

## Ashford Borough Council: Planning Committee

Minutes of a Virtual Meeting of the Planning Committee held on Microsoft Teams on 6<sup>th</sup> May 2020.

### Present:

Cllr. Burgess (Chairman);

Cllr. Blanford (Vice-Chairman);

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

In accordance with Procedure Rule 1.2(c) Cllrs. Ledger and Anckorn attended as Substitute Members for Cllrs. Smith and Ward respectively.

### Apologies:

Cllrs. Smith, Ward.

### In attendance:

Cllrs. Bartlett, Hayward, C Suddards.

Senior Planning Officer; Senior Planning Officer; Development Management Manager; Strategic Applications Team Leader; Senior Conservation Officer; Spatial Planning Manager; Principal Solicitor (Strategic Development); Civic Engagement Officer; Member Services Manager (Operational); Member Services and Ombudsman Complaints Officer.

## 365 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Announced that he was a Member of Kent County Council, which had declared views on the applications. However, he had taken no part in any decisions.	366 – 19/01232/AS 19/01701/AS 19/01517/AS 20/00065/AS
Blanford	Made a Voluntary Announcement as she was a Member of the Campaign to Protect Rural England (Kent Branch) and the Weald of Kent Protection Society.	
Burgess	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	

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Chilton	Declared that the Stanhope Parish Council of which he was a member had supported the application, and he had spoken in favour of it. He would not take part in the vote on this application, and he abstained.	366 – 20/00191/AS
Clarkson	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	
Clokie	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society, and	
	Declared that the application was made by teams included under his Portfolio.	366 – 20/00065/AS
Hayward	Declared an Other Significant Interest. She was a Trustee of the applicant charity. She would leave the meeting for the discussion and vote, which she did.	366 – 20/00191/AS

## 366 Schedule of Applications

### Resolved:

That following consideration of (a), (b) and (c) below,

- (a) Private representations (number of consultation letters sent/number of representations received)
- (b) The indication of the Parish Council's/Town Council's views
- (c) The views of Statutory Consultees and Amenity Societies (abbreviation for consultee/society stated)

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

decisions be made in respect of Planning Applications as follows: -

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<b>Application Number</b>	20/00065/AS	
<b>Location</b>	Proposed Temporary Car Park South Side of Elwick Road, Ashford, Kent	
<b>Grid Reference</b>	00977/42413	
<b>Ward</b>	Victoria	
<b>Application Description</b>	Renewal of temporary planning permission Ref 17/00201/AS (Creation of a new temporary car park on redundant land. Change of use from the previous A1 use to Sui Generis proposed car park. The proposal also includes the erection of a fence, sign entrance, ticket machines, height restrictor, hi-vis bollards, cycle racks, low height light columns, priority sign, Disability Discrimination Act compliant pedestrian access gate and new bins)	
<b>Applicant</b>	Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, TN23 1PL	
<b>Agent</b>	Mr Steve Parish Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, TN23 1PL	
<b>Site Area</b>	0.3418ha	
(a) 9/-	(b) -	(c) HS1 X, KCCH X, SWS X, Network Rail -, Southeastern Rail -

The Strategic Applications Team leader gave a presentation.

One of the Ward Members attended and said he had no objection to this application.

**Resolved:**

**Permit**

**Subject to the following Condition and Note:**

The use hereby permitted shall be discontinued on or before 12 April 2023 unless the Local Planning Authority has in the meantime granted planning permission for a further period, *or* upon the first residential occupation of the redevelopment of land pursuant to planning permission 15/01282/AS for up to

200 residential dwellings which includes part of the temporary car park, whichever is the sooner.

**Reason:** To enable the need for car parking at the site to be further reviewed, to ensure that the application site is available for more comprehensive redevelopment south of Elwick Road in accordance with Local Plan policy and extant planning permission 15/01282/AS for that land and to ensure that the relationship of new development with temporary uses is an appropriate one

**(with delegated authority to the Strategic Development and Delivery Manager or Development Management Manager to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit).**

### **Note to Applicant**

#### 1. Working with the Applicant

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

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

In this instance

- the applicant/agent was updated of any issues after the initial site visit
- was provided with pre-application advice
- The application was dealt with/approved without delay. The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.



would have a detrimental impact upon the sense of enclosure and in turn would detract from and be harmful to the setting of the listed buildings including Barrow Hill Cottages and Barrow Hill Terrace which would result in less than substantial harm without public benefit to outweigh the harm.

