

## Ashford Borough Council: Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on **15<sup>th</sup> September 2021**.

### Present:

Cllr Blanford (Vice-Chairman in the Chair);

Anckorn, Clokie, Forest, Harman, Howard, Howard-Smith, Iliffe, Mulholland, Ovenden, Shorter, Sparks, C. Suddards, Wright.

In accordance with Procedure Rule 9.3, Cllrs. Forest and C. Suddards attended as Substitute Members for Cllrs. Burgess and Chilton respectively.

### Apologies:

Cllrs. Burgess, Chilton.

### Also Present:

Cllrs. Knowles, Meaden.

Head of Planning and Development; Deputy Team Leader – Strategic Applications; Urban Designer/Planner; Principal Solicitor (Strategic Development); Member Services and Ombudsman Complaints Officer.

## 109 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Declared that he was a Trustee of the Central Ashford Community Forum	112 – 21/0750/AS
Blanford	Made a Voluntary Announcement that she was a member of the Campaign to Protect Rural England and the Weald of Kent Protection Society	112 – 21/0790/AS
Clokie	Made a Voluntary Announcement that he was a member of the Tenterden & District Residents Association and the Weald of Kent Protection Society	112 – 21/0790/AS
Iliffe	Declared that he was a Cabinet Member and the Portfolio Holder for Corporate Property and Projects. He had had no involvement in the preparation of the application or its presentation to the Committee, although he had occasionally been updated verbally. He would remain in the	112 – 21/0750/AS

Chamber for the discussion but would not take part in the motion or vote.

Mulholland	Declared that he was the Deputy Portfolio Holder for Corporate Property and Projects. He had had no involvement with or briefing on this application and would take part in the discussion and vote.	112 – 21/0750/AS
	Made a Voluntary Announcement that he was a member of Tenterden Town Council, but not of its Planning Team, and had taken no part in the compilation of its representations on the application and therefore would take part in the discussion and vote.	112 – 21/0790/AS
Meaden	Made a Voluntary Announcement that he was a member of the Campaign to Protect Rural England and Chilham Parish Council.	112 – 21/0790/AS 19/0483/AS

## 110 Public Participation

The Member Services and Ombudsman Complaints Officer advised that at this meeting registered public speakers had been invited either to address the Committee in person, or to have their speeches read out by a designated Council Officer, not from the Planning Department. On this occasion, 6 speakers had registered, 4 of whom had chosen to have their speech read out on their behalf. The other 2 speakers were in attendance at the meeting and delivered their speeches in person.

## 111 Minutes

**Resolved:**

**That the Minutes of the Meeting of this Committee held on the 14<sup>th</sup> July 2021 be approved and confirmed as a correct record.**

## 112 Schedule of Applications

**Resolved:**

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

- (a) Private representations (number of consultation letters sent/number of representations received)**
- (b) The Parish/Town/Community Council's views**

**(c) The views of Statutory Consultees and Amenity Societies etc.  
(abbreviation for consultee/society stated)**

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

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**Application Number** 19/00483/AS

**Location** Harvest House, Branch Road, Chilham, CT4 8DR

**Parish Council** Chilham

**Ward** Downs North west

**Application Description** Full planning application for the erection of 10 2-storey dwellings with associated access, parking, private amenity space and landscaping and provision of 5 no. additional parking bays for use in association with existing surgery

**Applicant** Caroline Jackson and Philippa Salmon

**Agent** Lee Evans Planning

**Site Area** 0.8ha

First consultation

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

(a) 30/8R	(b) PC R	(c) EA + KCCH&T X KCC Bio X KCC Infrastructure –
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Third consultation

(a) 30/36R	(b) PC R	(c) SW X EA + KCCH&T X KCC Bio X KCC F * WM X KCC Infrastructure – KD AONB Unit Kent Fire and Rescue X Refuse X
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The Urban Designer/Planner gave a presentation and drew Members' attention to the Update Report. Six further representations had been received and the Committee report of 15<sup>th</sup> July 2020 was annexed to the Update Report. Since publication of the Update Report, a further representation had been received raising similar matters and also querying parking at the surgery. The Urban Designer/Planner clarified the parking proposals.

