

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 February 2023**.

Present:

Cllr. Burgess (Chairman);

Cllr Blanford (Vice-Chairman);

Cllrs. Campkin, Chilton, Forest, Harman, Howard, Iliffe, Meaden, Ovenden, Shorter, Spain and Sparks.

Apology:

Cllr. Mulholland

Also Present:

Cllrs. Mrs Bell, Nilsson

In Attendance:

Planning Applications and Building Control Manager; Interim Planning Applications and Building Control Manager; Team Leader – Strategic Applications; Deputy Team Leader – Strategic Applications; Deputy Team Leader – Planning Applications; Deputy Team Leader – Planning Applications; Planning Officer; Graduate Planner; Principal Solicitor (Strategic Development); Member Services Officer.

302 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 (WKPS) and the Campaign to Protect Rural England (CPRE).	
	Declared that she knew the agent Mr Bax from his involvement with WKPS as its Chairman, but had not discussed these applications with him.	22/00892/AS 22/00893/AS
Cllr Burgess	Made a Voluntary Announcement that he was a Member of the Weald of Kent Protection Society (WKPS).	
	Declared that he knew the agent Mr Bax from his involvement with WKPS.	22/00892/AS 22/00893/AS

	Declared that he was the Deputy Portfolio Holder for Housing but had not been involved in any discussions on these applications.	PA/2022/2774 21/02120/ASAS PA/2022/2393 22/00567/AS
Cllr Campkin	Declared that the application site was in his Kent County Council Ward of Ashford East.	PA/2022/2393
Cllr Chilton	Made a Voluntary Announcement that he was the director of a planning consultancy, which had no interests in Kent.	
	Declared that he knew and had current contact with an on-line commenter on the application. He would not take part in the debate or the vote.	22/00893/AS
Cllr Forest	Declared he was the Portfolio Holder for Environment, Property and Recreation but had not been involved in discussions on the item.	PA/2022/2774
Cllr Howard	Declared he was the Ward Member and had attended meetings of the Parish Council and community meetings where these applications had been discussed but only as an observer.	22/00892/AS 22/00893/AS
Cllr Iliffe	Declared he had previously been the Portfolio Holder for Corporate Property and had participated in discussions on this application. He would not move a motion or take part in the vote.	PA/2022/2774
Cllr Shorter	Declared he had previously grazed stock on the paddocks to the rear of the sites but had no current pecuniary interests nor any involvement with the applicants.	22/00892/AS 22/00893/AS 21/00100/AS
	Declared he was a shareholder in a public house in Mersham with a similar history, but had no pecuniary interest in this application.	22/00892/AS
Cllr Spain	Declared he was the Ward Member but had no connection with the application.	PA/2022/2696

303 Public Participation

The Member Services Officer advised that 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 who was not from the Planning Department. On this occasion there were thirteen registered speakers, all of whom were present and delivered their speeches in person.

304 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on 7 December 2022 be confirmed as a correct record.

305 Information/Monitoring Items

An Appeals report had been provided which summarised Inspector decisions between 1 June 2022 and 31 December 2022. Corrections to the text were noted as a deletion of the penultimate paragraph on the first page, and the alteration of two dates from 2023 to 2022 in item 8 on page 23. It was noted that sometimes different Inspectors would make different decisions on similar applications that did not correspond with the Local Plan, because other material considerations were taken into account. Officers were thanked for the report.

306 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 PA/2022/2774

Location	Oakleigh House, Watercress Lane, Ashford, Kent		
Parish Council	N/A		
Ward	Beaver (Ashford)		
Application Description	Redevelopment of site to provide 54 apartments for Independent Living for Older People and 5 apartments for Adults with Learning Disabilities, with associated communal facilities, landscaping and parking.		
Applicant	Ashford Borough Council		
Agent	PRP, Ferry Works, Summer Road, Thames Ditton, KT7 0QJ		
Site Area	0.81ha		
(a) 97 '-'	(b) -	(c) KCCH&T 'X', KCC PROW 'X', KCC EDEV 'X', EH 'X', POL 'X', KFRS 'X', KCC LLFA 'X', SW 'X'. NE '- ', CACF '-'	

The Deputy Team Leader – Strategic Applications gave a presentation. The existing buildings on site had now been demolished. He explained that the applicant had submitted a revised site layout to address the concerns raised in the previously-refused application, which were the loss of green space and insufficient car parking. The dwellings had been reduced in number and the proposed housing for adults with learning disabilities was now within the main site area. Car parking was proposed around the perimeter of the main site, and around the edges of the adjacent green space, which would be enhanced as public amenity land. He described the design and materials proposed, and the additional landscaping.

