

## 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> June 2022**.

### Present:

Cllr. Burgess (Chairman);

Cllr Blanford (Vice-Chairman);

Cllrs Chilton, Forest, Harman, Howard, Iliffe, Ledger, Meaden, Mulholland, Shorter, Sparks, L Suddards.

In accordance with Procedure Rule 1.2(iii), Cllr Ledger was in attendance as substitute for Cllr Ovenden.

### Apologies:

Cllrs N Bell, Ovenden, Walder.

### Also Present:

Cllrs Campkin, Clarkson.

### In Attendance:

Strategic Development and Delivery Manager, Team Leader – Strategic Applications, Team Leader – Planning Applications, Deputy Team Leader – Strategic Applications, Planning Officer – Planning Applications, Principal Solicitor (Strategic Development), Member Services Officer

## 47 Declarations of Interest

Councillor	Interest	Minute No.
Cllr Blanford	Made a Voluntary announcement that she was a Member of the Weald of Kent Protection Society and the Campaign to Protect Rural England.	
Cllr Burgess	Made a Voluntary announcement that he was a Member of the Weald of Kent Protection Society.	
Cllr Ledger	Declared that he had been involved in the Parish Council discussions regarding the application. He neither proposed nor seconded a motion, nor voted.	50 - 21/00681/AS

Cllr Meaden                      Made a Voluntary announcement that he was a Member of the Campaign to Protect Rural England.

## **48 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. For this meeting, there were seven public speakers, one of whom had elected to have their speech read out.

## **49 Minutes**

**Resolved:**

**That the Minutes of the Meeting of this Committee held on 18 May 2022 be approved and confirmed as a correct record.**

## **50 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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<b>Application Number</b>	21/01914/AS
<b>Location</b>	Proposed School Site Land South East of, Ashford Road, Great Chart, Kent.
<b>Grid Reference</b>	E: 597071 N: 140632
<b>Parish Council</b>	Great Chart with Singleton
<b>Ward</b>	Weald Central Ward
<b>Application Description</b>	Reserved matters application pursuant to outline planning permission 12/00400/AS for the construction of a 6FE secondary school which will include a multi-use games area (MUGA), car parking, landscaping and external play, with the creation of a new access from Chilmington Green Road
<b>Applicant</b>	Bowmer and Kirkland
<b>Agent</b>	DPP
<b>Site Area</b>	8.99 hectares

(a) 339 / 11 'S' / 6 'R' / 3 'General Comments'	(b) Bethersden 'X' / Great Chart 'R' / Kingsnorth 'R' / Orlestone '+' / Shadoxhurst '+'	(c) EX 'X' / NE 'X' / NHS '+' / SE 'X' / KCC Arch 'X' / KCC Ecol 'X' / KCC Flood 'X' / KCC Highways 'X' / KCC PROW 'X' / ABC Env 'X'
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The Team Leader – Strategic Applications gave a presentation and referred the Committee to the Update Report. She drew Members' attention to the layout and location of the site on Chilmington Green Road, its current access points from existing roads and the changes to be implemented, the Travel Plan, the proposed car parking, coach, cycle and servicing facilities, sports facilities, boundary protection, carbon net zero intentions, and general layout and appearance detailing of the building. The school was intended to be a Department of Education approved Free School and was to be constructed and funded as such. Travel safety was paramount and conditions were recommended to ensure a new route was completed before the school was occupied. The Update Report contained an amended table as some of the wording had been missing in the original report.

In accordance with Procedure Rule 9.3, Mr Ian Wolverson, a local resident, had registered to speak in objection to the application. He had opted to have his speech read by the Member Services Officer, a copy of which as submitted prior to the meeting is included as Appendix A.

In accordance with Procedure Rule 9.3, Mr Bob Robinson, the agent for the application, had registered to speak in support of the application. He was present and delivered his speech, a copy of which as submitted prior to the meeting is included as Appendix B

**Resolved:**

## **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**

### Conditions

1. Development carried out in accordance with the approved plans.
2. Development constructed with materials approved.
3. Details of all boundary treatments, including acoustic fencing and ball stop fencing.
4. Landscaping Scheme, including replacement trees
5. Tree and Hedgerow Protection
6. Landscape Ecological Management Plan (LEMP)
7. Compliance with Reptile Survey Report
8. Lighting Design for Biodiversity
9. Sustainable Surface Water Drainage Scheme

