



Wednesday the 23rd May 2018 at 7.00pm

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Update Report for the Committee

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

3. **Minutes** – To approve the Minutes of the Meeting of this Committee held on the 18th April 2018
4. Requests for Deferral/Withdrawal – **none**.
5. Schedule of Applications
 - (a) **17/01446/AS - Land North East of 74, North Street, Biddenden, Kent - Outline planning application for the erection of up to 110 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from North Street. All matters reserved except for means of access to North Street**

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Campaign to Protect Rural England, Kent branch (CPRE): have made the following comments:

- new Local Plan 2030 at advanced stage so should be afforded significant weight
- the Council has allocated sufficient sites in the Local Plan 2030
- not demonstrated why this agricultural land should be released for development
[HDM&SS comment: this is grade 3 agricultural land, this is lower quality demonstrated by its use for grazing and the loss would be acceptable]
- harmful effect on the landscape setting of Biddenden and its approach
- disproportionate development for village
- no evidence that this level and timing of additional development is needed to support the retention of existing services
- inadequate public infrastructure
- cumulative impacts of development

Ramblers' Association: object and have raised the following matters:

- heavier use of PROW AT12
- omission of hardening of PROW AT12

5 additional representations to object were received.

The objections are summarised below:

- inadequate infrastructure
- increase traffic congestion
- have agreed to 45 new homes (17/00258/AS)
- harm to air quality
- harm to the character of the area
- harm to heritage assets
- disproportionate development for the village
- narrow footways to village
[HDM&SS comment: highway improvement works to increase this to 1.8m wide]
- surface water flooding
[HDM&SS comment: see para. 164-166 this could be addressed at the detailed design stage]

Page 57 - errata

95. It is agreed that the site carries no landscape designations. However, the site does reflect elements of local landscape character that are important to the rural village edge setting of Biddenden. It is removed from the main village settlement as from the western boundary to the North Street (A274) this boundary comprises isolated dwellings and farms, with substantial breaks in built form. The development would not form a natural extension to the existing village, as development on the ~~western~~ *eastern* side of North Street is sparser than the opposite side of North Street.

Page 69 - errata

148. Within Biddenden there is a bus service *every 90 minutes* between 06:20 to 22:25 *with a reduced service out of term time*, Monday to Saturday to Maidstone, Headcorn and Tenterden with a bus stop 550 metres from the centre of the site around a 7 minute walk.

Page 81 - errata

5.	Adult Social Care Project: Tenterden Day Centre adaptations and changing place facility	£77.58 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings	Necessary as enhanced facilities and telecare required to meet the demand that would be generated pursuant to Core Strategy policy CS18, KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF. Directly related as
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			<p>occupiers will use community facilities and the facilities and services to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of users and is based on the number of dwellings.</p>
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That Members resolve that if the application had been determined by Ashford Borough Council they would have

Refused

on the following grounds:

Amendments to the grounds for refusal in *italics*.

1. The proposal would represent unsustainable and unacceptable development contrary to saved Ashford Borough Local Plan 2000 policies GP12, EN9, EN10 and EN27, Core Strategy 2008 policies CS1, CS6 and CS9, Tenterden and Rural Sites DPD 2010 policies TRS1, TRS2, TRS17 and TRS18, submission Local Plan 2030 policies SP1, SP2, SP6, ENV5 and HOU5, the National Planning Policy Framework and Planning Policy Guidance, *the adopted Landscape Character SPD and the Biddenden Village Design Statement for the following reasons:-*

a) the scale and quantum of proposed development in this third tier settlement with fewer *day-to-day* facilities and services than higher tier settlements would have an adverse cumulative impact on *the sustainability of the Development Plan spatial strategy* in conjunction with existing planned *development*;

b) the eastern edge of village location is an important gateway into the village and this the scale, amount, location and disposition of development proposed would have a significant adverse urbanising impact, out of character with the established edge of settlement character and traditional rural settlement form, and would be unacceptably harmful to the visual amenity and character of the area. It would erode this established edge of settlement character which acts as an important transitional area between the village and countryside beyond and