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

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

In accordance with Procedure Rule 9.3, Mrs Marriott, on behalf of Chilham Parish Council, had registered to speak in objection to the application. Her speech was read to the Committee by the Member Services and Ombudsman Complaints Officer and is attached to these Minutes at Appendix C.

The Ward Member attended and spoke in objection to the application.

The Head of Planning and Development gave an update on the situation at Stodmarsh.

**Resolved:**

**To defer consideration of the application, in order for Officers to seek amendments to:**

- 1) Improve the design of the scheme**
- 2) Improve the Carbon neutrality of the buildings.**

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<b>Application Number</b>	21/00790/AS
<b>Location</b>	Land between Woodchurch Road and, Appledore Road, Tenterden, Kent
<b>Grid Reference</b>	173267

<b>Parish Council</b>	Tenterden
<b>Ward</b>	Tenterden South Ward
<b>Application Description</b>	<p>a) Outline application for the development of up to 145 residential dwellings (50% affordable) including the creation of access points from Appledore Road (1 x all modes and 1 x emergency, pedestrian and cycle only), and Woodchurch Road (pedestrian and cycle only), and creation of a network of roads, footways, and cycleways through the site. Provision of open space including children's play areas, community orchards, sustainable urban drainage systems, landscape buffers and green links all on 12.35 ha of the site. (Save for access, matters of appearance, landscaping, layout &amp; scale reserved for consideration') b) Full planning permission for the change of land use from agricultural land to land to be used as a country park (8.66 ha), and land to be used as formal sports pitches (3.33 ha), together with pavilion to serve the proposal and the surrounding area. Including accesses, ancillary parking, pathways, sustainable urban drainage systems and associated landscaping.</p>
<b>Applicant</b>	Wates Developments Limited, Wates House, Station Approach, Leatherhead
<b>Agent</b>	Judith Ashton Associates
<b>Site Area</b>	24.34 hectares

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| (a) 270 R approx.<br>Petition 260 R<br>approx. .<br>2S | (b) Tenterden R | (c) ABC Cultural services R,<br>ABC EP X, CPRE R, Gas X,<br>HM X, HWAONB X, Kent<br>Fire X, KCC DUC X, KCC<br>Ecology R, KHS X, KCC<br>Heritage X,<br>KCC PROW R, KWT R,<br>Minerals X, NE X, POL X, SE<br>X, SWS X, UK Power X,<br>WKPS R |
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The Deputy Team Leader – Strategic Applications gave a presentation and drew Members’ attention to the Update Report. 14 further objections had been received. He also advised Members that within his Recommendation (A), Reason for Refusal 9 should also include reference to policies HOU6 and HOU14 of the Local Plan 2030 regarding self- and custom-built development and accessibility standards, both of which would need to be satisfactory and to be covered by a unilateral undertaking, which had not been provided.

In accordance with Procedure Rule 9.3, Mr Poole, a local resident, had registered to speak in objection to the application. He addressed the meeting in person and his speech as submitted in advance of the meeting is attached to these Minutes at Appendix D.

In accordance with Procedure Rule 9.3, Mr Crawford, on behalf of Tenterden Town Council, had registered to speak in objection to the application. His speech was read to the Committee by the Member Services and Ombudsman Complaints Officer and is attached to these Minutes at Appendix E.

The Ward Member attended and spoke in objection to the application.

**Resolved:**

**(A) Refuse on the following grounds;-**

1. The proposal would be contrary to policies SP1 and SP2 of the adopted Ashford Local Plan 2030. The application proposal would significantly increase the number of dwellings to be provided in Tenterden considered alongside the existing residential allocations and commitments referred to in the adopted Ashford Local Plan 2030. The scale of development that is proposed runs counter to the adopted spatial strategy enshrined in policy SP2 and would undermine the carefully considered and independently-examined

and accepted approach to the sustainable distribution of housing development across the Borough to 2030.