10. Sustainable Surface Water Drainage Scheme Verification Report
11. Construction of Playing Pitches and MUGA
12. Assessment of Playing Pitch Ground Conditions
13. Playing Pitch Maintenance Schedule and Programme for Implementation
14. Electric Vehicle Charging Points
15. Details of Cycle Parking
16. Provision of Car and Coach Parking, Vehicle Loading/Unloading and Turning Facilities
17. Completion of Vehicle and Pedestrian Accesses
18. Provision of Visibility Splays.
19. Provision of Refuse Storage and Collection
20. Submission of a Travel Plan
21. Delivery of off-site Highway Infrastructure
22. Land Contamination
23. Lighting Levels
24. Community Use Agreement

**Note to Applicant**

1. Working with the Applicant
2. List of plans / documents approved

3. Bird nesting season
  4. Highways informatives
  5. Sport England informatives
  6. Environmental Health Informatives
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<b>Application Number</b>	21/00182/AS
<b>Location</b>	Land between Arthur Baker Playing Field and, Ashford Road, Charing, Kent
<b>Grid Reference</b>	95478/49050
<b>Parish Council</b>	Charing
<b>Ward</b>	Charing
<b>Application Description</b>	Reserved matters application to consider appearance, landscaping, layout and scale pursuant to outline permission 14/01486/AS (Hybrid planning application for the development of land at Maidstone Road, comprising: full planning permission for the erection of a 51 unit age-restricted affordable housing scheme and outline planning permission for market sale housing on the remainder of the site) for the erection of 59 no. 2, 3, 4 and 5 bedroom market housing units.
<b>Applicant</b>	A Better Choice for Property Development Limited
<b>Agent</b>	DHA Planning
<b>Site Area</b>	Approximately 1.86ha

The Team Leader – Planning Applications gave a presentation, drawing Members’ attention to the Reserved Matters including the layout, scale, appearance and landscaping, affordable housing provision, S106 Heads of Terms, and access provision. He confirmed the site was not in a Conservation Area nor near any Listed Buildings.

In accordance with Procedure Rule 9.3, Ms Emma Hawkes, the agent for the application, had registered to speak in support of the application. She was present and delivered her speech, a copy of which as submitted prior to the meeting is included as Appendix C.

In accordance with Procedure Rule 9.3, Cllr Tylden Reed, had registered to speak on behalf of Charing Parish Council in support of the application. He was present and delivered his speech, a copy of which as submitted prior to the meeting is included as Appendix D.

The Ward Member was present and spoke in support of the application.

**Resolved:**

- A.** Subject to the applicant first submitting information to enable an Appropriate Assessment under the Habitats Regulations 2017 (as amended) to be adopted by the Head of Planning and Development which identifies suitable mitigation proposals such that, in his view, having consulted the Solicitor to 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 alone or in combination with other plans or projects; and with delegated authority to the Development Management Manager or the Strategic Development and Delivery Manager, in consultation with the Solicitor to the Council, to enter into a section 106 deed of variation agreement/undertaking to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation and any associated issues relating thereto,
- B. APPROVE** the details of the reserved matters subject to the further planning conditions and notes, including those dealing with the subject matters identified below (but not limited to that list) and any necessary to take forward stakeholder representations, with wordings and triggers revised as appropriate and with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018.

Conditions:

1. Phased programme of archaeological work, site investigation, and post-investigation assessment
2. External materials
3. Provision and retention of parking spaces
4. Prevent surface water discharging onto highway
5. Electric charging points
6. Construction Management Plan
7. Sustainable Urban Drainage System

8. Infiltration testing
9. Hard and Soft Landscaping
10. Walls, fences and railings
11. Flues, vents, stacks, extractor fans or meter boxes
12. Fibre to the premises
13. Energy assessment
14. Protected species mitigation strategy
15. Landscape and Ecological Management Plan
16. External lighting strategy including full details, specification, management and timetable for implementation of street lights (including hours during which streetlights will be extinguished), general amenity lighting and security lighting
17. Air Quality Assessment and mitigation
18. Noise mitigation
19. Accessibility standards condition
20. Car barns to be provided and retained in accordance with the approved plans to ensure that covered parking spaces are kept available for the storage of a vehicle when not in use in order to prevent the displacement of car parking elsewhere and prevent approved parking facilities being used for alternative storage uses.