~~the character~~ so that it would be unacceptably harmful to the local landscape character of the village, its distinctiveness and sense of place;

c) the extension of the village to the east would harm a valued landscape which forms part of the Biddenden and High Halden Farmlands Landscape Character Area, impacting upon its acknowledged local rural character that forms an important component of *the environs* and approach to Biddenden;

d) the amount and location of the development proposed would have an adverse impact on the character and landscape views currently available from PROW AT12, to the detriment of the landscape and how the settlement of Biddenden is experienced by users within that landscape, as well as the amenity of the PROW;

e) The scale and quantity of the development proposed, when taken cumulatively with other development planned for the settlement, would represent a level of growth out of proportion to the size, scale and character of Biddenden, which could not be successfully integrated into the village in visual and functional terms.

2. The proposal would be contrary to Core Strategy 2008 policy CS1, Tenterden and Rural Sites DPD 2010 policy TRS17, submission Local Plan 2030 policies SP1, SP6, HOU5 and ENV13, the National Planning Policy Framework and Planning Policy Guidance and would result in less than substantial harm to the significance and setting of a number of designated heritage assets, which is not outweighed by the public benefits of the development cited by the applicant, for the following reasons:-

a) the amount and location of development would result in a loss of *the* open setting and *have* an urbanising effect on the setting of the listed buildings at 41 North Street, The Laurels/ Tow House and 66 and 68 North Street, in conflict with s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990;

3. 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 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 the demand for services and facilities that would be generated and the reasonable costs of monitoring the performance of the necessary obligations:

a) 35% of the units as affordable housing;

b) a financial contribution towards ~~projects to~~ primary and secondary school infrastructure projects, library bookstock, improved adult social care facilities, improvements to outdoor sports pitches, improvements to play area, strategic parks project and extensions and upgrade of doctor's surgery; and

c) contributions to heritage projects by Biddenden Parish Council.

as set out in Table 1.

(b) **17/00952/AS - Land East of Hope House, Ashford Road, High Halden, Kent - Outline application for a residential development of up to 28 dwellings with access from the A28**

3 further representations have been received objecting to the proposal on the following grounds:

- Highway safety:
Development of this size will make access on to the main road very dangerous;
 - The visibility splays are insufficient in both directions;
 - The measurements supplied by the applicant have not been verified by the council (**Officer Comment:** The application has been subject to consultation with Kent Highways and Transportation (KH&T) KH&T consider that the sight lines are adequate);
 - Independent measurements show them some way short of the applicants measurements.
- Pedestrian Safety
 - The DoT recommends a footpath width of 1.5m to allow for wheelchairs/pushchair users and pedestrians to pass comfortably. At the moment they can only achieve 0.8m without causing the footpath to be dangerously close to the passing HGV, farm traffic and other vehicles.
 - Pedestrians will be expected to cross the road to get to the village centre between 2 junctions with the reduced visibility and in an area that cars speed as proved by the applicants report.
- The proposals will exacerbate flooding;
- The plans are incorrect – neighbouring properties such as Hope House have not been plotted correctly.
- Impact upon wildlife;
- Impact upon listed buildings;
- The report does not address the large number of other sites which are more suitable, all have a better safety aspect and less objections.

18/00262 Ransley Farm site – Cala Homes proposal to HH PC **50 properties** - plans submitted, 7 resident objections and Parish Council support