2. By virtue of the proposed development, there would be insufficient parking space for two vehicles and insufficient turning on site to enable vehicles to leave the access and egress the site. There would be a net loss of on-road parking to the detriment of highway safety.

### **Note to Applicant**

#### 1. Working with the Applicant

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- 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,
- 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.

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<b>Application Number</b>	19/01262/AS
<b>Location</b>	13 Barrow Hill Terrace, Barrow Hill, Ashford, Kent, TN23 1NF
<b>Grid Reference</b>	600495 143040
<b>Parish Council</b>	Central Ashford

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<b>Ward</b>	Victoria Ward
<b>Application Description</b>	Demolition of wall and gate at the rear of the property to accommodate car parking area and erection of new gates.
<b>Applicant</b>	Ms Vanagaite
<b>Agent</b>	N/A
<b>Site Area</b>	0.2ha

(a) 12/5                      (b) Parish Council -      (c) -

The Senior Conservation Officer drew Members' attention to the Update Report and the slides which had been provided by the applicant in support of her speech.

In accordance with Procedure Rule 9.3, Ms Vanagaite, the applicant, had registered to speak in support of the application. Her comments were read out by the Civic Engagement Officer, and are appended to these Minutes at Appendix B.

One of the Ward Members attended and spoke in support of the application.

**Resolved:**

**Refuse Consent**

**On the following grounds:**

The proposal would be contrary to Policies SP1, SP6 and ENV13 of the Ashford Borough Local Plan 2030 and to Government Guidance contained in the NPPF and would therefore be contrary to interests of acknowledged planning importance for the following reason:

1. The proposed demolition of the wall would remove an important Grade II listed structure from a street where there is a definite character of enclosure created by the high and substantially built walls. Further removal of this wall would have a detrimental impact upon the sense of enclosure and in turn would detract from and be harmful to the setting of the listed buildings including Barrow Hill Cottages and Barrow Hill Terrace which would result in less than substantial harm without public benefit to outweigh the harm.

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**Application Number**      19/01232/AS

**Location**                      Land south-west of junction of Bullfinch Avenue, Finberry,

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	Sevington, Ashford
<b>Grid Reference</b>	02307/39591
<b>Parish Council</b>	Mersham and Sevington
<b>Ward</b>	Mersham, Sevington South with Finberry
<b>Application Description</b>	Outline application for a mixed use local centre scheme comprising 63 residential dwellings, up to four retail units (comprising a convenience foodstore (A1) and up to three A1/A2/A3/A5 units) and a public house (A4), with associated parking. All matters reserved except for site access.
<b>Applicant</b>	The Ashford Great Park Partnership (C.C. Projects and Cedarvale) c/o agent
<b>Agent</b>	Mrs C Mcdade, Deloitte LLP, New Street Square, London, EC4A 3HQ
<b>Site Area</b>	1.07 hectares
(a) 64/4R	(b) - (c) KHS- X, KCC SuDS-X, KCC PROW – X, KCC ARCH – X, KCC BIO – X, HE – X, ABC OS – X, ABC Housing – X, ABC Culture – X, EA – X, IDB – X, Police – X, NHS – X, SGN – X, SW – X, KCC Contributions – X

The Senior Planning Officer gave a presentation and drew Members' attention to the Update Report. There was an erratum in connection with Figure 4 of the report.

In accordance with Procedure Rule 9.3, the Church Commission, the applicant, had registered to speak in support of the application. Its comments were read out by the Civic Engagement Officer, and are appended to these Minutes at Appendix C.

The Ward Member attended and spoke in support of the application.

**Resolved:**

- (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 Strategic Planning Manager or Development Management Manager in consultation with the Director of Law and Governance, with delegated authority to the Strategic Planning Manager or Development Management 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)
<b>Potentially applies to any size/scale of residential development</b>			
1	<p><b><u>Informal/Natural Green Space</u></b></p> <p><i>Potentially applicable to all residential developments</i></p> <p>Project: Investment at Millennium Green Mersham</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>

<b>Applies to sites of 10 dwellings or more or 0.5ha or over</b>			
2	<p><b><u>Affordable Housing</u></b></p> <p><i>Applies to:</i></p> <p><i>(i) developments of 15 dwellings or more</i></p> <p><i>(ii) residential sites of 0.5 ha or more</i></p> <p>Provide not less than 35% of the units as affordable housing, comprising 60% affordable rent units and 40% 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. 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 the registered provider's nominations agreement</p>	<p>30%</p> <p>10% affordable rent units</p> <p>20% 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>

