



## Planning Committee

Wednesday the 3<sup>rd</sup> June 2020 at 5.00pm

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### Update Report for the Committee

The following notes and attached papers will be referred to at the meeting and will provide updated information to the Committee to reflect changes in circumstances and officer advice since the reports on the agenda were prepared

3. Requests for Deferral/Withdrawal
4. Schedule of Applications
  - (a) **20/00327/AS** – Land SE of Plum Trees, Bowerland Lane, Chilham - Reserved matters application for the approval of details of the layout, scale, landscaping and appearance as set out by condition 1 and 9 on planning application 18/01569/AS (construction of two detached dwellings with associated access)

#### NO UPDATES

- (b) **19/01768/AS** – Violet Cottage, Stalisfield Church Road, Charing, Ashford, TN27 0HE - Extension and conversion of garage/outbuilding into residential dwelling and erection of garage and driveway

#### NO UPDATES

- (c) **20/00200/AS** – Lantarna, The Pinnock, Pluckley - Variation of condition 5 of planning permission 19/00801/AS (Erection of a 2-storey detached dwelling (retrospective)) to retain existing Yew tree hedge behind dwarf wall along boundary with street and its future maintenance at a height of no lower than 1.5m

#### NO UPDATES

- (d) **20/00353/AS** – Carlton Business Park, Carlton Road, Ashford, Kent - Variation of condition 33 of planning permission 18/01843/AS.

Condition 33 existing:

There shall be no servicing of the buildings, no goods shall be loaded or deposited and no vehicles shall arrive, depart, be loaded or unloaded before 0600 hours or after 2200 hours Monday to Friday and on Saturdays before 0600 hours or after 1800 hours and at any time on Sundays, Public and Bank Holidays.

The proposed variation would increase Saturday opening until 2200 hours and on Sundays, Public and Bank Holidays between 0900 hours and 1600 hours.

Condition 33 as proposed:

There shall be no servicing of the buildings, no goods shall be loaded or deposited and no vehicles shall arrive, depart, be loaded or unloaded before 0600 hours or after 2200 hours Monday to Saturday and on Sundays, public or Bank Holidays before 0900 hours or after 1600 hours.

- 1 additional neighbour objection received commenting that noise and air pollution would be detrimental to residents.

- A letter of objection received from the Godinton Road Community Group which was copied to all members of the Planning Committee on the 01 June and is appended below. Comments raised relate to:

- a) Existing noise and disturbance emanating from the Cobbs Wood industrial estate and in particular the 3 nearby recycling plants which have also resulted in an increase in HGVs.
- b) The validity of the noise survey.
- c) Industrial creep at Cobbs Wood needs to be tackled and a strategy for the future should be considered.
- d) Condition 33 was put in place for a good reason.

**Letter of objection from the Godinton Road Community Group:**

***ABUSE OF THE PLANNING SYSTEM:***

*The method adopted by Gallagher's as to their original application is open to question. Offering written concessions to our group that protected the residential amenity of the area was instrumental in getting their controversial development approved unopposed. For them to apply almost immediately for the concessions to be withdrawn is a manipulation of the system. Past applications suggest that the ultimate aim is to introduce a working timeframe that runs 24/7 and with ABC now joining in with the*

*gradual chipping away of Clause 33, the conduct of the Planning Department is being brought into disrepute.*

### **PAST AND PRESENT INDUSTRIAL ACTIVITY ON COBBS WOOD:**

*Long term residents in the area will confirm that the past relationship between industry on the estate and the local community has been without incident. On Carlton Road and the immediate surrounding area, the previous occupants were all light manufacturing or retail. Most factories worked in shifts; their production and processes however were all contained indoors with little effect on the neighbours.*

*Moving on to 2020, the scenario has changed beyond recognition. Since the construction of Carlton Road, KCC have approved the three recycling plants in Brunswick Road. These sites have introduced heavy industrial machinery and haul in thousands of tonnes per week of industrial waste for processing out in the open. With sparse and inadequate fencing there is nothing to eliminate the effects of sight, sound and dust. This amounts to a total lack of consideration for the welfare of the neighbourhood.*

