



Planning Committee

Wednesday the 14th March 2018 at 7.00pm

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. **Minutes** – To approve the Minutes of the Meeting of this Committee held on the 14th February 2018

4. Requests for Deferral/Withdrawal

5. **Part I – Monitoring/Information Items**

None for this Meeting

6. **Part II – For Decision**

Schedule of Applications

(a) **17/00625/AS - Land between Boughton Cottage and Millview Cottage, Mill Lane, Smarden - Outline application for the erection of two x 1 bedroom apartments, five x 2 bed apartments and houses, three x3 bed houses, four x 4 bedroom houses and associated development to consider new access to Mill Lane only, with all other matters reserved**

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2 additional representations to object were received.

The objections are summarised below:

- increased traffic congestion
- risk to highway safety from speeding after highway improvements
- lack of all-weather footways
- risk to highway safety from the access
- Smarden has met allocation with 50 units under 16/00045/AS

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The Ashford Local Plan 2030 (submission version December 2017)

HOU3a – Residential windfall development within settlements

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Government Advice

Draft revised National Planning Policy Framework 2018

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55. Policy HOU5 of the emerging Local Plan to 2030 on housing developments outside settlements provides a set of criteria against which proposals close to settlements such as Smarden should be considered and which reflects the guidance in the NPPF *and is a relevant material consideration*. In summary:
- a. scale of development is proportionate to the level of service provision in nearest settlement
 - b. within easy walking distance of basic day-to-day services
 - c. safely accessed from the local road network and traffic can be accommodated
 - d. located where it is possible to maximise public transport, cycles and walking to access services
 - e. conserve and enhance the natural environment
 - f. high quality design
56. This policy *should carry* some weight at present and *is consistent with the guidance in the NPPF that seeks to promote sustainable development*.

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130. *On balance the environmental harm generated by the proposed scheme, would outweigh any limited social and economic benefits that may arise as a result of granting planning permission. Therefore, in the context of the NPPF this would not constitute sustainable development.*
131. *Therefore, given the conflict with the policies in the adopted Development Plan outlined above (as well as the emerging policies in the Submission Local Plan) and no other material consideration that would outweigh this conflict. The proposals cannot be supported and refusal is recommended.*

Recommendation

Refuse on the following grounds:

An additional reason for refusal and amendments to the other reasons for refusal.

1. The proposal would be contrary to saved Ashford Borough Local Plan 2000 policies GP12, EN9 and EN10, Core Strategy 2008 policy CS1, CS6 and CS9, Tenterden and Rural Sites DPD 2010 policy TRS1, TRS2 and TRS17, submission Local Plan 2030 policies SP1, SP2, SP6, HOU3a and HOU5, the National Planning Policy Framework and Planning Policy Guidance, for the following reasons:-
 - a) the edge of village location is poorly related to the village of Smarden as the proposed development would not integrate with the existing settlement and does not meet sustainability objectives. The proposal represents unsustainable development.
2. The proposal would be contrary to saved Ashford Borough Local Plan 2000 policies GP12, EN9 and EN10, Core Strategy 2008 *policies CS1 and CS9*, Tenterden and Rural Sites DPD 2010 policy TRS17, ~~emerging~~ submission Local Plan 2030 policies ENV3 and ENV5, the National Planning Policy Framework and

Planning Policy Guidance and would have a significant and demonstrable impact on harm the built environment and visual amenity, which are not outweighed by the benefits of the development cited by the applicant, for the following reasons:-

- a. *the proposed development in terms of its amount, form and extent would consolidate the loose-knit rural grain of development along Mill lane and would erode an important undeveloped gap which acts as an important transitional area between the denser built confines of the village and countryside beyond. Consequently the proposal would harm the character and appearance of the street scene, the visual amenity of the area and the character and appearance of the countryside.*
3. The proposal would be contrary to saved Ashford Borough Local Plan 2000 policy GP12, Core Strategy 2008 policy CS1, ~~emerging~~ submission Local Plan 2030 policies *HOU3a*, HOU5 and TRA5, the National Planning Policy Framework and Planning Policy Guidance, for the following reasons:-
 - a) the quantum of proposed development would generate additional pedestrian traffic and there would be no safe, off-road pedestrian access to the village and bus stops resulting in an adverse impact on pedestrian safety *and does not meet sustainability objectives*
 - ~~b) increase in the reliance on the private motor car by future occupiers due to the poor accessibility to services and facilities in Smarden village.~~
4. The proposal would be contrary to saved Ashford Borough Local Plan 2000 policy EN31, Core Strategy 2008 policy CS11, Tenterden and Rural Sites DPD 2010 policy TRS17, ~~emerging~~ submission Local Plan 2030 policy ENV1, Circular 06/2005, the National Planning Policy Framework and Planning Policy Guidance, Habitats Directive: article 6(4) and the requirements of the Wildlife and Countryside Act 1981 for the following reasons:-
 - a) the applicant has failed to carry out additional surveys for Great Crested Newts to demonstrate that there would be no harm to these protected species and their habitat and that the receptor site would have sufficient carrying capacity for the translocation.
 - b) the applicant has failed to carry out additional surveys for reptiles to demonstrate that there would be no harm to these protected species and their habitat and that the receptor site would have sufficient carrying capacity for the translocation.
 - c) As a result of a) & b) above the impact on matters of ecological interest cannot be determined nor can the mitigation proposed be known to be adequate. The proposal in the absence of this information would be detrimental to matters of ecological importance.
5. The proposal would be contrary to the KCC Guide to Development Contributions 2007, SPG3 Developer Contributions / Planning Obligations 2001, Public Green Spaces and Water Environment SPD 2012, saved Local Plan 2000 policy CF21, Tenterden and Rural Sites DPD 2010 policy TRS19, policies CS1, CS2, CS8, CS18 and CS18a of the Core Strategy 2008 and ~~emerging~~ submission Local Plan to 2030 policies COM1 and COM2 the National Planning Policy Framework and Planning Policy Guidance. The necessary planning obligation has not been entered into in respect of the list below so that the proposed development is