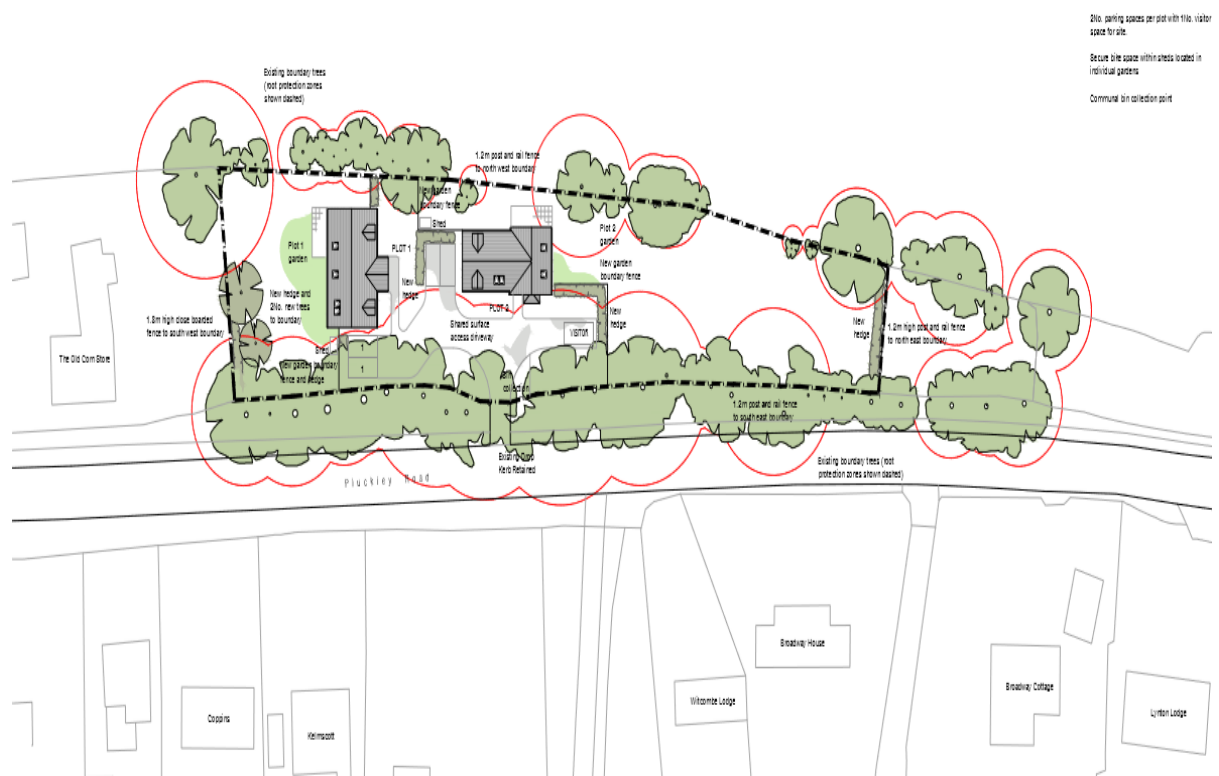
- 16/01198/AS Former Kent Highways Depot **25 properties** - Been granted and site clearance is now underway
- 17/00538/AS Precinct 13 site **13 properties** are under way with 3 houses have been completed and sold. Flats are yet to be developed.
- ABC 2030 S58 - Stevenson Brothers Site (MC101) **50 properties**
- ABC 2030 S60 - Land at Pope House Farm (MC103) **50 properties**

- The above yet to be submitted although Pope House Farm has reached consultation point
- 17/01868 Church Field Church Hill High Halden – DLP Planning Ltd proposal to HH PC **29 properties** - plans submitted with resident and Parish Council Objection

- With current construction the village will see in the next few years an increase of 38 residential properties. In addition to this Ransley Farm (18/00262) site has been submitted for consideration of 43 properties which has a greater mix of Social and affordable meeting the village needs. Further to this Land at Pope House Farm has reached consultation point. Which would take the increase to 131 properties (18%), within a village that currently has 750.
- The road does not have the capacity to serve the development especially in peak times of the day;
- The proposal will increase the amount of traffic;
- The development does not accommodate local needs and is not affordable for local people;
- The mix of dwellings should be 90% affordable to 10% large 3 to 4 bedroom houses;
- The school will be expected to take additional children;
- The doctors surgeries are already oversubscribed.

(c) **17/01320/AS - Land adjacent to Old Corn Store, Pluckley Road, Charing, Kent - Outline application for the erection of 3No. new dwellings with shared access driveway and associated external works**

Since the preparation of the report, the agent has requested the application be amended to two dwellings. This plan removes the third property and in doing so significantly increases the already large spacing to Broadway cottages to over 120m and removes any buildings from in front of Broadway House. In his view this overcomes the reasons for refusal. He has been advised that it would need



to be withdrawn from the agenda and re-advertised as materially different to that applied for. He has therefore requested it to stay at 3 dwellings but that members be advised this is an option. A revised layout is shown below.