2. The proposals would be contrary to policies HOU5, SP1, SP6 and ENV3a of the adopted Ashford Local Plan 2030 in that the proposals would involve a large scale, intensive residential development on undeveloped land forming part of a strongly rural edge that, in its undeveloped state, contributes positively to the landscape setting of the south-east side of Tenterden. The proposals by virtue of their scale, form and intensity would not sit sympathetically within the wider landscape, preserve or enhance the setting of the settlement or be consistent with local character and would result in harm to the character and appearance of the surrounding area.
3. The proposed main vehicular site access would result in the loss of a Mature Horse chestnut tree located along the Appledore Road. The tree forms a component part of the visual character of the street and its loss would be detrimental to the character of the area habitat contrary to policies SP1, SP6 and ENV3 of the adopted Ashford Local Plan 2030 and advice in the National Planning Policy Framework Guidance. It is not considered that this detrimental impact can be adequately mitigated
4. The proposals in their current form would have a detrimental impact on the following important trees within the site.
  - (a) T381 Ancient Field Maple. A new football pitch is proposed within its offset Buffer Zone and an incursion within its Root Protection area. The Root Protection Area and buffer zone plotting of the tree described in the application is not accepted. The associated works required for the footpath pitch would result a deterioration and possible loss of this ancient tree.
  - (b) T312 veteran oak tree. The development area lies too close and does not reflect the rooting morphology of the veteran tree. The Root Protection Area and buffer zone plotting of the tree described in the application is not accepted. The proposals would result in the deterioration and possible loss of this to the veteran tree.
  - (c) T313 Oak. The proposed SUDs features appear to run through the Root Protection area of the tree subject to a preservation order. Insufficient detail and analysis of the impact of this feature has been provided and the construction of the SUDs will likely be detrimental to the protected tree.

The deterioration and possible loss of T381, T312 and T313 would amount to a deterioration of an irreplaceable habitat and harm to the visual character of the area contrary to policies SP1, SP6 and ENV3 of the adopted Ashford Local

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Plan 2030 and advice in the National Planning Policy Framework Guidance para 180 (c).

5. The proposals would not preserve or enhance biodiversity as it is considered the proposed ecological mitigation measures would be unlikely to be able to be successfully implemented alongside the scale of development for which permission is sought. The application is likely to result in loss and harm to biodiversity interests on the site contrary to policies HOU5 (e) and (f vi) and ENV1 of the adopted Ashford Local Plan 2030.
6. Policy IMP4 of the adopted Ashford Local Plan 2030 requires proposals that would deliver substantial community space and facilities to be supported by a clear governance strategy which will need to be agreed with the Council. This strategy will need to set out what facilities are to be delivered and by when, and how they will be managed over time to an acceptable standard. The proposals have not provided sufficient information regarding general need, community provision, community engagement and management of the sport, community and open space facilities. Accordingly, the proposals are not considered to fully satisfy the requirements of Policy IMP4 of the adopted Ashford Local Plan 2030.
7. The proposals are contrary to Policy ENV6 of adopted Ashford local Plan advice in the National Planning Policy Framework Guidance as they have not demonstrated they contribute to an overall flood risk reduction, that the site itself would not be at an unacceptable risk of flooding and that there would be no increase in flood risk elsewhere. It has also not be shown that the flood risk mitigation measures would have any no adverse spatial implications for the development proposals in terms of delivering the scale and type of development proposed.
8. An Order has been made to record a new footpath AB70 within site that is subject a forthcoming Planning Inquiry. The proposals fail to show the impact of the scheme on the AB70 footpath within the site or any acceptable diversion to it, if is approved by the Secretary of State. The AB70 footpath would clearly have a significant impact on the spatial layout of the development that is proposed and change the dynamic of the footpath experience itself by passing through a built up residential area rather than a series of fields as at present. The proposals are therefore contrary to policies SP1 and TRA5 of adopted Ashford Local Plan 2030 and National Planning Policy Framework Guidance advice. The proposal fails to consider or acceptably incorporate the AB70 footpath within the scheme. It therefore does not demonstrate how safe and accessible pedestrian access and movement routes will be delivered and connect to the wider movement

network and proactively, looks to connect with and enhance public rights of way whenever possible, encouraging journeys by foot.