unacceptable by virtue of failing to mitigate its impact and failing to meet demand for services and facilities that would be generated and the reasonable costs of monitoring the performance of the necessary obligations:

a) a financial contribution towards cemetery project, play space project, library bookstock, outdoor sports pitches, strategic parks project and secondary school infrastructure projects based on the yield of the housing mix; and

b) a contribution of £6,000 for an extension to Smarden Charter Hall

- (b) **17/01759/AS - Former Pledges Mill and South Kent College Site and land south of junction of Beaver Road and, Victoria Road, Ashford, Kent - Proposed minor material amendments to planning permission 16/01157/AS involving design changes to Phase A2 x 3 commercial uses (Use Classes A1/A2/B2) & Phase A3 (219 residential units) with associated parking, substations, landscaping and access works relating to land south of Victoria Road ONLY with no design changes to the approved brewery, with shop, bar and restaurant (Use Classes B2/A1/A3/A4)**

Erratum

In paragraph 179, the reference in the final line should be '33' rather than 34 as a result of the adjustments made to the riverside court to deal with usability comments from Kent Highways & Transportation.

Clarification

Paragraph 71 makes reference to the revised Transport Assessment (TA) submitted with the application. As first deposited with the Council, this identified 194 parking spaces serving the residential components of the proposal.

As a consequence of the subsequent revisions described in paragraph 145 of the report (related to the usability of some of those spaces) the TA has since been updated and, as written, paragraph 71 does not reference that change. The updated TA identifies that 190 spaces are proposed relating to the residential components of the application in the following manner;-

149 in the undercroft to the building
33 in the riverside parking court
5 on the George Street frontage
3 to the rear of the Victoria Road frontage block
190

This figure equates to 0.87 spaces per apartment (as is stated in paragraph 179).

Condition 67 (on Page 166) dealing with parking makes reference to the riverside parking court shown as Parking Zone B on Drawing 15.043.038 Rev B. An extract from that drawing is shown below with my coloured annotation of the court.



As worded in Recommendation (B), condition 67 requires all the parking shown on the plans (including the aforementioned riverside court) to be provided **unless** the Council has approved in writing a Transport Note submitted by the applicant containing good evidence that this area of surface parking is not needed due to significant under-utilisation of the parking spaces already provided in the large parking undercroft.

Representation

Kent Highways & Transportation confirm that the usability of car parking arrangements as shown on the amended plans has resolved previous concerns. Raise no objection subject to confirmation that parking spaces within the extent of adopted highway will be unallocated and suggest that the larger vehicle bell-mouth design to the northern access serving the riverside block of x 200 apartments should be revised to a more simple arrangement involving a narrower access with dropped kerbs.

(HoDMSS comment: The applicant has identified that the issues raised will be the subject of clarification and a response very shortly. I consider that the consequential changes to the drawings will be minor in nature and without any adverse impact on the acceptability of the site layout. For the avoidance of doubt, I propose a minor wording change to Recommendation (A) on page 139 so that resolution of these matters to my satisfaction falls within the scope of the proposed delegated authority.

Update to Condition 67(i) - page 166

For the purposes of clarity, in the 2nd sentence after 'serving' delete 'this' and change 'Phase shall be implemented' to read 'Phases A2 and A3 shall be implemented'.

Amendment to Recommendation (A) - page 139

After 'Democracy' on line 7 of Recommendation (A) insert:-

'and subject to the receipt of amended drawings that deal, to the satisfaction of the Head of Development Management and Strategic Sites, with the points raised by Kent Highways and Transportation'

- (c) **18/00104/AS - Repton Connect Community Centre, Repton Avenue, Ashford, Kent, TN23 3RX - Placement of 1 No. internally illuminated sign, 9 No. non-illuminated signs and 1 No. window vinyl**

Representation

Kent Highways & Transportation confirm no objection subject to maximum luminance being secured by planning condition.

(HoDMSS comment: proposed condition 2 secures that maximum luminance).

- (d) **17/01454/AS - Little Goldwell Oast, Goldwell Lane, Great Chart, Ashford, Kent, TN26 1JS - Insertion of new windows and doors to south east elevation**

Representation

Great Chart and Singleton Parish Council – confirm ‘no comments’ to make on the application.