#### Notes

- Expect applicant to liaise with Kent Police to further review how Secured By Design principles can be included in fine detail etc.
- Environment Health, KCC Highways and Kent Fire and Rescue informatives
- Bird Nesting Season
- The Local Planning Authority will wish to ensure that the lighting to be provided as part of the Lighting Scheme is highly responsive to the site surrounds by seeking to minimise disturbance to wildlife from light pollution given the sensitive location of the site adjacent to designated ancient woodland and the Alderwood and Fen local wildlife site and to accord with the objectives of the adopted 2014 Dark Skies SPD.



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<b>Application Number</b>	21/00681/AS	
<b>Location</b>	Land south east of Criol Barn, Bethersden Road, Shadoxhurst, Kent	
<b>Grid Reference</b>	96912/38144	
<b>Parish Council</b>	Shadoxhurst	
<b>Ward</b>	Weald South	
<b>Application Description</b>	Outline application for residential development considering access only (excluding internal circulation) for up to 10 dwellings.	
<b>Applicant</b>	Mr and Mrs Rabjohns	
<b>Agent</b>	Hobbs Parker, Romney House, Monument Way, Orbital Park, TN24 0HB	
<b>Site Area</b>	0.76ha	
(a) 69/ 27 R, 9 S	(b) Shadoxhurst PC R	(c) KCCH&T X, KCC PROW X, KCC Archaeology X, EH X, ES X, EA -, POL X, KFRS -, NHS X, SWS X, KCC Ecology X, KCC LLFA X

The Deputy Team Leader –Strategic Applications gave a presentation, outlining the location of the site outside of the village confines and the proposed footway provision by Kent Highways, necessary under HOU5. There are a number of trees with Preservation Orders on the boundaries of the site which would not be negatively impacted by the development. Members’ attention was drawn to the Update Report and the late submission from the Shadoxhurst Utilities and Drainage team.

In accordance with Procedure Rule 9.3, Ms Elizabeth Welch, the agent for the application, had registered to speak in support of the application. She was present and delivered her speech, a copy of which as submitted prior to the meeting is included as Appendix E.

**Resolved:**

- A. Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations detailed in Table 1 in terms agreeable to the Development Management Manager or the Strategic Development and Delivery Manager in consultation with the Director of Law and Governance, with delegated authority to either the Development Management Manager or the Strategic Development and Delivery Manager to make or approve changes to the planning obligations and planning conditions and notes (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit; and,**

**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>Applies to sites of 10 dwellings or more</b>		
<b>Planning Obligation</b>		
<b>Detail</b>	<b>Amounts (s)</b>	<b>Trigger Points (s)</b>
<p><b><u>Affordable Housing</u></b></p> <p>In accordance with table within Policy HOU1 to provide not less than 40% affordable housing. 10% affordable rented, and 30% shared ownership/other affordable home ownership. Location, floorspace, number and size of bedrooms to be determined through reserved matters submission. The affordable housing shall be managed by a</p>	<p>10% affordable rent; 30% shared ownership/affordable home ownership – specifics to be agreed through reserved matters</p>	<p>Affordable housing to be provided prior to occupation of 75% of open market dwellings</p>

<p>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><b><u>Accessible and Adaptable Housing</u></b></p> <p>Level 2 access homes (M4(2)) to be provided.</p>	<p>Minimum of 20% M4(2) across the whole site</p>	<p>N/A</p>
<p><b><u>Community Learning</u></b></p> <p>Project: towards additional resources and equipment at Ashford &amp; Tenterden AECs for the additional learners from development</p>	<p>£16.42 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>Libraries</u></b></p> <p>Project: towards additional services, resources, and bookstock for the mobile library service attending Shadoxhurst for the new borrowers generated by this development.</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>Adult Social Care</u></b></p> <p>Project: Towards</p>	<p>£47.06 per dwelling</p>	<p>Half the contribution upon</p>