9. In the absence of a unilateral undertaking, the proposal fails to secure the mitigation that is necessary to satisfactorily meet the additional infrastructure impacts and needs that would be generated by the development, and self- and custom-built development and accessibility standards, and, therefore, the proposal is contrary to Policies IMP1 and HOU1, HOU6 and HOU14 of the Ashford Local Plan 2030.

**(B) For the avoidance of doubt, in the event of an planning appeal delegated authority to be given to the Strategic Development and Delivery Manager or Development Management Manager to:-**

**(i) prepare a detailed Table 1 and to enter into a section 106 agreement/undertaking in terms agreeable to the Strategic Development and Delivery Manager or Development Management Manager in consultation with the Director of Law and Governance,**

**(ii) to prepare and agree draft planning conditions and Notes to applicant as appropriate for consideration at planning appeal, and,**

**(iii) to make or approve changes to draft proposed planning obligations and 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 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,
- 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>	21/00750/AS	
<b>Location</b>	55 Mabledon Avenue, Ashford, Kent, TN24 8BN	
<b>Grid Reference</b>	01736/42265	
<b>Parish Council</b>	Central Ashford	
<b>Ward</b>	Furley	
<b>Application Description</b>	Proposed two and three storey residential development on former light industrial site, comprising 12no. two and three bedroom townhouses and 8no. two bedroom apartments, and associated parking and landscaping.	
<b>Applicant</b>	ABC Housing	
<b>Agent</b>	ABC Corporate Property and Projects	
<b>Site Area</b>	0.46 ha	
(a) 36/1R & 1+	(b) S	(c) KHS/X, KAS/X, KCC Bio/X, KCCD/X, NHS/X, Pol/+, LLFA/X, EA/X, SWS/X, HOU/X, ES(R)/X, EH/X

The Urban Designer/Planner gave a presentation and drew Members' attention to the Update Report. One further letter of objection had been received.

The Urban Designer/Planner also read out one of the Ward Members' statement in support of the application.

In accordance with Procedure Rule 9.3, Mr Bartlett, on behalf of Central Ashford Community Forum, had registered to speak in support of the application. He addressed the meeting in person and his speech as submitted in advance of the meeting is attached to these Minutes at Appendix F.

**Resolved:**

**Grant Planning Permission:**

- A. Subject to the applicant submitting alternative facing materials to substitute the buff brick facing with a darker colour which would not stain so much over time and to such alternative materials being acceptable to the Strategic Development and Delivery Manager or Development Management Manager in his/her discretion,**
  
- B. 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 his view, having consulted the solicitor for the Council and Natural England, the proposal would not have a significant adverse effect on the integrity of the Stodmarsh SAC, SPA and Ramsar Site; and with delegated authority to the Development Management Manager or the Strategic Development and Delivery Manager to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation.**
  
- C. 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 the solicitor for the Council, 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****Heads of Terms for Section 106 Agreement/Undertaking**

<b>Planning Obligation</b>		
<b>Detail</b>	<b>Amounts (s)</b>	<b>Trigger Points (s)</b>
<b>Potentially applies to any size/scale of residential development</b>		
<p><b><u>Informal/Natural Green Space</u></b></p> <p>Project: When funding is available the investment will be towards a site in response to the Open Space Strategy and audit results, where a public open space is requiring improvement and/or where a gap in provision is identified. As a geographical location, within 800m of the site.</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>		
<p><b><u>Affordable Housing</u></b></p> <p>30% of the total dwellings to be made available for affordable or social rent. Locations, floor-space, number and size of bedrooms to be as specified by Housing. The affordable housing shall be managed by a registered provider of social housing approved by the Council, which has a nomination agreement with the Council. Affordable rented units to be let at no more than 80% market rent and in accordance with the registered provider's nomination agreement.</p>	<p>30% affordable rent units</p> <p>0 shared ownership units (as set out in the report)</p>	<p>Affordable units to be constructed and transferred to a registered provider before occupation of 75% of the general market housing units.</p>
<p><b><u>Accessibility Standards</u></b></p>	<p>20% to be built to meet compliance with part M4(2) of the Building Regulations</p>	<p>N/A</p>