3	<p><b>Accessible Housing</b></p> <p>At least 20% of all homes shall be built in compliance with building regulations M4(2) as a minimum standard. In accordance with policy HOU14 part</p>	Provide on-site 20% of all units.	Prior to first occupation of 50% of the dwellings not required to be built in accordance with the standard
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**Applies to sites of 11 dwellings or more**

<b>Applies to sites of 11 dwellings or more</b>			
	<b>Planning Obligation</b>		
	<b>Detail</b>	<b>Amounts (s)</b>	<b>Trigger Points (s)</b>
4	<p><b><u>Adult Social Care</u></b></p> <p><i>Applies to developments of 11 dwellings or more</i></p> <p>Project: Towards the provision of extra care in the borough</p>	£146.88 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
5	<p><b><u>Children's and Young People's Play Space</u></b></p> <p>Towards the provision of disabled play equipment at Finberry</p>	<p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings
6	<p><b><u>Community Learning</u></b></p> <p>Project: IT and equipment for Ashford Gateway and its satellite courses.</p>	£34.45 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
7	<p><b><u>Health Care</u></b></p> <p><i>Applies to developments of 11 dwellings or more</i></p> <p>Project: Towards developing and equipping of Ashford Medical Partnership and the surrounding primary care network.</p>	<p>£504 for each 1-bed dwelling</p> <p>£720 for each 2-bed dwelling</p> <p>£1008 for each 3-bed dwelling</p> <p>£1260 for each 4-bed dwelling</p> <p>£1728 for each 5-bed</p>	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings

		dwelling or larger	
8	<p><b><u>Libraries</u></b></p> <p><i>Applies to developments of 11 dwellings or more</i></p> <p>Contribution for additional bookstock at libraries in the borough</p>	£55.45 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
9	<p><b><u>Outdoor Sports Pitches and indoor sports facilities</u></b></p> <p><i>Project: Mersham Sports Club – Millennium pavilion or alternative indoor and outdoor sports facilities within the borough</i></p>	£780.15 per dwelling	Upon occupation of 75% of the dwellings
10	<p><b><u>Primary Schools</u></b></p> <p>Project: New primary provision within the planning group</p>	<p>£1134.00 per flat</p> <p>£4535.00 per house</p> <p>£0 for any 1-bed dwelling with less than 56 m<sup>2</sup> gross internal area</p>	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
11	<p><b><u>Secondary Schools</u></b></p> <p>Project: Towards new school provision at the Chilmington Green Secondary school or alternative new provision in the planning group</p>	<p>£1172.00 per flat</p> <p>£ 4687.00 per house</p> <p>£0 for any 1-bed dwelling with less than 56 m<sup>2</sup> gross internal area</p>	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings

12	<p><b><u>Strategic Parks</u></b></p> <p>Project A: Victoria Park towards the provision of furniture</p>	<p>£146 per dwelling for capital costs</p> <p>£47 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>
13	<p><b><u>Youth Services</u></b></p> <p><i>Applies to developments of 11 dwellings or more</i></p> <p>Project: Towards equipment to enable outreach services in the vicinity</p>	<p>£65.50 per dwelling</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
14	<p><b><u>Monitoring Fee</u></b></p> <p><i>Applies in all cases</i></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking</p>	<p>£1000 per annum until development is completed</p>	<p>First payment upon commencement of development and on the anniversary thereof in subsequent years (if not one-off payment)</p>
<p><b>Regulation 123(3) compliance:</b> Fewer than five planning obligations which provide for the funding or provision of the projects above or the type of infrastructure above have been entered into.</p> <p><u>Notices</u> must be given to the Council at various stages in order to aid monitoring. All contributions are <u>index linked</u> in order to maintain their value. The Council's legal costs in connection with the deed must be paid.</p> <p><b>If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.</b></p>			

**(B) 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. Submission of RM condition
3. Development carried out in accordance with the approved plans

4. Details of materials
5. Details of external fine details
6. Details of odour control and extraction
7. No external commercial storage
8. Details of lighting
9. No additional commercial floorspace to be created without PP
10. FTTP
11. BREEAM
12. Completion of highway works to relocate existing on street parking on Avocet Way
13. Provision and retention of covered secure cycle spaces
14. Completion and maintenance of accesses prior to use
15. EV charging points
16. Parking to be provided and retained
17. Archaeology
18. Landscaping
19. Full details of drainage and SuDS and submission of verification report.
20. Bird and bat boxes
21. Ecological
22. Details of boundary treatments
23. RM to include details of bin and cycle stores
24. Restriction in use class
25. Unexpected contamination
26. Construction management plan
27. Noise of plant and machinery
28. Restriction of hours of delivery