In accordance with Procedure Rule 9.3, Mr Giles Holloway, agent, spoke in support of the application.

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 Planning Applications and Building Control Manager or the Strategic Development and Delivery Manager in consultation with the Director of Law and Governance, with delegated authority to either the Planning Applications and Building Control 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

Obligation No.	Planning Obligation		
	Detail	Amounts (s)	Trigger Points (s)
Ashford Borough Council Planning Obligations			
1.	<p><u>Specialist Affordable Housing</u></p> <p>The flats shall only be occupied by people aged 50 years or older or adults with learning disabilities and (where relevant) any spouses/partners/children/carers, and the flats shall remain affordable in perpetuity. The flats shall be let at rents that are affordable. The flats shall be constructed to such standards and other particulars as the Council specifies. The flats for older people and onsite manager provision shall be managed by Ashford Borough Council. The flats for adults with learning disabilities and onsite manager provision shall be managed by Kent County Council or other body approved by Kent County Council which has a nomination agreement with the Council.</p> <p><i>Units to be let at no more than 80% market rent and in accordance with the nomination agreement.</i></p>	None	None
2.	<p><u>Accessible and Adaptable Units</u></p> <p>In accordance with Policy HOU14:</p> <p>All homes shall be built in compliance with building</p>	<p>100% M4(2) across the whole site.</p> <p>M4(3b): 6</p>	<p>All accessible and adaptable homes to be constructed before the</p>

	<p>regulations M4(2) as a minimum standard.</p> <p>Wheelchair accessible housing [totalling 6 number of Units] built in compliance with building regulations M4(3b) standards shall be provided within the scheme.</p>	number of Units.	occupation of any Units.
3.	<p><u>Art and Creative Industries</u></p> <p>Project detail: Contribution towards the provision of public art or the delivery/enhancement of a facility.</p> <p><i>The Local Plan identifies the following facilities as strategic art spaces: Revelation at St Mary's, Rehearsal and Production Centre, Making and exhibiting workspaces, Arts use in community hubs.</i></p>	<p>£6091.20</p> <p>Indexation: BCIS General Building Cost index 2019</p>	Upon occupation of 75% of the Units.
4.	<p><u>Indoor Sports Provision</u></p> <p>Project detail (off site):</p> <p><i>Schemes in the Ashford Urban Area:</i></p> <p>Contribution towards outdoor sports pitch provision at Ashford to be targeted towards quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.</p>	<p>Off site: £10801</p> <p>(capital only – contributions are derived from the latest Sport England Calculator).</p> <p>Indexation: BCIS General Building Cost index</p>	Upon occupation of 75% of the Units.

		2019	
5.	<p><u>Informal Natural Green Space*</u></p> <p>*public open space excluding amenity open space land and children and young people's play space.</p> <p>Project detail: Contribution towards public open spaces within the vicinity of the site.</p>	<p>Capital contribution £7812</p> <p>Plus</p> <p>Commutated maintenance sum £5850</p> <p>Indexation: BCIS General Building Cost index 2012</p>	<p>Upon occupation of 75% of the Units.</p>
6.	<p><u>Outdoor Sports Provision</u></p> <p>Project detail: Schemes in the Ashford Urban Area:</p> <p>Contribution towards outdoor sports pitch provision at Ashford to be targeted towards quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.</p>	<p>Capital contribution £4848.90</p> <p>Plus</p> <p>Pitch maintenance 10 yrs £2894.45</p> <p>Indexation: BCIS General Building Cost index 2019</p>	<p>Upon occupation of 75% of the Units.</p>
7.	<p><u>Strategic Parks</u></p> <p>Project detail: Contribution to be targeted towards quantitative</p>	<p>Capital contribution</p>	<p>Upon</p>