<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>
<p><b><u>Adult Social Care</u></b></p> <p>Project: Towards Extra Care Accommodation in Ashford Borough</p>	£46.06 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
<p><b><u>Youth</u></b></p> <p>Project to be confirmed</p>	£65 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
<p><b><u>Allotments</u></b></p> <p>Capital contribution towards existing allotments and/or community garden within 2km of the development site, to provide a qualitative improvement, and/or provision of new allotments within the borough.</p>	<p>£258 per dwelling for capital costs</p> <p>£66 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings
<p><b><u>Children's and Young People's Play Space</u></b></p> <p>When funding is available the investment will be towards a site in response to the play strategy and audit results, where a play area is requiring improvement and/or where a gap in provision is identified. As a geographical location, within 800m of the site, to include town centre provision.</p>	<p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings

<p><b><u>Community Learning</u></b></p> <p>Project: Towards additional resources and equipment at Ashford AEC for the additional learners from development</p>	<p>£34.45 per dwelling</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
<p><b><u>Health Care</u></b></p> <p>Project: Towards refurbishment, reconfiguration and/or extension to primary care premises within Ashford Stour PCN.</p>	<p>£720 for each 2-bed dwelling £1008 for each 3-bed dwelling</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
<p><b><u>Libraries</u></b></p> <p>Contribution for additional bookstock at libraries in the borough</p>	<p>£48.02 per dwelling</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
<p><b><u>Indoor Sports Pitches</u></b></p> <p>Indoor sport: Capital contribution to go towards the Stour Centre improvements or at indoor sport buildings at Ashford, to be targeted toward quantitative or qualitative improvements at the other 'hubs' identified in the Local Plan 2030, and as per the Playing Pitch Strategy 2017-30.</p>	<p>£524.80 per dwelling for capital costs No maintenance cost</p>	<p>Upon occupation of 75% of the dwellings</p>
<p><b><u>Outdoor Sports Pitches</u></b></p> <p>Outdoor sport: Contribution</p>	<p>£862.09 per dwelling for capital costs</p>	<p>Upon occupation of 75% of the dwellings</p>

<p>towards outdoor sports pitch provision at Ashford, to be targeted toward quantitative or qualitative improvements at the 'hubs' identified in the Local Plan 2030. The potential project is for pitch provision at Discovery Park, with associated infrastructure, to include all design fees, surveys and related project costs, to a project value of estimate £800k</p>	<p>£514.77 per dwelling for maintenance</p>	
<p><b><u>Primary Schools</u></b></p> <p>Project: New Conningbrook Primary School</p>	<p>£1134 per flat £4535 per house</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
<p><b><u>Secondary Schools</u></b></p> <p>Project: Expansion of Norton Knatchbull</p>	<p>£1029 per flat £4115 per house</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
<p><b><u>Strategic Parks</u></b></p> <p>When funding is available the investment will be towards a Strategic Park site as identified in the Local Plan 2030, COM2. To be either a contribution towards provision of Conningbrook Lakes Country Park, to include fees, infrastructure works and management and maintenance of CLCP. Or, contribution towards provision of Discovery</p>	<p>£146 per dwelling for capital costs £47 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>

Park, to include fees, infrastructure works (including land purchase) and management and maintenance of Discovery Park.		
<p><b><u>Voluntary Sector</u></b></p> <p>The contribution will be for aspects of volunteering in Ashford town centre which relate to the arts and culture sector.</p>	£87per dwelling	Upon occupation of 75% of the dwellings
<p><b><u>Arts sector</u></b></p> <p>Contribution towards provision within the Town Centre, including Revelation Ashford (based at St Mary's Church) and/or 'Ashford Giraffes' project or similar public art provision.</p>	£338.40 per dwelling for capital costs	Upon occupation of 75% of the dwellings
<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 one-off payment	First payment upon commencement of development and on the anniversary thereof in subsequent years (if not one-off payment)
<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>		

**D. 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. Development available for inspection
4. Materials
5. Surfacing details
6. Design details
7. Landscaping scheme
8. Sightlines
9. Parking Spaces
10. Cycle Parking
11. EV charging points
12. Construction Management Plan
13. Ecological enhancements
14. Protection of landscaping
15. Water efficiency
16. External lighting
17. SUDs scheme
18. Verification of SUDs
19. Maintenance of SUDs

20. Fibre to the Premises
21. Contamination remediation
22. Contamination verification
23. Unexpected contamination
24. No ground surface water infiltration
25. Archaeological field investigation
26. Removal of PD rights to prevent extensions, porches, outbuildings and dormer windows to the townhouses and further fencing.

