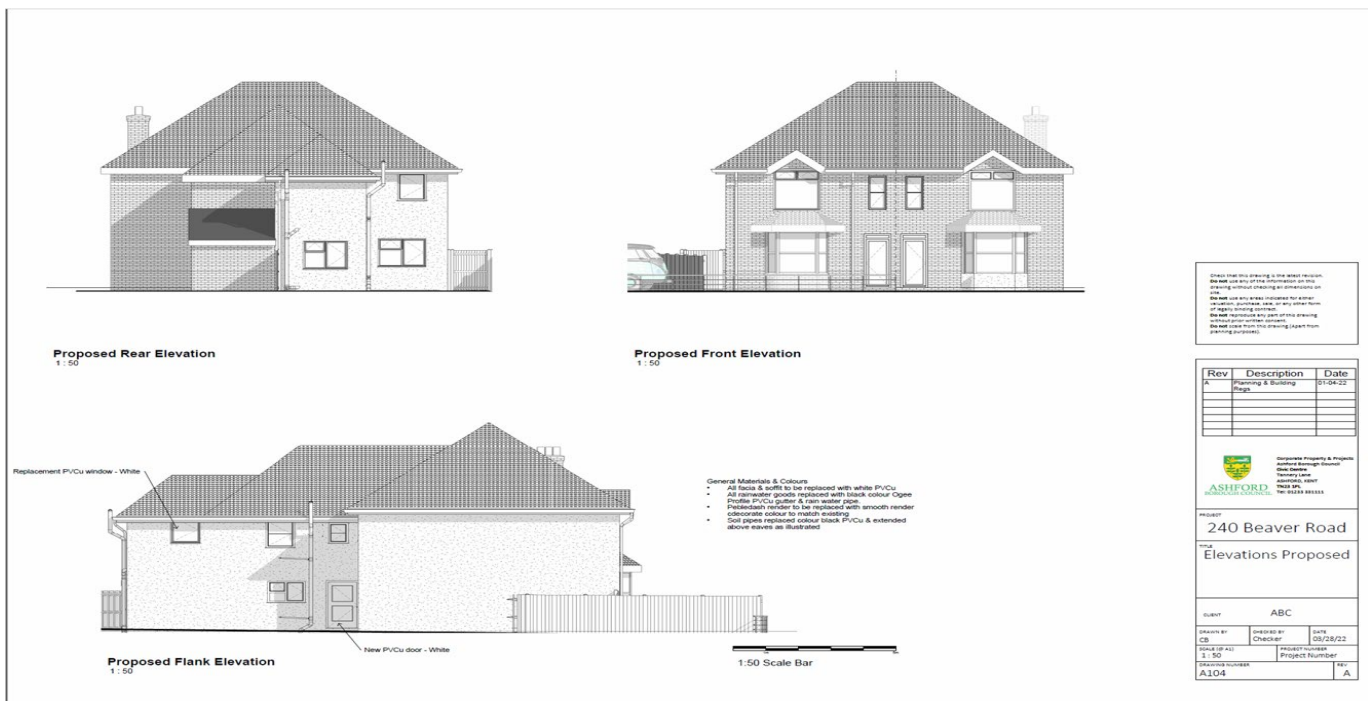
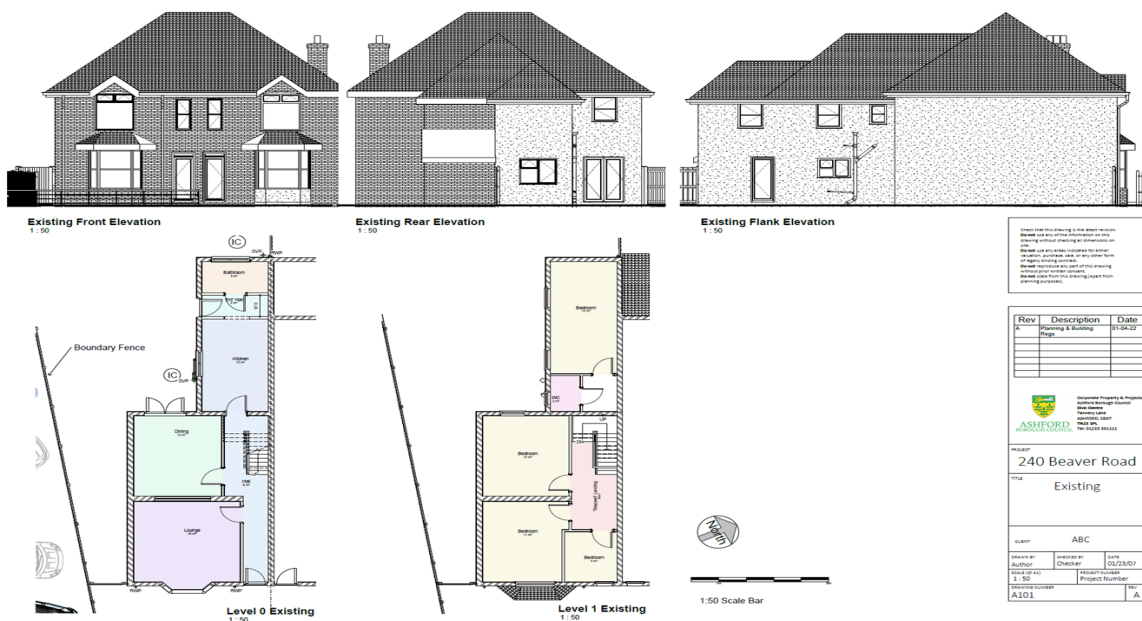
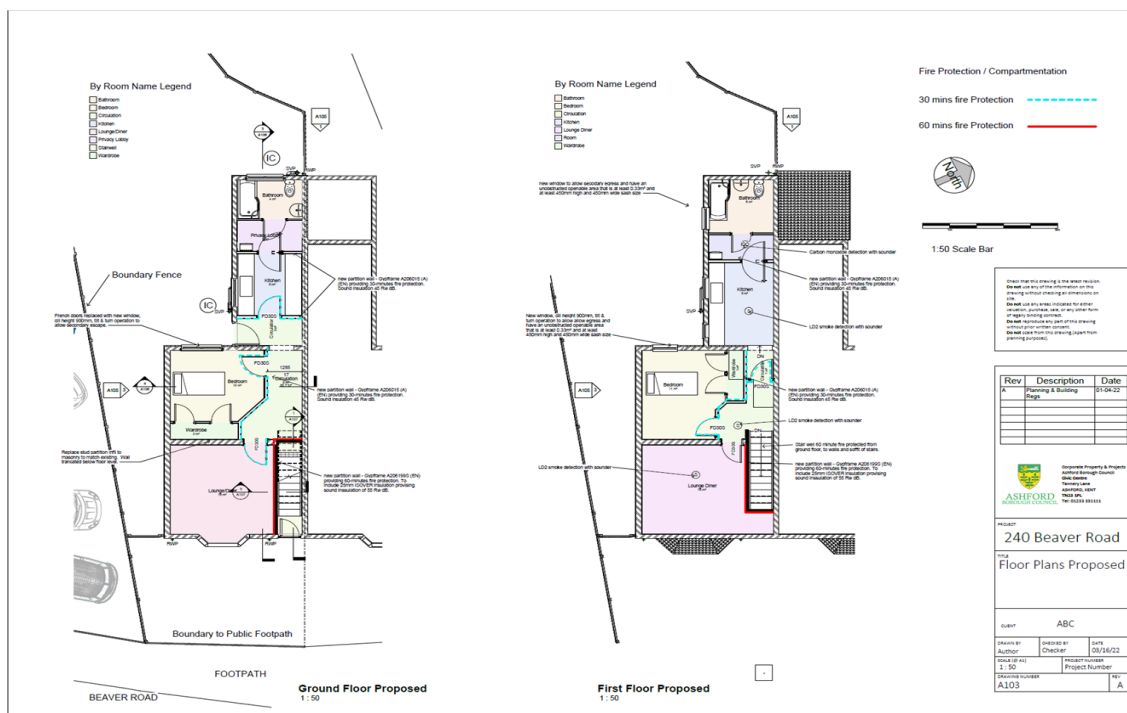