Specialist Care Accommodation Ashford		occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
<p><b><u>Primary Schools</u></b></p> <p>Project: Towards expansion of Primary Schools within the Hamstreet and Woodchurch planning group</p>	£4535 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 Services</u></b></p> <p>Project: Towards additional resources for youth services in Ashford Borough.</p>	£27.91 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
<p><b><u>Informal/Natural Green Space</u></b></p> <p>Project: Landscape the perimeter of the recreation ground to create a "nature walk" defined from the sports pitches. Recreation Ground: Hornash Lane, Shadoxhurst, Ashford, TN26 1HT</p>	£4340 capital contribution £3250 maintenance sum	Upon occupation of 75% of the dwellings
<p><b><u>Play provision</u></b></p> <p>Project: Expand existing play equipment at the recreation ground for a wider age range and more</p>	£6490 capital contribution £6630 maintenance sum	Upon occupation of 75% of the dwellings

<p>appropriate for the size of the village. To include a climbing frame suitable for ages 3+ and additional equipment such as an obstacle course or sunken trampoline. Fence off play area for safety and install suitable ground covering.</p>		
<p><b><u>Outdoor Sports Pitches</u></b></p> <p>Project: Build a MUGA at the recreation ground. Recreation Ground: Hornash Lane, Shadoxhurst, Ashford, TN26 1HT</p>	<p>£13969 capital contribution</p> <p>£5210 maintenance sum</p>	<p>Upon occupation of 75% of the dwellings</p>
<p><b><u>Indoor Sports</u></b></p> <p>Project: Improvements to the existing village hall to facilitate indoor sport(s) – Improving floor structure, marking out floor, protecting lights windows and procuring associated equipment to support Badminton, Soft tennis, Netball and similar sports activity for a wide range of ages and abilities. Village Hall: Tally Ho Rd, Shadoxhurst, Ashford TN26 1HZ</p>	<p>£5424 capital contribution</p>	<p>Upon occupation of 75% of the dwellings</p>
<p><b><u>Strategic Parks</u></b></p> <p>Project: Specific Hub projects (COM2) - contribution towards</p>	<p>£1460 capital contribution</p> <p>£470 maintenance sum</p>	<p>Upon occupation of 75% of the dwellings</p>

<p>provision of Conningbrook Lakes Country Park or Discovery Park, to include fees, infrastructure works (including land purchase) and management and maintenance.</p>		
<p><b><u>Cultural Provision: Voluntary Sector</u></b></p> <p>Project: Support village clubs through the purchase of equipment to support meetings.</p> <p><b><u>Cultural Provision: Arts Sector</u></b></p> <p>Project: A piece of public art for the village open space.</p>	<p>£870</p> <p>£3384</p>	<p>Upon occupation of 75% of the dwellings</p>
<b>Applies to all</b>		
<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 one-off payment</p>	<p>First payment upon commencement of development</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. Subject to the applicant first submitting information to enable an Appropriate Assessment under the Habitats Regulations 2017 (as**

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amended) to be adopted by the Head of Planning and Development which identifies suitable mitigation proposals such that, in his view, having consulted the Solicitor to 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 alone or in combination with other plans or projects; and with delegated authority to the Development Management Manager or the Strategic Development and Delivery Manager, in consultation with the Solicitor to the Council, to enter into a section 106 agreement/undertaking to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation and any associated issues relating thereto,

- C. PERMIT, subject to planning conditions and notes, including those dealing with the subject matters identified below (but not limited to that list) and those necessary to take forward stakeholder representations, with wordings and triggers revised as appropriate and with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018.**

Conditions:

1. Approval of details of access (other than from Bethersden Road), layout, scale, landscaping and appearance
2. Standard time implementation condition
3. Development carried out in accordance with approved plans
4. Archaeological field evaluation works
5. Arboricultural Impact Assessment and Arboricultural Method Statement to include level drawings and tree protection measures
6. Reserved Matters for landscaping to include hard and soft landscaping details, including boundary treatments and permeable paving  
Reserved Matters for appearance to include external materials details and fine design details
7. Reserved Matters for layout to include provision of 20% of all dwellings to be built to Building Regulations M4(2) standard (accessible and adaptable)
8. Details and provision of highway works including carriageways and footpaths
9. Provision of carriageways and footpaths etc.
10. Provision and maintenance of visibility splays
11. Provision of vehicle parking and EVC
12. Provision of secure cycle parking
13. Construction Management Plan to include details of routing of construction and delivery vehicles to / from site, parking and turning areas for construction and delivery vehicles and site personnel, timing of deliveries, provision of wheel washing facilities, temporary traffic management / signage etc.