	and qualitative improvements at the strategic parks within the 'Hubs' identified in the Local Plan 2030.	£2682 Plus Commuted maintenance £846 Indexation: BCIS General Building Cost index 2012	occupation of 75% of the Units
8.	<u>Voluntary Sector</u> Project detail: TBC	£1566 Indexation: BCIS General Building Cost index 2019	Upon occupation of 75% of the Units.
Kent County Council Planning Obligations			
9.	<u>Adult Social Care</u> Project detail: Towards assistive technology systems, adapting Community facilities, sensory facilities, and Changing Places locally in the Borough.	£47.06 Per Dwelling (x18) Indexation: BCIS General Building Cost Index from Oct 2016	Half the contribution upon occupation of 25% of the Units and balance on occupation of 50% of the Units
10.	<u>Community Learning</u> Project detail: Towards additional resources and equipment at Ashford Adult Education Centre and outreach service for the additional learners from	£16.42 Per Dwelling (x18)	Half the contribution upon occupation of

	development.	Indexation: BCIS General Building Cost Index from Oct 2016	25% of the Units and balance on occupation of 50% of the Units
11.	<u>Libraries</u> Project detail: Towards additional book stock, services, and resources for the new borrowers generated by this development.	£48.02 Per Unit (x18) Indexation: BCIS General Building Cost Index from Oct 2016	Half the contribution upon occupation of 25% of the Units and balance on occupation of 50% of the Units.
Other Obligations Monitoring			
	<u>Monitoring Fee</u> Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking	£1000 per annum until development completed. Indexation: Indexation applied from the date of the resolution to grant permission.	First payment upon commencement of development and on the anniversary thereof in subsequent years.
<p><u>Notices</u> must be given to the Council at various stages in order to aid monitoring. All contributions are index linked in order to maintain their value. The Council's and Kent County Council's legal costs in connection with the deed must be paid.</p> <p>PLEASE NOTE:</p> <ul style="list-style-type: none"> • If an acceptable deed is not completed within 12 months of the committee's resolution, the application may be reported back to Planning Committee and subsequently refused. 			

- Depending upon the time it takes to complete an acceptable deed the amounts specified above may be subject to change,

- B. Subject to the applicant first submitting information to enable an Appropriate Assessment under the Habitats Regulations 2017 (as amended) to be adopted by the Assistant Director - 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 Planning Applications and Building Control 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. Standard time implementation condition
2. Development carried out in accordance with approved plans
3. Details and samples of external materials
4. Fine details (at scale 1:50 or 1:20 as appropriate)
5. No vents or flues other than in accordance with details to be approved
6. Investigation, remediation and verification of contaminated land/groundwater
7. Reporting of unexpected contamination
8. Provision of vehicle parking
9. Details and provision of EVC
10. Details and provision of secure cycle parking
11. 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, control of dust etc.
12. Before and after construction of the development, highway condition survey for surrounding footway and verges
13. Provision of measures to prevent the discharge of surface water onto the highway

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14. Details and provision of new roads, footpaths and raised table
 15. Provision of refuse storage
 16. Details of any necessary public sewer diversions
 17. Details of foul and surface water sewerage disposal
 18. Details and provision of SuDS scheme including verification
 19. Details of renewable energy strategy, including solar PV
 20. Water use not to exceed 110 litres per person per day
 21. Details and provision of on-site hard and soft landscaping, including boundary treatments and allotment/growing beds
 22. Details of hard and soft landscaping enhancements for Cross Stile open space, including evidence of public engagement and consultation and a timetable for delivery
 23. Landscape Management Plan
 24. Details and provision of external lighting strategy
 25. Details and provision of biodiversity enhancement measures
 26. Details of provision of Fibre to the Premises
 27. Site Inspection

Notes

- Site subject to S106 Agreement
- Expect applicant to liaise with Kent Police to further review how Secured By Design principles can be included in fine detail etc.
- Environmental Protection notes relating to construction hours/burning of waste/control of dust
- KCC PROW notes relating to works in the vicinity of a PROW

Application Number	21/02120/AS
Location	Garages between 11 and 12, Plantation Close, Hothfield, Kent
Grid Reference	597092/145173
Parish Council	Hothfield
Ward	Upper Weald
Application Description	Residential development comprising of 4 dwellings, associated vehicular and pedestrian access, parking, hardstanding and landscaping and demolition of existing garages.
Applicant	Assistant Director Housing Sharon Williams (ABC)
Agent	Mr Asri Asra