Figure 4: Proposed elevations



**Figure 5: Existing floor plans and elevations**



**Figure 6: Proposed floor plans**

## Planning History

- 21/01060/AS - Change of use of portion of rear garden of number 240 Beaver Road to public car park. Formation of revised access from Beaver Road – Approved.  
 21/01060/AMND/AS – A repeat of the previous application but with an amended access point – Approved.

## Consultations

- Four (4) neighbours were consulted and 1 response was received raising objection to the proposal. The grounds of objection are:
  - Noise nuisance;
  - Conversion to flats would decrease property value;
  - The extension to the car park and the proposed conversion would cause disturbance arising from increased vehicle movements;
  - Lack of parking spaces; and
  - The length of time to complete the works would add to the disturbance.

## Planning Policy Context

### The Development Plan

7. The relevant part of the Development Plan is the Ashford Local Plan 2030 (adopted February 2019).

The relevant policies in the Local Plan relating to the application are as follows:-

SP1 – Strategic Objectives  
SP2 – The Strategic Approach to Housing Delivery  
SP6 – Promoting High Quality Design  
HOU3a – Residential Windfall Development Within Settlements  
HOU12- Residential Space Standards Internal  
HOU15 - Private External Open Space  
TRA3a - Parking Standards for Residential Development  
TRA6 - Provision for Cycling  
TRA7 – The Road Network and Development

8. The following are also material considerations in the determination of this application.

#### **Supplementary Planning Guidance/Documents**

Sustainable Drainage SPD 2010  
Residential Parking & Design SPD 2010  
Residential Space & Layout (External space standards) 2011