14. Highway conditions surveys (Bethersden Road)
15. Details and provision of SuDS scheme including verification
16. Water use not to exceed 110 litres per day
17. Phasing to align with Southern Water sewerage network reinforcement
18. Details and provision of external lighting strategy
19. Details and provision of biodiversity enhancement measures
20. Implementation of ecological avoidance and mitigation measures
21. Details of provision of Fibre to the Premises
22. Site Inspection



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<b>Application Number</b>	20/01432/AS
<b>Location</b>	Littlecroft, Pluckley Road, Charing, Ashford, Kent, TN27 0AG
<b>Grid Reference</b>	594981 149027
<b>Parish Council</b>	Charing
<b>Ward</b>	Charing Ward
<b>Application Description</b>	Demolition of existing bungalow and construction of 1 chalet bungalow with access from Blackberry Lane and construction of 2no. 4 bedroom houses fronting Pluckley Road with associated access and parking
<b>Applicant</b>	King & Johnston Homes Ltd.
<b>Agent</b>	Shaw Design Services Ltd
<b>Site Area</b>	0.34 hectares

The Team Leader – Planning Applications gave a presentation, outlining the proposal including access, layout of the site and its orientation to the neighbouring properties and road network. The proposed design, materials, floor plans and open spaces were detailed. .

In accordance with Procedure Rule 9.3, Mr Andrew Sheppard, local resident, had registered to speak in objection to the application. He was present and delivered his speech, a copy of which as submitted prior to the meeting is included as Appendix F.

In accordance with Procedure Rule 9.3, Cllr Tylden Reed, on behalf of Charing Parish Council had registered to speak in objection to the application. He was present and delivered his speech, a copy of which as submitted prior to the meeting is included as Appendix G.

The Ward Member was present and spoke in opposition to the application.

**Resolved:**

**Refuse for the following reasons:**

1. The proposed development, by reason of its layout, scale, form and design would result in an overdevelopment of the site and would appear out of keeping with the established pattern and nature of development in the locality. The proposed development would therefore be in conflict with policies SP1, SP6 & HOU5 of the Ashford Local Plan 2030 and the NPPF.
2. Insufficient information has been submitted to demonstrate that the proposed development would not increase flood risk from surface water run-off on the site or elsewhere. The proposed development would therefore be in conflict with policies SP1, ENV6 & ENV9 of the Ashford Local Plan 2030 and the NPPF.
3. Insufficient information has been submitted to demonstrate that the proposed development would not have a harmful effect on protected species. The proposed development would therefore be in conflict with policies SP1, ENV1 & HOU5 of the Ashford Local Plan 2030 and the NPPF.
4. The proposal has failed to secure the delivery of necessary measures identified in an Appropriate Assessment to mitigate the impacts of the proposed development on Stodmarsh Lakes site of international importance and designated as a Special Protection Area, Special Area of Conservation, Ramsar site and Site of Special Scientific Interest. Without an Appropriate Assessment and the securing of such mitigation measures, the development would be contrary to the Conservation of Habitats and Species Regulations 2017 (as amended), policy ENV1 of the Ashford Local Plan 2030, paragraph 181 of the NPPF and Standing Advice of Natural England.

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<b>Application Number</b>	22/00655/AS
<b>Location</b>	15 Hillcrest Close, Kennington, Ashford, Kent, TN24 9QT
<b>Grid Reference</b>	02444 / 44748
<b>Parish Council</b>	Kennington (Community Council)
<b>Ward</b>	Kennington Ward

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<b>Application Description</b>	Proposed 2 storey rear and front extensions		
<b>Applicant</b>	Mr Watts, 15 Hillcrest Close, Kennington, Ashford, Kent, TN24 9QT		
<b>Agent</b>	N/A		
<b>Site Area</b>	0.06 ha		
(a) 6/-	(b) X	(c)	

The Planning Officer gave a presentation, explaining that the application was a re-submission of a scheme previously brought to Planning Committee in February. No neighbour representations had been received.

**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 which shall not be varied.

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

3. 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.

4. 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.

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

**Appendix A**

Application no 21/01914/AS

It is imperative that the planned routes of access from the A28 are in place prior to the opening of the secondary school. Thus, all comments made here apply to concerns outside the red line boundaries of the application.

Current morning rush hour traffic on Chilmington Green Road regularly queues well past the proposed main entrance to the school. This, at the very time eight coaches expect to be using that entrance to access the drop off bays.