29. Details of sound insulation to be submitted

30. Development to be available for inspection

### **Note to Applicant**

1. S106

2. Working with the Applicant

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

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was dealt with/approved without delay.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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<b>Application Number</b>	19/01701/AS
<b>Location</b>	Land east of Ham Street By-Pass and south west of Brockmans Lane, Kingsnorth
<b>Grid Reference</b>	01771 77125
<b>Parish Council</b>	Kingsnorth
<b>Ward</b>	Kingsnorth Village, & Bridgefield Ward

<b>Application Description</b>	Outline planning application for residential development of up to 100 dwellings with all matters reserved except for the main access point off Brockmans Lane into the site		
<b>Applicant</b>	Cedarvale and C.C. Projects (trading as Ashford Great Park Partnership)		
<b>Agent</b>	Deloitte LLP, 1 New Street Square, London EC4A 3HQ		
<b>Site Area</b>	6.35 hectares		
(a) 205/6R	(b) R	(c)	EHM (EP) X, ABC Refuse X, ABC Parking X, EA X, HE X, KHS R, KCC Ecology X, KCC Flood, KCC DCU X, KCC Minerals X, KCC (heritage)X, POL X, NE X, NR X, PCT X, IDB X, Stagecoach X, SW X, SGN X, UK Power X, SSOT X.

The Senior Planning Officer gave a presentation and drew Members' attention to the Update Report. There was a response to Kingsnorth Parish Council, and comments from and response to Kent Highways & Transportation. One further objection had been received from a local resident.

In accordance with Procedure Rule 9.3, the Church Commission, the applicant, had registered to speak in support of the application. Its comments were read out by the Civic Engagement Officer, and are appended to these Minutes at Appendix D.

The Ward Member was unable to attend, but her concerns were read out by another Member on her behalf.

**Resolved:**

- (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 Strategic Development and Delivery Manager or Development Management Manager in consultation with the Director of Law and Governance, with delegated authority to the Strategic Development and Delivery Manager or Development Management 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)
1	<p><b><u>Informal/Natural Green Space</u></b></p> <p>Project: on site provision On the basis of 100 dwellings, a minimum 0.5 hectares space to be provided on site, or equivalent area based on the number of units proposed as calculated under the Public Green Spaces and Water Environment SPD</p>	<p>On site provision to the equivalent cost of</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>
2	<p><b><u>Local Highways</u></b></p> <p>Romney Marsh Roundabout (RMR)</p> <p>Contribution to KCC towards improvements that are a direct result of the impact of the scheme on the RMR</p>	<p>Based on a total of 16 movements being generated from this site a contribution of £29,497.12</p>	<p>Before Occupation of TBC dwellings</p>
3	<p><b><u>Affordable Housing</u></b></p> <p>In accordance with table within Policy HOU1 Provide not less than 30% of the units as affordable housing in the locations and with the floorspace, wheelchair access (if any), number of bedrooms and size of bedrooms as specified. The affordable housing shall be managed</p>	<p>Consistent with the policy, 10% of the total dwellings should be made available for affordable or social rent, and 20% of the total dwellings made available for affordable home ownership (of which 10% of the total</p>	<p>Affordable units to be constructed and transferred to a registered provider upon occupation of 75% of the open market dwellings.</p>



	by a registered provider of social housing approved by the Council. 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 the registered provider's nomination agreement	<p>dwellings should be shared ownership).</p> <p>Details to be agreed as reserved matters stage</p>	
4	<p><b><u>Adult Social Care</u></b></p> <p>Project: Towards increasing capacity at the Braethorpe Wellbeing Centre (Ashford Day Care)</p>	£ 146.88 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
5	<p><b><u>Allotments</u></b></p> <p>Contribution towards off-site provision in the locality.</p> <p>Off site contribution towards a project to provide allotments at Bridgefield, or within the parish of Kingsnorth</p>	<p>£258 per dwelling for capital costs</p> <p>£66 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings
6	<p><b><u>Children's and Young People's Play Space</u></b></p> <p>Off site contribution towards a play area within the parish of Kingsnorth</p>	<p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings

7	<p><b><u>Community Learning</u></b></p> <p>Project: Towards additional equipment and resources for Adult Education Centres locally</p>	£16.42 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
8	<p><b><u>Health Care</u></b></p> <p>Provision of primary care health needs in the locality</p>	£76,050 based on 100 units	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
9	<p><b><u>Libraries</u></b></p> <p>Towards additional Library equipment, stock, services including digital infrastructure, shelving and resources for the new borrowers at Libraries in the Ashford Urban Area</p>	£55.45 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
10	<p><b><u>Outdoor Sports Pitches</u></b></p> <p>Off-site contribution towards Finberry community centre, as part of the hub of facilities which provide outdoor sport provision including a 3G pitch</p>	£1,589 per dwelling for capital costs £326 per dwelling for maintenance	Upon occupation of 75% of the dwellings
11	<p><b><u>Primary Schools</u></b></p> <p>Project: Towards new school provision in the planning group</p> <p><i>This could be capital</i></p>	£1134.00 per flat £4535.00 per house £0 for any 1-bed	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings

	<i>costs, land provision on-site or/and off-site land contributions</i>	dwelling with less than 56 m <sup>2</sup> gross internal area	
12	<p><b><u>Secondary Schools</u></b></p> <p>Project: Towards new school provision at the Chilmington Green Secondary school or alternative new provision in the planning group</p> <p><i>This could be capital costs, land provision on-site or/and off-site land contributions</i></p>	<p>£1172.00 per flat</p> <p>£ 4687.00 per house</p> <p>£0 for any 1-bed dwelling with less than 56 m<sup>2</sup> gross internal area</p>	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
13	<p><b><u>Strategic Parks</u></b></p> <p>Contribution sought towards Off site contribution towards Conningbrook Lakes Country Park</p>	<p>£146 per dwelling for capital costs</p> <p>£47 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings
14	<p><b><u>Sustainable Travel</u></b></p> <p>Provision of a shelter at the terminus in connection with bus service.</p>	To be agreed	TBC
15	<p><b><u>Voluntary Sector</u></b></p> <p>Voluntary sector contribution to Kingsnorth Parish Council, for volunteer led projects within the parish.</p>	£8,700	Upon occupation of 75% of the dwellings

16	<p><b><u>Youth Services</u></b></p> <p>Project: Towards additional resources for the Ashford Youth service to enable outreach services in the vicinity</p>	£ 65.50 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
17	<p><b><u>Governance of public community space and facilities</u></b></p> <p>Potentially includes:</p> <ul style="list-style-type: none"> <li>• Open space</li> <li>• Indoor sports</li> <li>• Outdoor sports</li> <li>• Community buildings</li> <li>• Venues for art</li> <li>• Venues for voluntary sector</li> <li>• SuDS features</li> <li>• Verges next to footpaths/roads</li> </ul> <p>Scheme for ongoing management of informal/natural space 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 open space and that the entity is accountable to the owners for the management thereof. Scheme must also include details of ongoing</p>	To be agreed	TBC

	funding/endowment of management entity to ensure it is financially sustainable and details of any mechanism for securing such ongoing endowment		
18	<p><b><u>Strategic Highways</u></b></p> <p><b>Junction 10A -</b> Contribution towards construction of junction 10A of the M20</p> <p>To be paid through an agreement with Highways England under section 278 of the Highways Act 1980</p>	<p>£3487.12 per dwelling</p> <p><i>£97,939.36 based on 100 dwellings</i></p> <p>NB when the current indexation is included, the amount is roughly doubled</p>	<p>Payment of the contribution: 50% on the start of construction, 25% on the occupation of <math>\frac{1}{3}</math> of the dwellings and 25% on the occupation of <math>\frac{3}{4}</math> of the dwellings</p>
19	<p><b><u>Accessible Housing</u></b></p> <p>At least 20% of all homes shall be built in compliance with building regulations M4(2) as a minimum standard. In accordance with policy HOU14 part</p>	<p>Provide on-site 20% of all units.</p>	<p>Prior to first occupation of 50% of the dwellings not required to be built in accordance with the standard</p>
20	<p><b><u>Custom/Self Build</u></b></p> <p>No less than 5% of dwelling plots to be serviced and marketed for sale to self or custom build. In accordance with policy HOU6</p>	<p>5% as serviced dwelling plots</p>	<p>In accordance with the criteria in policy HOU6</p>

21	<p><b><u>Monitoring Fee</u></b></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking</p>	£1000 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years
<p><a href="#">Notices</a> must be given to the Council at various stages in order to aid monitoring. All contributions are <a href="#">index linked</a> in order to maintain their value. The Council's legal costs in connection with the deed must be paid.</p> <p><b>If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.</b></p>			

#### **(B) 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 outline condition
2. Time period for commencement taking into account the need for Policy S14 infrastructure to be in place
3. Development carried out in accordance with the approved plans
4. Submission of a Construction Management Plan.
5. Retention of vehicle parking spaces for each dwelling hereby permitted.
6. Secure, covered cycle parking facilities.
7. Completion and maintenance of the access details including the central refuge island.
8. Completion of works between a dwelling and the adopted highway.
9. Highway works to be laid out and constructed in accordance with details to be approved by the LPA.
10. Provision and maintenance of the access visibility splays.