Site Area 0.16 hectares (approx. 1600sqm)

One of the Deputy Team Leaders – Planning Applications gave a presentation, outlining the current layout and use of the land as garages and open parking. The application would allow construction of much-needed one-storey accommodation, laid in a staggered fashion, whilst retaining a small number of the existing garages. She outlined the design and materials of the proposed dwellings, and pointed out the road and pedestrian access-ways which would be retained and enhanced. Parking was provided as one space per dwelling plus two visitor spaces. Surveys of the current local use of the site and neighbouring roads for parking had been carried out. The separation distances between the new properties and the neighbouring ones were adequate to ensure that no unacceptable residential amenity impact would result from the proposal.

In accordance with Procedure Rule 9.3, Mr Ryan Godson, local resident, spoke in objection to the application.

In accordance with Procedure Rule 9.3, Mr Giles Holloway, agent, spoke in support of the application.

The Ward Member was present and commented on the application. Whilst she was supportive of the principle of the application, she raised some concerns.

Resolved:

DEFER in order for the applicant to

1. More deeply investigate the current parking and other vehicular uses of the site and roads in the immediate vicinity, and return with firmer proposals to mitigate parking, congestion and road safety concerns.

Application Number	PA/2022/2393
Location	Land East of 79, Torrington Road, Ashford, TN23 7TG
Grid Reference	601265/141707
Parish Council	N/A
Ward	Norman
Application Description	Change of use of part of the derelict industrial former Coneybeare Site (Class B2) to be used for a community sheds project (Sui Generis). Locating of two shipping containers for use in association with the community sheds project.

Applicant	Assistant Director Housing Sharon Williams (ABC)
Agent	Mr Daniel Scarsbrook (ABC)
Site Area	551sqm

One of the Deputy Team Leaders – Planning Applications gave a presentation, showing plans and photographs of the existing site, which was previously in use for light industrial purposes and was now derelict. She explained the proposed positioning of the containers for use in the community amenity, as well as comfort facilities and site access. She drew Members’ attention to the statement of support from the absent Ward Member, included in the Update Report.

In accordance with Procedure Rule 9.3, Mr Giles Holloway, agent, spoke in support of the application.

Resolved:

PERMIT

Subject to the following Conditions and Notes:

(with delegated authority to the Strategic Development and Delivery Manager or Planning Applications and Building Control Manager to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit)

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. In this condition a “retained tree or shrub” is an existing tree or shrub which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years

from the date of the commencement of use of the approved development for its permitted use.

- a) No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the LPA. All tree works shall be carried out in accordance with BS3998:2010 Recommendations for Tree Work).
- b) If any retained tree or shrub is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the LPA.

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.

4. The premises/site shall be used for The Community Sheds Project and for no other purpose, including any other purpose in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: In order to preserve the amenity of the locality.

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

Application Number	22/00567/AS	
Location	Land between 10 and 13, Heathside, Appledore, Kent	
Grid Reference	595457/130453	
Parish Council	Appledore	
Ward	Isle of Oxney	
Application Description	Erection of 1 (no) block of flats comprising 4 (no) apartments including associated vehicular and pedestrian access, parking and landscaping	
Applicant	Ms Sharon Williams, Ashford Borough Council Housing Services	
Agent	Ms A Asra, BPTW, 40 Norman Road, Greenwich, London, SE10 9QX	
Site Area		
(a) 12/4R	(b) Appledore R	(c) KCCE X, KCC H&T X EH X

The Planning Officer gave a presentation, which showed the development proposed for an unused area of green space. Site layout, proposed design and materials were presented, with reference to car parking and the removal of one existing tree, to be replaced with three others elsewhere. The design was intended to blend in with neighbouring properties.

In accordance with Procedure Rule 9.3, Mr Giles Holloway, agent, spoke in support of the application.

Resolved

PERMIT

subject to the following Conditions and Notes:

(with delegated authority to the Strategic Development and Delivery Manager or Planning Applications and Building Control Manager to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit)

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. No development shall take place on site until a Transport Construction Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period and shall include:

a) parking for vehicles of site personnel, operatives and visitors;

b) wheel washing facilities

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and neighbour amenity.