It had always been the intention that Chilmington Green Road would be closed at a point beyond the school entrance towards the junction with the A28, prior to the opening of the school.

Access C, the second roundabout on the A28, must therefore be in place and the access road from that roundabout to the new crossroads on Chilmington Green Road opened to compensate, before the Chilmington Green Road closure.

The current proposed structure of the new crossroads has one left turn, approaching from the east, widened, to assist turns by large, long wheelbase vehicles. The other three corners are not planned to have such widening. With the far end of Chilmington Green Road closed most vehicles will be turning at, rather than making a straight crossing, over this crossroads. All the corners need the ability of turning vehicles of long wheelbase to cope.

Chilmington Green Road's current speed limit is 60mph. This is not in line with the planned limits which are to be placed across the Chilmington development. Several requests concerning speed limits, with special reference to Chilmington Green Road have been made to Kent Highways - with no effect. This, in spite of an ever increasing number of new access points appearing along its length - and with many more to come.

A thorough review of the situation on these access problems and speed limits on the site need to be positively resolved before the school can possibly be permitted to open. Too many student lives are otherwise at risk.

These subjects have been mentioned in many of the objections and comments sent in concerning this application and raised at Stakeholder meetings. None are of the applicants making but, as in so many cases, it is of paramount importance that problems outside the red line of the application are first resolved.

Ian Wolverson Chilmington Green

## Appendix B

### Chair/Members

My name is Bob Robinson a Director of DPP Planning. We are the agents for this application.

As you will be aware from your officer's report, the current application is in respect of the details for the Chilmington Green Secondary School which was granted outline approval as part of the overall Chilmington Green Development.

The school is to be funded largely by the DFE and will be operated as an academy by United Learning, a multi academy trust. When fully operational, the school will provide 1400 pupil places from year seven to sixth form, comprising 900 places for years 7-11 and 240 places for the sixth form. The school is expected to employ circa 120 full-time equivalent teaching staff.

The school is a Department for Education pathfinder project which aims to test and pioneer new technologies relating to carbon neutrality and sustainability. The school will be carbon neutral in operation for the lifetime of the building. This is achieved by a variety of means including the orientation of the building, improved thermal fabric performance, passive ventilation and the incorporation of renewable technologies. It will also be constructed from components manufactured offsite. The school is designed to achieve BREEAM excellent.

As noted in your officer's report, due to delays in the delivery of the overall Chilmington Green Development, the school is coming forward in advance of the immediately adjoining housing and the district centre at Chilmington Green. Consequently, I note that some objectors have raised concerns over the accessibility of the site in the short term. It should, however, be remembered that the school will occupy the site identified in the masterplan and it will ultimately be closely linked to the district centre. In addition, detailed approval is now in place for the highways and pedestrian infrastructure that will serve the school site and it is proposed that this will come forward in parallel with the construction of the school itself.

It is also worth bearing in mind that when the school opens in 2024 it will not be a fully occupied school with only initial year intakes and so its expansion to full occupation will mirror the delivery of the surrounding development.

I trust that members will support this important element of social infrastructure to serve South Ashford and will fully endorse the recommendation for approval.

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## Appendix C

### **Speech by Emma Hawkes, DHA Planning, Agent for Planning Application 21/00182/AS) Land between Arthur Baker Playing Field and Ashford Road, Charing, Kent.**

A Better Choice for Property Development Ltd has worked hard with Officers, the Parish Council and consultees throughout the pre-application and application process to develop a high quality development on this allocated housing site in Charing village. The current reserved matters proposal of 59 market housing units comprising a mix of flats, terraced, semi-detached and detached dwellings with 2, 3 or 4 bedrooms is the culmination of almost 4 years work.

Meetings have taken place with the Parish Council to identify the key issues and address the points raised. The scheme in front of Members tonight reflects these discussions and includes the creation of a landscape buffer zone to the ancient woodland which will be gifted to the Alder Beds Trustees and will be fenced off. The landscaping plans have evolved since application submission and now include thorny native planting for this buffer area as well as native species planting throughout the site which will augment retained trees with new planting in key areas.

In addition, a very large area of the Alder Bed Meadow will be gifted to the Alder Beds trustees. Furthermore, management plans are being prepared for the Wildlife Area (existing and gifted) for use by the Parish Council and the trustees, together with a Management Plan for the residential development.