11. Provision and permanent retention of an electric vehicle charging point for each property.
12. Closure of the existing agricultural access onto Brockmans Lane prior to the new access hereby permitted being brought into use.
13. The development hereby permitted shall not be commenced until the spine road and footpaths proposed within the Park Farm South East development (18/00652/AS) have been delivered that link Park Farm South East with Park Farm East and provide a safe pedestrian and cycle connection from the application site to Kingsnorth
14. Unexpected contamination
15. Scheme for protecting the dwellings / development approved from noise from road/railway.
16. Detailed mitigation and enhancement strategy (informed by updated surveys)
17. Habitat creation /enhancement plan
18. Detailed management and monitoring plan
19. Lighting strategy
20. Submission of detailed sustainable surface water drainage scheme
21. Verification Report, pertaining to the surface water drainage system
22. Details of the proposed means of foul and surface water sewerage disposal.
23. Soft landscaping
24. High speed fibre optic broadband
25. Archaeology
26. Materials
27. Water efficiency
28. monitoring
29. Proposed governance of open and informal areas

**Note to Applicant**

1. S106
2. Working with the Applicant

3. Noisy works should not occur, in general, outside certain times
4. Illegal to burn any controlled wastes
5. Handling storage of , temporary dewatering pollution measures to protect ditches and stream
6. Drainage ditch in the south of the site is assessed
7. Kent police contact
8. Any works affecting any ordinary watercourse on the site will require the IDB's prior written consent.
9. Connection to the public sewerage system is required.

### **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 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.



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<b>Application Number</b>	19/01517/AS		
<b>Location</b>	Godinton house, Godinton, Ashford Kent		
<b>Grid Reference</b>	00635.42688		
<b>Parish Council</b>	None		
<b>Ward</b>	Victoria		
<b>Application Description</b>	Variation of condition 2 on planning permission 17/01511/AS to revise approved plans		
<b>Applicant</b>	Clarus Homes, c/o Agent		
<b>Agent</b>	Mr Leslie Hutchison, Building design studio, 26 Kings Hill Avenue, Kings Hill, West Malling, Kent ME19 4AE		
<b>Site Area</b>	0.3 hectare		
(a)	102/3R	(b)	(c) ABC Refuse R, EA X, EHM (EP) X, KCC flooding X, KHS X, NE X, NR X, SW X, SGN X

The Senior Planning Officer gave a presentation and drew Members' attention to the Update Report. There were amendments to the design details and one further letter of objection from a local resident.

**Resolved:**

**(A) Subject to;-**

**(i) the receipt of amendments to the site layout and landscaping plans substituting the 3 commercial parking spaces on the southern boundary with soft landscaping (including appropriate tree planting) and**

**(ii) the receipt of satisfactory changes to balconies to comply with space standards and**

**(iii) the amendments both being acceptable to the Strategic**

**Development and Delivery Manager or Development Management Manager,**

- (B) 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 Strategic Development and Delivery Manager or Development Management Manager in consultation with the Director of Law and Governance, with delegated authority to the Strategic Development and Delivery Manager or Development Management 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)
1.	<p><b><u>Informal/Natural Green Space</u></b></p> <p>Contributions towards improvements towards Watercress Fields riverside projects to improve access, interpretation and education</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>
2.	<p><b><u>Allotments</u></b></p> <p>Contributions towards improvement to allotment infrastructure at Repton and Westrees to include improved parking security and access</p>	<p>£258 per dwelling for capital costs</p> <p>£66 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>
3.	<p><b><u>Children's and Young People's Play Space</u></b></p> <p>Contributions towards Play improvements would be towards provision for toddler play equipment: swings with safer surface, and multiplay unit with safer</p>	<p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>