He has also submitted some photos of the site.



View from outside Broadway Cottage looking south

Site Entrance



Site Entrance

View from outside Broadway House looking south west



View from outside Coppins looking north

Site Entrance

2 Broadway Cottages

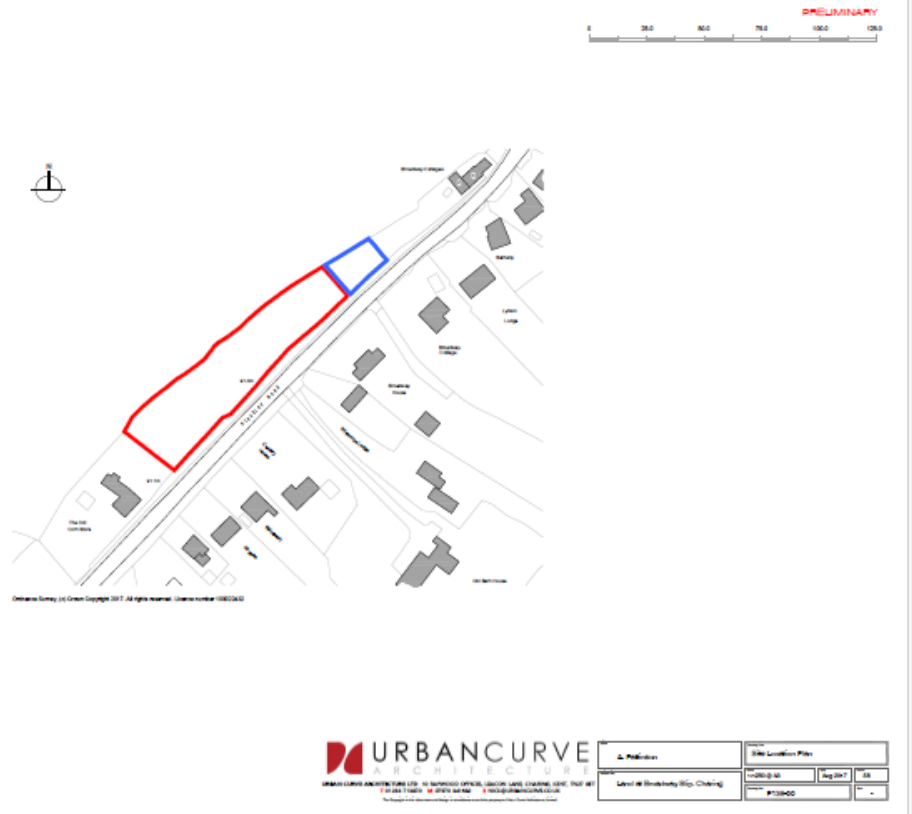


View south from No 2 Broadway Cottages

He has also submitted an urban grain analysis of the two dwelling option.



Finally, the site plan in the report is incorrect – the correct site area is as below.



- (d) **18/00065/AS - 37 Sparkeswood Avenue, Rolvenden, Cranbrook, Kent, TN17 4LZ - Proposed 3 bedroom detached dwelling adjacent to 37 Sparkeswood Avenue**

At the request of Cllr Bennett, the Parish Council comments are attached in full at **Appendix 1**.

The PC have also submitted two photographs which are on display.

- (e) **18/00097/AS - Thatched Cottage, Cherry Orchard Lane, Bonnington, Ashford, Kent, TN25 7AZ - Change of use of existing outbuilding to a holiday let**

Amended condition 03 on page 207

This should read as follows:

The holiday let hereby approved shall be used for holiday accommodation only and shall not be occupied by any person as their sole or main place of residence.

Reason: The establishment of a permanent residential use of the building would be contrary to Development Plan policies and detrimental to the character of the area and in turn could lead to the creation of a substandard dwelling without adequate living space, amenities, access and parking.