With regards to ecology, updated surveys are underway and KCC has confirmed that these surveys together with details of the reptile mitigation strategy and external lighting strategy can be submitted by condition.

The scheme's green credentials include an electric vehicle charging point for each dwelling, 2 rapid charging points for visitor spaces, secure cycle storage and the incorporation of sustainable building techniques. A renewable Energy Strategy is being prepared and will be submitted for approval as part of a subsequent planning condition.

On balance, the proposal responds to its site context and will appear integrated with its surroundings due to the careful consideration of design, landscaping and biodiversity matters. A range of dwelling types and sizes will be provided in close proximity to village facilities and public transport routes, and the existing S106 Agreement for the hybrid consent will deliver open space contributions. In light of the proposal being in accordance with local and national planning policies, we respectfully ask that Members support the officer recommendation for approval subject to the adoption of a suitable Appropriate Assessment to address the Habitat Regulations in relation to Stodmarsh.

## Appendix D

Charing Parish Council are grateful for the input in your planning process and support this Reserve Matters Application however, to make this application truly an application to be proud of:

We, CPC and ABPF/Alderbeds ask that members ask for the following additional conditions – agreed at discussion stages - be put on this application.

1. A 1.8-metre-high black wire mesh perimeter fence covering the entire boundary including all the playing field (up to the pedestrian gate) and all the gifted land down to the A20, together with suitable deterrent planting of shrubs and ground cover hostile to cats, dogs and humans be installed before handing over to ABPF.
2. Creation of a secure gated entrance into the gifted land between plots 12 and 13, together with a surveyed and repaired bridge over the adjoining stream, all of which should prevent easy access from the development into the gifted land area be installed before handing over to ABPF.
3. A 10-year costed comprehensive management plan for the existing meadow and wood and the gifted area to be paid by ABCfPD Ltd by end of 2022.
4. Allocation of sufficient S106 monies for green areas to be specifically earmarked and allocated for the upkeep of the Alderbed areas.
5. Street (public) lighting be on short posts and be directed down so as not to wastefully light the sky or spill over onto the Alderbeds wildlife area.
6. For the same reason we urge members to approve a legal agreement in perpetuity to restrict garden lighting to a maximum height of 3m and be adjusted down as in 5 above.
7. To guarantee that all properties have at least one 30amp vehicle charging point and there be a minimum of 2 public rapid charging points for visitors within the estate.
8. That all homes fit for the disabled have covered spaces for mobility scooters and that these have 13amp charging points.
9. If solar panels are not being installed at the build stage, residents should be allowed to install solar panels on their roofs.

I understand that this development, when completed, will be put forward to other developers as an example of best practice in all areas. With these additional conditions, agreed during discussions but not in the application, you will be 'Better Placed' to make this claim.

We strongly urge that you approve the application with the above conditions



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**Appendix E****21/00681/AS**

Good evening,

The Officers reports sets out the scheme's merits and recommends approval. The application has involved ongoing discussion with Planning Officers and Highway Authority to address local concerns and these have now been satisfactorily addressed.

To meet the need for housing the borough faces this windfall site can make a small but valuable contribution particularly as the council is faced by the requirement to give greater weight to housing delivery.

This is an outline application relating to the principle of development for up to ten dwellings and the access arrangements from Bethersden Road. Details of design and form of the houses, including the internal road layout, will be subject to reserved matters approval. The indicative layout clearly shows how the site could be developed and how matters such as the trees can be effectively protected.

The report confirms that the development of the site accords with the Local Plan, specifically policy HOU5, being a site suitable for a scale of development proposed immediately adjoining the built confines of Shadoxhurst, which is readily accessible to the services and facilities within the village. The proposal will provide a new footway along Bethersden Road to Woodchurch Road and Farley Close, benefiting both the development itself and residents in Bethersden Road alike. The officers report refers to a Road Safety Audit, Highway Boundary Plan and technical plans satisfying the Highways Authority with all works within the highway boundary.

Specific concerns raised by objectors predominantly relate to drainage matters, which the officers report assesses and concludes are unfounded. The submitted drainage scheme is in accordance with standing advice and accepted in principle by KCC as Local Lead Flood Authority. In line with their recommendation planning permission will be conditioned requiring a detailed surface water drainage scheme and verification reports, together with sewerage network reinforcement requested by Southern Water. Furthermore, the scheme would utilise and, therefore contribute towards, the council's package of strategic mitigation measures to achieve nutrient neutrality.