	surface (Victoria Park).		
4.	<b><u>Libraries</u></b>  Libraries contribution Towards the additional bookstock required to meet the demands of the additional borrowers from this development at Ashford Library	£48.02 per dwelling	Upon occupation of 75% of the dwellings
5.	<b><u>Outdoor Sports Pitches</u></b>  <i>Contributions towards new/additional changing facilities for Courtside outdoor sports area at Stanhope</i>	£1,589 per dwelling for capital costs  £326 per dwelling for maintenance	Upon occupation of 75% of the dwellings
6.	<b><u>Strategic Parks</u></b>  Contributions towards park furniture, for new seats and benches (Victoria Park).	£146 per dwelling for capital costs  £47 per dwelling for maintenance	Upon occupation of 75% of the dwellings
7.	<b><u>Monitoring Fee</u></b>  Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking	£1000 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years
<p><a href="#">Notices</a> must be given to the Council at various stages in order to aid monitoring. All contributions are <a href="#">index linked</a> in order to maintain their value. The Council's legal costs in connection with the deed must be paid.</p> <p><b>If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.</b></p>			

**(C) 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 Code of construction practice
4. Vehicle parking retention
5. Cycle parking retention
6. Completion access detail
7. Materials
8. Balcony detail
9. Contamination
10. Contamination verification,
11. Unexpected contamination
12. Infiltration surface water drainage
13. Foundation pilings
14. Foul drainage
15. Surface water drainage
16. Surface water drainage implementation
17. Surface water verification
- 18 Monitoring
19. Water efficiency
20. Broadband
21. C3 restriction
22. Landscaping I
23. Landscaping specification
24. Soft landscaping implementation

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25. Landscape management plan
  26. Remaining fine detail joinery etc
  27. Ecology

### **Notes to Applicant**

1. S106
2. Working with the Applicant

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- 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 provided with pre-application advice,
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was dealt with/approved without delay.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

- 3 Sewerage connection
4. Soakaways consideration

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<b>Application Number</b>	20/00191/AS
<b>Location</b>	Land between Belgic Court and 70 to 80, The Limes, Stanhope, Kent
<b>Grid Reference</b>	00121/40439

<b>Parish Council</b>	Central Ashford
<b>Ward</b>	Roman Ward
<b>Application Description</b>	Erection of greenhouse, wood cabin, tool shed, bike shed; conversion of container and landscaping in association with use as a community garden
<b>Applicant</b>	Mrs H Hayward for The Limes Community Garden
<b>Agent</b>	CB Planning, Silverwood, Stone Street, Westenhanger, Kent CT21 4HT
<b>Site Area</b>	0.25
(a) 22/6S	(b) (c)

The Development Management Manager gave a presentation and drew Members' attention to the Update Report. There was a further condition to be added.

**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.

**Reason:** In the interests of visual amenity.

3. All hard and soft landscape works shall be carried out in accordance with the approved details as shown on drawing no CB-001 Rev 04 and any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next

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planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** In the interests of the amenity of the area.

4. 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.

5. 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.

6. Within 1 month of the delivery of the container onto the site, the container shall be clad in timber boarding as per the details shown on approved drawing CB-003 Rev 01 (container building elevations/plan) and retained as such thereafter.

**Reason:** In the interests of visual amenity

## Note to Applicant

### 1. Working with the Applicant

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

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Queries concerning these Minutes?

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**MR WILLMORE – APPLICANT – SUPPORTING****APPENDIX A****5b) Application Number: 19/01278  
13 Barrow Hill – erection of new gate**

Since moving in the applicants have discovered a number of unforeseen problems, some affecting them directly and others the community.

- There is space for just 12 cars along Barrow Hill Cottage Terrace with 24 properties having direct access to the parking bays.
- The only direct access to the road for bin/bike access as well as shopping unloading is being continually blocked by vehicles. They have borne the inconvenience of this whilst working through this process but the situation is becoming increasingly untenable and needs to be addressed.
- Special status of the building should be considered in context, for instance; trying to apply modern highway design guidance to older properties. Many aspects of the Terraces have deviations from modern design requirements. 2 vehicles can be accommodated on the existing hard standing area with access safely managed in exactly the same way as other houses along the terrace.
- The wall was built as a free-standing structure and increased in height over time and as a result it has no lateral support and rocks on it's footings.
- The continuous line of the wall stops at number 9 Barrow Hill Terrace due to turning point which is 3 properties away.
- The wall can hardly be seen by anyone due to it's obscure location and vehicles continually obstructing it
- There is no prospect to put an electric vehicle charging point with the wall being in place. It's been stated that condition of putting in an electric charging point cannot be attached to this application. However; it is a fact that the government has mandated conversion to electric vehicles in the near term. Even if applicants integrity is being questioned the government's policy is not.
- Granting permission need not set a precedent for other applications given all other properties where practicable already have off street parking.