Appendix 1

Rolvenden Parish Council



Wealden
House
Grand
Parade
Littlestone
Kent TN28
8NQ

27 February 2018

Planning application 18/00065/AS 37 Sparkeswood Avenue,
Rolvenden Rolvenden Parish Council objects to the proposal on
the following grounds.

The site is adjacent to the Rolvenden Conservation area and within the High Weald Area of Outstanding Natural Beauty. This application is in contravention of Ashford Borough Council Policy TRS1 (b) in that the proposal increases the density of buildings and TRS1 (d) the loss of gap which is an important characteristic of Sparkeswood Avenue. The proposals are also contrary to Policy CS1 clause (d) and Policy CS9 clause (a).

The proposals are also in contravention of the forthcoming Local Plan 2030 policies HOU3 (b) and (c) and policy HOU10 (a) and (e).

The NPPF states that it is inappropriate for the development of gardens for housing. The NPPF also states that new development should also preserve or enhance the character of the conservation area and protect the landscape vale and scenic beauty of the AONB.

1. Sparkeswood Avenue was designed to have generous open space at roadside and between houses. The proposed development would detract from, and be harmful to, the visual amenity of the area.
2. There is already insufficient parking for residents in Sparkeswood Avenue, and this development would I create an additional load on the capacity and further inconvenience to residents. The following photographs have all been taken in the vicinity of the application site.



In additional detail.

1. The proposed dwelling would not be appropriate and would diminish the existing form and appearance of the location and Sparkeswood Avenue as a whole, detracting from and harmful to the visual amenity of the area.

The land for Sparkeswood Avenue was provided by local landowner Mr Thoburn, with the instruction that it should be attractive and spacious, in the manner of 'garden village' design.

The Avenue was designed with the deliberate use of trees, curves and bends, spacious verges and garden areas, and with the conscious allowance of spaces between houses at various points.

There are several houses where there are generous spaces in which a house could have been constructed if the architect and council had so intended. These gaps break up the flow of development and add to the sense of space and greenery.

The gaps also allow a visible connection from the Avenue through to the High Street in one direction and to the open countryside in the other, providing a constant confirmation of the place of the Avenue within the village.

To allow a house in this garden would close the space, diminish the sense of space and connection, and create a more terraced impression. The precedent would also be likely to create opportunities for all similar gaps to be infilled, creating a much diminished space, and reduction in character and connection.

Residents talk of the attractiveness of living in this area of the Avenue where the view from the windows is onto the open space and through to the High Street. They also describe how the evening sun comes through the gap. This benefits all residents, not only those adjacent.

2. The proposal shows provision of a driveway which theoretically accommodates the additional parking required by the development.

However every crossover causes the loss of parallel kerbside parking for at least one car, and more likely 2 due to the constraint on the positions available and due to the narrowness of the carriageway.

Additionally the loss of parking would be for the general use of residents. Existing residents who are already short of parking will lose some of the limited availability, while the new residents would have their own private parking spaces.

The shortage of parking space is already such that cars are often parked on grass verges and footpaths to the detriment of everyone else, damaging the verges, and limiting space for other vehicles, including emergency and service vehicles.

The Parish Council heeded requests to try to resolve the parking problem, and in 2011 carried out a survey and detailed assessment. Leaflets were circulated and residents consulted.

While it was confirmed that there was a shortage of space, it was decided that additional parking space would be to the detriment of the Avenue. Also, the creation of spaces required the loss of the green frontages, but the number of spaces gained would be very small due to the consequential loss of parallel parking spaces.

Residents frequently bring up the subject, and we have to advise that there is no easy solution, but we recognise the problem and will take whatever measures we can to improve it, or at least stop it becoming worse.

Additional comments.

We wish to refer the planning officer to the previous proposal for number 14 Sparkeswood Avenue (15/00058/AS) which was a similar infill situation.