### **Note to Applicant**

1. S106
2. Working with the Applicant
3. KCC Highways informative
4. Environment Agency informative
5. SWS connection informative
6. Refuse bin informative

### **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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Queries concerning these Minutes?

Please contact [membersservices@ashford.gov.uk](mailto:membersservices@ashford.gov.uk)

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## APPENDIX A

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

14<sup>th</sup> September 2021

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

I have been a GP since 1991 and have worked at both the Old School Surgery in Chartham and the Branch Surgery in Chilham, currently rated as one of the top 10 GP practices in Kent in the 2021 GP Patient Survey.

There has been a Surgery in Chilham since 1920, with Dr Fennell working out of Hatfield House, until his death in 1959 at the age of 85 years. To maintain a service to the community special permission was granted to build Chilham Surgery and the associated doctor's house (Harvest House). This was built on pasture and orchard land. It is therefore now disturbing that this current planning application will lead to the loss of this valuable community medical facility.

I do not agree with the Planning Officer's statement that "the surgery and dispensary are not affected by this proposal."

Lee Evans Architects have NOT carefully incorporated the Surgery into the layout.

The 4 parking bays at the front of the Surgery will not be able to be used, with the parking bays going outside of the legal boundary of the site, blocking the site lines as required by Kent Highways.

This current layout creates a very dangerous parking arrangement with additional traffic going directly past the patient and staff parking areas and across the patient entrance from the vehicles going to plots 1,2,3 and 4, with refuse vehicles also using this road. Patients will be having to walk without any pavement access. This scheme is NOT safe for patients accessing the Surgery.

The applicant has not consulted with us at any time regarding these concerns. I made recommendations for potential solutions to these issues in my 8<sup>th</sup> July 2021 objection letter.

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

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

Yours sincerely

Dr D S Kinnersley

**APPENDIX B**

ABC Planning Committee Meeting 15<sup>th</sup> September 2021  
Harvest House, Branch Road, Chilham, CT4 8DR – 19/00483/AS  
Supporting speech on behalf of the applicant -

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

This application has previously been heard by the Planning Committee, with a recommendation to approve. It was deferred and the applicant and design team have since undertaken extensive consultation with key stakeholders including local residents and the Parish Council in order to respond to those reasons for deferral.

**Traffic Management and Footpath Link**

KCC Highways have since commented advising that they consider the proposed traffic calming measures to be wholly appropriate for Branch Road. The measures maintain a low visual profile, as is deemed beneficial to the rural setting.

The proposed layout now incorporates an adoptable footpath link along the front of the site, as sought by the Parish Council. This has been developed in conjunction with the Parish Council.

**Roadside Planting**

This new footpath has required the set back of planting from the edge of Branch Road. However, a new hedge is proposed along much of the site frontage and more extensive hedge and tree planting is now proposed along the south boundary of the site.

**Density and Spacious Layout**

The layout of the proposed development has been reconfigured with a focus on the size of the units and more spacious and generous spacing of plots. This layout retains the 10 dwellings (including affordable housing) sought by the site allocation policy S56 of the Local Plan.

**Design of the Dwellings**

The design of the dwellings has evolved from discussions with the Parish Council, including a joint walk through the village. The Parish offered guidance on scale, forms and material palettes – these have been incorporated and were well received by local residents.

**The Surgery**

The applicant is aware of concerns regarding the continued operation of the surgery and has made direct contact with the operator as recently as the end of last month. The proposals do not preclude the continued use of the surgery for the full scope of services currently on offer, nor do they preclude the use of the existing informal parking to the front of the surgery. The proposals include 5 new, dedicated parking spaces for the surgery, thus enhancing its future viability.