The report also confirms the scale and form of development, including its density and impact on the surrounding area and on local amenity are all acceptable, as are ecological implications. The applicant is fully supportive of the suggested conditions and meeting the development obligations identified in the report.

We trust that you will agree that all matters have been sufficiently addressed for committee to resolve to approve planning permission in line with the officer's recommendation.

### **Objection to Application 20/01432 Little Croft**

I have been asked to represent the views of Blackberry Lane residents. The objection to this proposal is as follows

#### Impact and residential amenity

The proposal cites three planning permissions as precedent, two of which were from the applicant and were subject to multiple and significant breaches of planning conditions. These breaches included; evening and weekend working, no wheel wash (resulting in dangerous road conditions), obstruction of access plus other reported issues mentioned in the various objections.

There is no illustration of topography and the plans consider the site as flat. In reality the DPC level of plot 1, cited as 'subordinate', would be approximately 1.5M higher than plots 2&3, and 1M higher than Cartref.

Without this, proper consideration cannot be given to the impact on neighbouring properties of ground water dispersion

This mistake was made with No7 Blackberry Lane and contributed to the flooding experienced by Cartref.

The proposal maintains that the layout would be compatible with the surrounding properties, it would only be compatible with the properties built previously by the applicant

#### Flooding and Drainage

The development will cover a large section of land that currently supports the natural water management of the area. The ground comprises approximately 0.3M of topsoil with clay below. If the permeable containment offered by the soil is reduced, without a proper drainage system water will flow downhill into the surrounding properties compounding the flooding problems created by the previous development.

#### Trees and Bio Diversity

The proposal references the conservation and maintenance of habitat and states trees will be removed post approval. The sites trees C&U have already been destroyed. However there is a thriving bat community in the area but no investigation of impact on roosting sites is mentioned.

#### Road safety

Turning out of Blackberry Lane is acknowledged by residents and CPC as hazardous. Visibility to the right of oncoming cars is 18m, meaning a vehicle travelling at 30mph is in full view for < 1.5 seconds. To the left, vehicles are in view at 41 metres giving sight for 3 seconds. The distance on these splays is dangerously below the 60m guidance from KCC.

To summarise:

Permission should not be provided unless...

- Topography and relative height details are provided and considered
- Conditions of planning are detailed with assurance of enforcement, including working hours and agreement Blackberry Lane will not be used as a car park by the contractors
- The solution for surface water drainage has been proposed and agreed with KCC
- A bat survey has been completed

**Charing Parish Council comments on Application 20/01432 Littlecroft**

Charing Parish Council objects to this proposal on several grounds.

Placing one house at the rear of the plot is acceptable. The two proposed for the front, on Pluckley Road, are not. Pluckley Road has a clear “edge of village” character. It has homes of varying sizes and styles on generous plots. Two identical houses on comparatively narrow plots are out of character and would bring an unwelcome urbanising impact, accentuated by the likely amount of car parking.

Second, we see no proposals for surface water drainage. Drainage has been a problem in this area with periodic surface water flooding. KCC Flood and Water Management commented in May last year that the British Geological Survey considers the site to be poorly draining and infiltration is not suitable.

Their letter went on to say, and I quote, “Further information is required to determine the suitability of the design including calculations and ground investigation works. It is recommended that further information is provided before the planning application is approved.” End of quote.

In September last year, they wrote again saying (again I quote) “No new information appears to have been submitted for this application. Please refer to our earlier correspondence”.

There is nothing more on the portal and no additional information about drainage. We struggle therefore to reconcile KCC’s comments with the statement in the Officer’s report that they have no objection subject to conditions. We do not believe that permission should be granted without satisfactory information regarding surface water drainage strategy.

Finally, parking. Pluckley Road is busy. Surveys show that traffic has grown by 50% since 2012. It is a signed lorry route and 5% of the traffic is HGVs. The entrance to this plot is situated shortly after the railway bridge at a point where the road bends and where there were, in the past, a number of injury accidents. Parking at that point on Pluckley road is highly undesirable. Turning to Blackberry Lane, parking provision is extremely limited. If you approve the application we would ask for a condition that permanent visitor parking should be provided on the site for all three houses.

Finally Going by your latest figures Charing is set to grow by almost 40% up to 2030. We believe that this cramped development at this spot is not necessary or desirable.