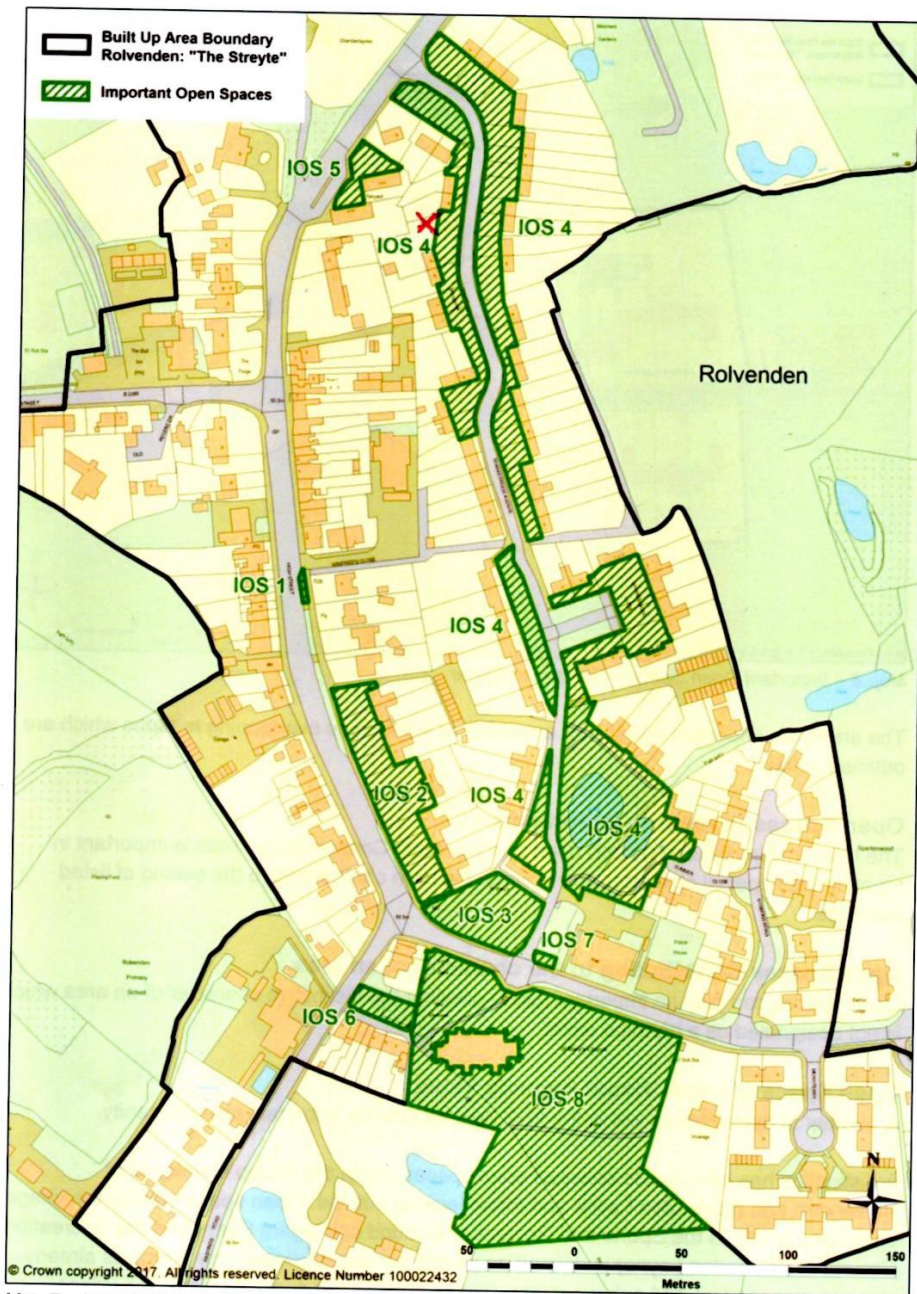
In particular we note the comment in the decision notice: The proposed dwelling, by virtue of its siting, scale, design and appearance combined with the narrow width of the plot and limited road frontage, would relate poorly to the existing form and layout of development in the locality. As a result, the development would introduce a cramped, visually incongruous and intrusive form of development that would fail to respond positively to the established character and grain of Sparkeswood Avenue, detracting from and harmful to the visual amenity of the area.