*Unsurprisingly, the result has seen the setting up of residents groups across the locality including the new houses in Romney and Atherfield Way round to Kings Avenue. Our information is that complaints concerning pollution are escalating with regular calls to the EA hotline. For these reasons, the take up of 27 individual units on Carlton and the impact on nearby residents can now no longer be considered in isolation. Once fully occupied, their collective impact must be considered along with the existing situation that many residents already conclude is unsatisfactory. As an example of collective impact, app. 00353 allows for working hours over weekends and Bank Holidays. This would come on top of noise emanating from the recently approved power station in near-by Bridge Road. The applicants of this project themselves confirmed that the most likely impact on local residents would be at weekends.*

### **THE ANTI SOCIAL IMPACT OF 27 CARLTON ROAD UNITS:**

*We refer to ABC's accompanying acoustic survey. Past experiences (measured by the level of complaints) with a similar survey submitted by the European Metal Recycling company, proved that their computer modelling predictions, when compared to reality, were wildly inaccurate.*

*To submit a survey for 27 units without knowing who the occupants will be, is nothing more than guesswork. A taxi/courier/ ambulance company with comings and goings - 24/7 would have a greater impact than say a micro-brewery or bakery.*

*The BS4142 guidelines and regulations used by acoustic planners are, in our opinion, a general guide only and do not take into account individual locations. It is our interpretation that calculations are made on the assumption that noise emitting from a source travels on a horizontal path until it hits a "receptor". Nowhere in our reading of the Standard is there any account taken as to how receptors are affected when they live at a higher level than the source. We recall meetings with Union Railway when Eurostar was being constructed. Their clear opinion was that residents on higher ground above the railway were more likely to be affected by noise than those living nearest at lower level. It is a fact that all residents in our group and others in Repton Manor are all situated on higher ground from Carlton Road. We have a choice therefore as to which set of experts we choose to take notice of.*

### **CARLTON ROAD AND COBBS WOOD IN GENERAL:**

*The way both KCC and ABC can approve developments on Cobbs Wood without neither taking charge of the industrial creep points to matters being out of control.*

*The last-minute amendment to 00353, reducing the extent of working hours, whilst welcome, will hardly be enough to quell a tide of objections. Setting specific terms and working hours restrictions is all very well but unless followed up and enforced, they become meaningless. It's only when our resident groups start kicking up a fuss that any action is taken.*

**CONCLUSION:** *We are now in a situation where, ABC has left it to the residents to act as watch keeper when Planning decisions are implemented. A realisation is dawning that some of these applications now need more scrutiny. As mentioned before, the industrial creep on Cobbs Wood is a genuine concern. We urgently need the Council to produce a long term planning strategy for the area and with it a clearer idea of where it is heading in general. A lack of enforcement has already lead to one company operating without planning consent and clear signs that others are pushing their luck and the boundaries with it. Until some of these issues are addressed it is our collective position that we should oppose any proposal that extends working hours as it overrides the clear intention of Clause 33 that was inserted for good reasons in the first place.*

*Further to this, the recycling plants have caused a huge increase in HGV movements and the consumption of diesel fuel in their moveable outdoor machinery. Along with the new power station these are all in direct contradiction of the Council's central policy of reducing green- house gases. For these reasons, our group will continue to campaign to improve the existing situation and oppose, in the strongest terms, applications that will cause detriment to our residential amenity.*

*In the past, Gallagher's explained that their plan was to attract high class tenants. Since then, the general 'free-for-all' way the estate is administered has allowed a soon to be built power station on one border and a concrete batching plant on its southern. If that wasn't enough, there is the constant daily background noise of scrap metal being handled, skip lorries passing by every few minutes and, the ever presence of dust. On this matter the EA have informed us that "following complaints from sources other than residential" they are planning to install a dust monitoring station.*

*It doesn't take long to conclude that this sector of Cobbs Wood is sliding rapidly 'down market' and our concerns are that application 00353 is all part of the process. It's a fair assumption to state that we, as residents, are doing our best to not be dragged unwittingly into it.*

- (e) 20/00473/AS** – Unit 5, Elwick Place, Elwick Road, Ashford, TN23 1AX - Change of use from a vacant restaurant / cafe / drinking establishment (Class A3 / Class A4) to a flexible planning permission within Class V of the Town and Country Planning (General Permitted Development) Order 2015 for an office (Class B1) or restaurant / cafe/ drinking establishment (Class A3 / Class A4)

**NO UPDATES**