The proposed solution of extending the existing gate provides the following benefits

1. It will add 2.5 spaces of parking in the area.
2. Facilitate installation of an Electric Vehicle Charging point.
3. Enclosure will be kept by substantial gates and the street scene will be improved with cars not cluttering both sides of the road
4. Access to and from the property will be assured

The applicants gained significant support from the local community with approximately 80% of households having signed a support declaration. Restrictions however prevented the document from being shared with the committee.

Thank you.

**MS VANAGAITE – APPLICANT – SUPPORTING****APPENDIX B****5c) Application Number: 19/01262  
13 Barrow Hill – demolition of wall and gate**

The situation in Barrow Hill area and possible solutions have been discussed at length on previous application. The question today is 3 meters of wall that is a part of curtilage of the period property. It requires consent for changes regardless of scale to ensure every alteration is carefully monitored and the heritage is preserved in balance with the needs of residents. There is no doubt the heritage is important and the house is of value because of its unique history. The applicants are proud to be looking after the property that has stories to tell. The aim is to consider a proportional alteration of the curtilage of the listed house, as legislative framework obliges us. The balance is the key in protecting heritage while making it compatible with modern life. This application raises the question whether that balance is kept.

Summarising the key points on two competing values that are of equal importance:

- The wall in question is in a poor state
- The wall is free-standing, 3 properties away from the continuous wall and not compliant with the modern building guidance
- The location of the wall at the end of a cul-de-sac and constant obstructions means the wall is barely ever seen
- The access to the property is complicated
- The parking in the area is restricted
- This is the only direct access to the property from the street and the only option to facilitate greener life choices – installing Electric Vehicle Charging Point or using bicycles more often.

Considering all the above the balance between the protecting the wall that is in a poor state and non-compliant with modern building regulations (at over 1m next to a road) at the expense of the practicalities that makes the property more adapted to the modern living.

The alterations will impact the loss of some historic fabric, as it is rightly stated in the officers's report, but the benefits gained for the household, for the community and for the environment certainly outweigh the historical value by retaining this wall.

There is no legal obligation to save the historic fabric for the sake of historic fabric, but there is an obligation to find balance. Only liveable period properties that deliver to the needs of a modern household will continue to serve the purpose. This is the only way to guarantee preservation of the property, to pass it to the future generations.

**5d) Application Number: 19/01232/AS  
Land south-west of junction of, Bullfinch Avenue, Finberry, Sevington,  
Ashford**

The principle of development on the site has already been secured through the outline consent for the wider award winning Finberry scheme. Securing this consent will provide a much needed foodstore in Finberry as well as additional housing, creating a truly mixed use local centre. It also has the added benefit of generating less traffic in this location over the existing consent.

The retail units would reduce the reliance of Finberry residents to travel by car to other centres for their convenience and comparison shopping. The Waterbrook development would provide a new full size foodstore for weekly shopping trips. Permission for the local centre is urgently required in order to facilitate the provision of the larger foodstore at Waterbrook.

The housing will be 30% affordable and policy compliant in terms of mix and tenure. Its design provides an appropriate entrance to this part of Finberry, marking a transition from residential to a local centre. It is sympathetic to its surroundings. Residents raised a few concerns around noise and trading hours which are controlled in conditions and s106 obligations. Other issues raised such as provision of a GP surgery and bus route are for the wider development to facilitate.

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**CHURCH COMMISSION – APPLICANT – SUPPORTING****APPENDIX D****5e) Application Number: 19/01701/AS  
Land east of Ham Street By-Pass and south west of Brockmans Lane,  
Kingsnorth**

The site is allocated in the Local Plan for up to 100 homes. The outline proposal accords with this, providing new homes, 30% of which will be affordable and be policy compliant in tenure and mix terms. The Church Commissioners for England's aspirations are for this to be a quality scheme like the award winning Finberry development.

The proposals include a new vehicular/pedestrian access to be provided from Brockmans Lane and development will not start until the spine road and footway that links Park Farm South East with Park Farm East is in place to provide a safe pedestrian and cycle connection from the site to Kingsnorth. The transport assessment concludes there will be no highway capacity problems on the local network and KCC support this. The proposed development would incorporate a designated bus route linking in with the existing bus service to Bridgefield. Development will only take place in Flood Zone 1 and provides for climate change commitments. A SUDs scheme will be developed at the next stage and we are confident a suitable design approach which delivers open space and flood attenuation can be secured.

Financial contributions towards transport, education and community infrastructure, such as sports and play space, community learning and youth services will help provide the necessary support to the community.