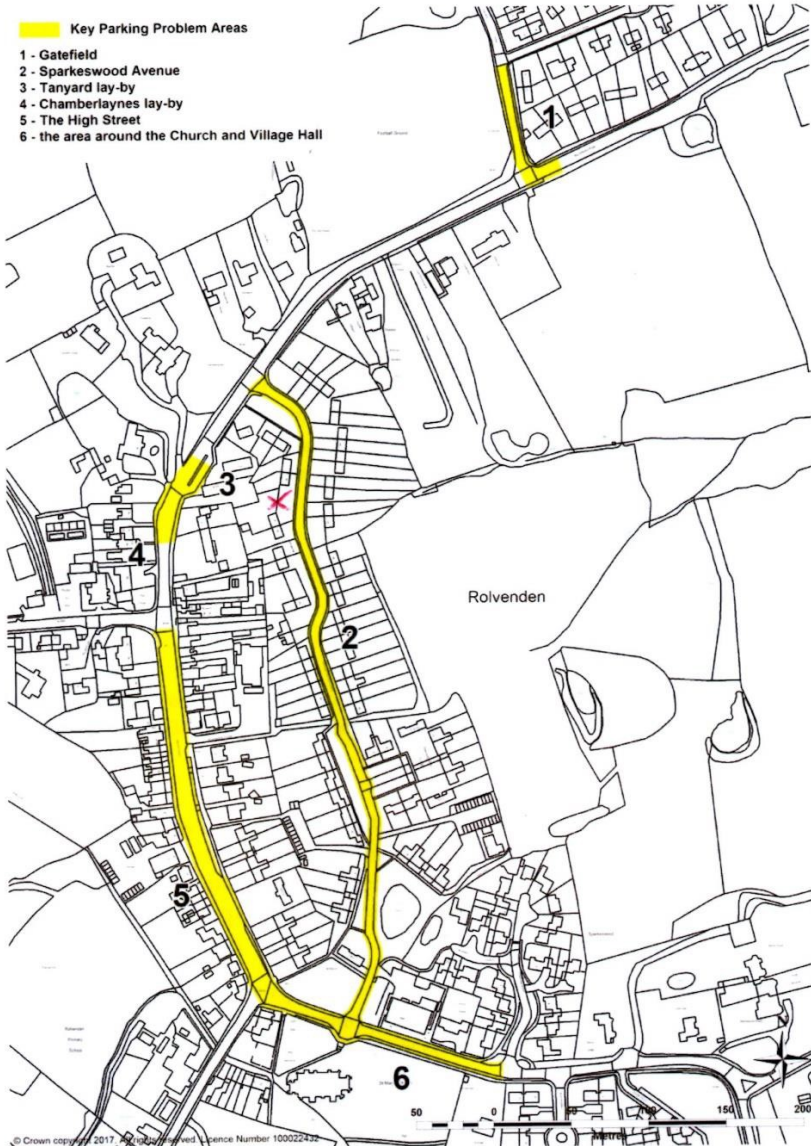
While the current proposal is for a larger plot, the situation is similar.

At appeal, the Inspector noted, in his report rejecting the appeal, that: (Sparkeswood Avenue) is of a generally green and verdant character, with houses set back from, but fronting the road, giving the area a feeling of spaciousness.

Spaciousness is the key, and the proposed development would remove that from this point in the Avenue, and could lead to similar infill in all larger gardens, as well as causing additional parking difficulties, all to the considerable detriment of residents and the village as a whole.

We attach two plans from the Draft Neighbourhood Development Plan which is currently at consultation stage. These confirm that parking is considered already to be a problem.





Map 2 - Problem Parking Areas

In the event that approval was considered further then there are technical matters to consider.

The proposed driveway for existing house number 37 shows the new driveway being approximately 3m wide, but a dimensioned plan is to be preferred. We also consider that a swept path should be shown on the plan to indicate the amount of road frontage that will be lost.

The existing driveway on the proposed development is not dimensioned. We consider that it should be, and that it also be 3m wide and constructed to the modern requirements for drainage within the site. The plan should also show the swept path, combined with that for the new drive. This will also allow the Planning Officer to consider the number of roadside parking spaces which will be lost.

We would also request the opportunity for input to the design and materials proposed, which have not been considered at this stage, and that the developer is not permitted to use the road or verge during construction.