

Ashford Borough Council: Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on **19th January 2022**.

Present:

Cllr. Burgess (Chairman);

Cllr Blanford (Vice-Chairman);

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

Apologies:

Cllr N Bell (Ex-Officio)

Also Present:

Cllrs Knowles, Walder

In Attendance:

Head of Planning and Development, Principal Solicitor (Strategic Development); Member Services and Ombudsman Complaints Officer, Member Services Officer.

231 Declarations of Interest

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

232 Public Participation

The Member Services Officer advised that at this meeting registered public speakers had been invited either to address the Committee in person, or to have their speech read out by a designated Council Officer, not from the Planning Department. On this occasion there was one public speaker, who had elected to attend and read their speech in person.

233 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 8 December 2021 be approved and confirmed as a correct record.

234 Schedule of Applications

Resolved:

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

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

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

Application Number	21/00907/AS
Location	The Pines, Smallhythe Road, Tenterden, Kent, TN30 7LN
Grid Reference	588420.2 / 132765.6
Parish Council	Tenterden
Ward	Rolvenden and Tenterden West
Application Description	Erection of two storey rear extension
Applicant	Masters, Canham Business Centre
Agent	Mr M Dennis, Fernham Homes Ltd
Site Area	0.14ha
(a) 8/11R 1S	(b) Tenterden R (c) -

The Head of Planning and Development gave a presentation and drew Members' attention to the Update Report, which advised on the relevance of Policy S24 and an Inspector's decision on a previous scheme at the site, in the determination of this application. The Update Report confirmed that sufficient parking space would be provided and that the proposal would not result in significant or unacceptable overlooking. There was one further letter of objection, some photographs submitted by Cllr Knowles, the Ward Member for Three Fields Road adjacent to the site, and one letter of support.

In accordance with Procedure Rule 9.3, Mr Ranson, a local resident, had registered to speak in objection to the application. He delivered his speech in person and it is attached to these Minutes at Appendix A.

The Ward Member spoke in opposition to the application.

The adjacent Ward Member spoke in opposition to the application.

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 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.

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

Reason: In the interests of visual amenity.

4. The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:

- a. All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012, (Trees in relation to design, demolition and construction - recommendations) and in accordance with the approved Tree Protection Plan and Arboricultural Method Statement. Such tree protection measures shall remain throughout the period of construction
- b. No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;
- c. No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;
- d. No roots over 25mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation;

- e. Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level.
- f. No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any subsequent Order revoking or re-enacting that Order, no windows other than those shown on the approved plans shall be inserted on the side elevation of the extension hereby approved.

Reason: To safeguard against overlooking and loss of privacy in the interests of amenity of occupiers of neighbouring properties.

6. 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.

Notes to Applicant

1. In determining that this application should be granted planning permission, the Planning Committee wish to advise the applicant of their concerns about any potential future developments to the rear of the site that do not address matters raised by the Planning Inspector on the previous scheme and/or the requirements of policy S24 of the Ashford Local Plan 2030.
2. **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
- adherence 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/ agent responded by submitting amended plans, which were found to be acceptable and permission was granted
- the applicant was provided the opportunity to submit amendments to the scheme/ address issues
- the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Queries concerning these Minutes?

Please contact membersservices@ashford.gov.uk Agendas, Reports and Minutes are available on: <https://.ashford.moderngov.co.uk>

APPENDIX A

Mr Ranson – Local Resident

Thank you for the opportunity to present at this meeting.

I speak on behalf of a number of neighbours and local residents impacted by this application.

Whilst many of our concerns on previous applications have been addressed which we welcome such as the impact on the ancient oak tree, possible contamination and disruption to the small stream and visual impact not in-keeping with the current planning.

However there are still two key issues for us which remain unresolved:

Firstly, the scale and proximity to our property is less than the 20m stated and is closer to only 15m which will have a detrimental impact on the natural light we enjoy particularly in the winter months which will be adversely exacerbated by this development.

And secondly whilst windows have been removed from the side elevation the proximity of the rear windows will still be much closer and overlook our rear gardens and property.

In light of the above we suggest the development is too large and too close to the boundary and should be either scaled back or possibly a more practical solution to reposition away from the boundary.