**Energy Efficiency**

The applicant is committed to achieving energy standards required by adopted and national policy and will aspire to deliver in excess of these where possible.

Thank you.

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**APPENDIX C**

Good Evening Ladies and Gentlemen

Chilham Parish Council must still object to application 19/00483/AS in its current form and request deferral or refusal.

Since the July 2020 planning committee meeting some amendments have been helpful, but some very detrimental.

1. The layout has been changed so that instead of using the main access to the site plots 1-4 (8 parking spaces) would now share the access with the Doctor's surgery. The additional traffic on the Doctor's surgery access from these 4 houses risks the viability of the surgery with safety issues for patients attending there.  
The planning officer's statement, "the surgery and dispensary are not affected by this proposal" is totally incorrect. They would be seriously at risk. There has been a doctor's surgery in Chilham since 1857; we don't want to lose it!
2. S56 of the local plan provides for 5 additional parking spaces for Chilham surgery. This is not complied with. The existing parking spaces at the front of the surgery are to be reduced to 3 formal bays (officer comment in para 15). The net gain of parking spaces will therefore be only 2.
3. Materials: Residents and CPC made it clear that they did not want fibre cladding, be it grey or black, or grey soffits, downpipes, or grey composite windows, or grey panels around windows. They want to see red/orange hanging tiles and black or white soffits, downpipes and windows.  
This grey is alien to Chilham and inappropriate in the conservation area.
4. Planting proposed on the southern boundary is insufficient and does not comply with S56 of local plan or with comments by AONB. There needs to be a strong tree boundary to protect from distant views.
5. Carbon emissions: There is good opportunity to showcase this site as a carbon neutral development through the use of solar PVs on the southern boundary and heat pump technology for the site, but none of this has been incorporated. Moreover, the orientation of dwellings on the site shows only 4 south facing roof slopes limiting the scope for future PVs.
6. No mention of oil receptors to prevent run-off to fields and river.

7. S106 proposes no funding to primary school education. This is poor form.  
S106 should provide for Chilham primary school.

For all the reasons above, please defer or refuse this application and address these issues. Thank you for listening.

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**APPENDIX D**

Limes Land Protection Group endorse the findings of the Planning Officer. We object to the planning application for the reasons below as we believe it is scattered with inaccuracies, omissions and misleading information.

1. The sewage network in Appledore Road and Woodchurch Road is at full hydraulic capacity and regularly overflows leading to localised flooding of homes and gardens. Impermeable roads, paths, driveways, patios, buildings and a carpark would exacerbate flooding locally.
2. Kent Wildlife Trust confirm that there will be significant biodiversity loss if this development is permitted.
3. There are numerous omissions within the ecological reports. The 2021 reports conflict with the 2019 reports, however, both sets use the same data. Many more species have been logged with KMBRC than are shown in the reports.
4. Natural England has designated much of the site as 'Good Quality Semi-Improved Grassland' and it has been confirmed that the site contains the rare unimproved grassland.
5. Several veteran trees have been downgraded to suit the masterplan. It is not possible to build 5 football pitches and 145 houses without damaging ancient and veteran trees.
6. The development would impede views from both footpaths the AB12 and the AB70.
7. The elevated nature of the site denotes that any housing would have a far greater visual impact, resulting in an overbearing development which would be out of keeping with the surrounding area.
8. CPRE approached Natural England regarding the High Weald AONB boundary being extended to include Limes Land. They consider the site to be an excellent example of ancient countryside which should be protected.
9. Limes Land is recommended for LGS designation within the draft Tenterden Neighbourhood Plan.
10. A key recommendation in the parliamentary report for planning is that developers will incur penalties if they fail to build out 'permissions' in the agreed time.

Wates do not have permission from the Department for Education for the disposal of school land. Without permission, the site is not deliverable.

11. The area proposed for pitches is smaller than the land currently designated for sports provision. Tenterden will therefore be deprived of sports land if the proposal is permitted. Within the current proposal, Wates are not providing any 'additional' land for sport.