9. **National Guidance**

National Planning Policy Framework (NPPF): The NPPF reflects the statutory provision at section 38(6) of the Planning and Compensation Act 2004 that mandates the determination of all planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise (paragraph 47). The NPPF was published on 27 March 2012 but has been amended on several occasions, with the most recent in July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

4. Decision-making
5. Delivering a sufficient supply of homes
11. Making effective use of land
12. Achieving well-designed places

Planning Policy Guidance: In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains a range of subject

areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Design
- Determining a planning application

Technical housing standards – nationally described space standards

## **Assessment**

10. The main issues for consideration are:

- a) Principle of Development
- b) Design, Character and Appearance
- c) Residential Amenity and Standards
- d) Parking Provision and Highway Safety
- e) Other Matters

### **Principle of Development**

11. There is no specific policy objection to the conversion of larger dwellings into smaller units in the adopted Local Plan. Neither are there compelling housing needs that support the retention of large homes. In the circumstances, there are no reasons why this proposal should not be given a favourable consideration if it complies with the relevant Development Plan policies and standards.

### **Design, Character and Appearance**

12. Local Plan policies SP1 and SP6 require good design and state that all development should seek to create a distinct character, with a strong sense of place and identity. These policies are broadly consistent with the NPPF which attaches great importance to the design of the built environment and seeks to safeguard heritage assets.
13. The proposed external alterations involve the replacement of the patio doors with a window on the rear elevation and the swapping of a window and door on the flank elevation. These are very minor works and non-material alterations which neither detract from the appearance of the building nor have any detrimental impact on the character and appearance of the surrounding area.

### **Residential Amenity and Standards**

14. Section 12 of the NPPF refers to design and the standard of amenity. Paragraph 127 states, amongst other things, that planning policies and decisions should ensure that developments:



*Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”*

15. The proposal raises no amenity impact issues. The proposed residential use conforms with the surrounding uses and the proposed external alterations would not have any adverse impact on the living conditions of the neighbours. The adjoining occupier has raised concerns about the construction works and the duration, but these are outside planning control.
16. In accordance with policy HOU12 and the provisions in the national guidance, the internal layout and floorspace disposition of the proposed dwellings meet the set standards. The proposal for the adjacent car park extension has reduced the rear amenity space for the dwelling. Nonetheless, the residual external amenity space suffices for the 2 non-family units which are for single persons and at most 2 persons occupation and are therefore satisfactory and in accordance with policy HOU15.

### **Parking Provision and Highway Safety**

17. Policy TRA3a of the Local Plan requires 1 off-street car space for 1-bedroom dwellings with visitor parking expected to be provided in the short stay public car park where available. The front curtilage of the site could realistically provide 1 car space whereas 2 spaces are required for the development as a whole.
18. However, the under-provision should be considered in relation to the availability of a public car park adjacent to the site. It should be borne in mind that the development comprises 2 x 1 bed units which are for single person and non-family type households. Furthermore, there are on-street parking restrictions in the area to deter indiscriminate street parking which are likely to undermine free flow of traffic and highway safety.

### **Other Matters**

17. The site is located within the Stour catchment. The Council received advice from Natural England (NE) in respect of the nationally and internationally designated protected sites at Stodmarsh lakes, east of Canterbury. This relates to an increased level of nitrates and phosphates within the protected sites which is adversely affecting the integrity of the habitat of the lakes.
18. The proposal seeks to convert a larger residential dwelling into 2 smaller units, which cumulatively would accommodate not more than 3 occupiers and in comparison less than the total number of occupiers in a 4-bedroom dwelling. This implies that the proposal would result in a reduction in the overnight accommodation and resident population in the catchment area. Therefore the NE advice is not applicable as there would be no net increase in the number of occupiers.

## **Working with the Applicant**

19. In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation and the decision notice.

## **Human Rights Issues**

20. Human rights issues relevant to this application were taken into account in the assessment of this proposal. The “Assessment” section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

## **Conclusion**

21. As mentioned above, there is no specific policy objection to the conversion of larger dwellings into smaller units in the adopted Local Plan. Neither are there compelling housing needs that support the retention of large homes in this part of the Borough. Nonetheless, the proposal complies with the relevant Local Plan policies in relation to design, residential standards and amenity impact. There are mitigating circumstances in support of under-provision in off-street parking, but overall, for the reasons set out above, the proposed development is satisfactory and therefore recommended for approval.

## **Recommendation**

### **Permit**

Resolve to grant planning permission subject to the imposition of the following conditions.

- 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 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.

- 3 The development shall be carried out in accordance with the plans and the details in the accompanying documents 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 shall be carried out in accordance with the details of external materials specified in the application form and the approved plans which shall not be varied without the written approval of the Local Planning Authority.

Reason: In the interest of the visual amenity of the locality.

5. The approved dwellings shall be provided with at least one electric vehicle charging point prior to first occupation. This must be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list:  
<https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

Reason: To take into account the cumulative impacts of development on air quality and to encourage the use of sustainable transport modes including incorporation of facilities for charging plug-in vehicles.

## **Informative**

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