12. The development would destroy historic landscape features which include an ancient coaxial field system (possibly prehistoric), a sub-surface ridge and furrow, Gallows Green and a section of historic drove road.

**APPENDIX E**

The applicant's speculative proposal has galvanised the community to strongly oppose this development. Over 270 residents have submitted over 500 articulate and relevant objections, plus a petition of 260 names.

Limes Land has been recorded as a "park like pasture" since 1887 and is designated by Ashford as landscape character area to "conserve and enhance". It is considered to be one of the most treasured open spaces in the parish renowned for its beauty, tranquillity, wild countryside and is loved by the community. Especially true during the Covid epidemic crises.

As a parish, we are punching well above our weight in providing windfall sites that are small in scale, but can be sustainably integrated into our community. This unabsorbable application would seriously harm our treasured "jewel of the weald".

Aspects of the application presents an illusion of sustainability, but when digging down, some baselines are flawed with inconsistencies, inaccuracies, misleading statements and missing vital information.

The recent "House of Commons" report highlighted the UK is one of the most nature-depleted countries in the world. Since 1970: UK species have declined by 41%; priority species declined by 60%; and 15% of species said to be threatened with extinction.

This proposal would add to the negative figures and would be an environmental travesty.

The site's existing rich biodiversity has many priority habitats, plus rare and protected species, which would be critically harmed and result in biodiversity loss. This view is supported by statutory consultees.

It is felt the surface water baseline is incomplete and therefore the conclusions are flawed, particularly cumulative flooding impact on other areas, as per NPPF Para 160.

Previous appeal and local planning inspectors have rejected this site as an intrusion into the countryside with material harm to its landscape character and detracts from the rural setting of the town.

The NPPF and the ALP emphasises the need for correct "place making" with the need to link with the infrastructure delivery plan, environmental protection, quality transport and location of employment. This application would lock residents into car

dependent commuting, degrades our natural environment and strains essential community services.

Finally, the masterplan design is overbearing, unsympathetic, and not commensurate with the local vernacular with Appledore Road and Woodchurch Road settlements, nor the historic picturesque arterial Wealden entrance into Tenterden. It would materially harm the historic town's character.

In conclusion, we support the planning report to reject this application.

**APPENDIX F**

The Forum supports the application because it addresses the housing needs in Ashford with 1,700+ applications on the housing list.

The application will bring street scene improvements and regeneration by replacing the demolished Piper Products including tidying up the land between the application site and River Stour. There have been reports from local residents of noise, smells and dust from the previous occupant including damage to the kerb and verge from vehicles accessing the site.

We have the following comments:

1. A number of trees are to be removed along the northwest and southeast boundaries. This is an opportunity for native tree planting between the application and Stour.
2. Links to riverside walks are encouraged. The new footpath linking Mabledon Ave to Mill Court and open space should be designed to accommodate to link the station and designer outlet. Lighting needs to be provided in front of the new development as it is currently very dark to walk along. By this stretch being pedestrian / cycleway, it will contribute towards a link from the station and designer centre to Essella Road/Osborne Road without using Hythe Road.
3. The bin storage arrangements should be “future-proofed” by allowing for the possibility of a third bin being required by national legislation for paper and cardboard.
4. 20% electric vehicle charging points is too low as petrol and diesel vehicles are being phased out with them no longer being available to purchase new by 2030. This is something that ABC should be taking the lead.
5. The detailed design of the units will use renewable and low carbon energy sources and include energy and water efficiency measures. It is expected that the most optimal solution would include electric heating rather than gas/oil, again this is something ABC could take the lead.
6. Issues with traffic circulation and parking might arise, particularly at busy school drop-off and collection. Mabledon Avenue and Linden Road have parking on both sides limiting traffic to one way only at a time. If issues arise it may need to be addressed by parking controls.
7. There is a chance with this application for a clever bit of building design, as the present buildings are at an angle, but the proposed housing does not respect that line. A landmark building or a simple realignment could integrate

the new development with existing housing but this can be dealt with by reserved matters.