4. The development shall be carried out in accordance with the details of external materials specified in the application.

Reason: In the interests of visual amenity.

5. A landscaping scheme for the site (which may include entirely new planting, retention of existing planting or a combination of both) shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the dwellings hereby approved. Thereafter the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species

Reason: In order to protect and enhance the amenity of the area.

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6. Prior to the first occupation of the dwellings a lighting design plan for biodiversity shall be submitted to, and approved in writing by, the local planning authority. The proposed plan shall show the type and locations of external lighting, demonstrating that areas to be lit will not disturb bat activity. All external lighting shall be installed in accordance with the specifications and locations set out in the approved plan and will be maintained thereafter.

Reason: To protect the existing populations of the protected species

7. Prior to completion of the development a scheme for the enhancement biodiversity shall be submitted to and approved in writing by, the local planning authority. The approved scheme shall include a native species-only landscape scheme and shall be implemented in full and retained thereafter

Reason: To enhance biodiversity and the ecological value of the site and surrounding area

8. Prior to the first occupation of the dwellings, each dwelling shall be provided with at least one electric vehicle charging point. All Electric Vehicle charger points shall be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). The charging point shall thereafter be retained and available, in working order for the charging of electric vehicles. Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved charge point model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-schemeapproved-chargepoint-model-list>

Reason: To take into account the cumulative impacts of development on air quality and to encourage the use of sustainable transport modes including the incorporation of facilities for charging plug-in vehicles.

9. The areas shown on drawing number 1897 - 110B as vehicle parking space and turning shall be retained for the use of the occupiers of the flats, visitors to the development, and existing residents of Heathside, , and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users.

10. The area shown on the drawing number 1897 - 110B as covered and secure bicycle storage space shall be retained for the use of the occupiers of the flats, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area

of land so shown or in such a position as to preclude access to this reserved bicycle storage space.

Reason: To ensure the provision and retention of adequate off-street parking facilities for bicycles in the interests of highway safety.

11. No construction activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no working activities on Sunday or Bank/Public Holidays.

Reason: To protect the amenity of local residents.

12. 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

- was provided with pre-application advice,
- the application was acceptable as submitted and no further assistance was required.

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

Application Number	22/00892/AS
Location	The Coach House, The Street, Brook, Ashford, TN25 5PG
Grid Reference	606932/144744
Parish Council	Brook
Ward	Bircholt
Application Description	Proposed conversion and change of use of the outbuilding (referred to as the Coach House) to a single holiday let
Applicant	Churchill Property Trading Limited
Agent	Mr Bax, Kent Planning Consultancy Ltd
Site Area	0.0236 hectares
(a)	12/42R & 1S
(b)	R
(c)	KCC Bio X; EA X

The other Deputy Team Leader – Planning Applications gave a presentation, encapsulating both this and the subsequent item (listed building consent application reference 22/00893/AS) and showing the site location and current layout, with two Grade 2 listed buildings, the Coach House and the Honest Miller Public House, to the road elevation set around the car park of the vacant Public House. He clarified the material considerations of both the full application (reference 22/00892/AS) and the listed building consent application (reference 22/00893/AS). He explained the proposed interior design of the Coach House holiday let, and the alterations that would be required to the accesses and windows, which would retain the historic features to preserve the listed building status. He described the location of the proposed car parking space, the addition of a small utility store and the creation of a garden area, screened by a new native hedge, for the sole use of the holidaymakers. He drew Members' attention to the proposed changes to the conditions, in the Update Report, one of which was, on legal advice, to replace two conditions in the original report with a Section 106 legal agreement, to more robustly secure the linkage between the two separately-listed buildings, to protect their symbiosis in perpetuity. The Principal Solicitor – Strategic Development advised the Committee that this agreement would involve preventing the separation of ownership of the two listed buildings, if the holiday let permission were implemented.

In accordance with Procedure Rule 9.3, Ms Caroline Knight, local resident, spoke in objection to the application.

In accordance with Procedure Rule 9.3, Mr Thijs Bax, agent, spoke in support of the application.

In accordance with Procedure Rule 9.3, Cllr Simon Betty, on behalf of Brook Parish Council, spoke in objection to the application.

Resolved:

PERMIT

- A Subject to the following Conditions and Notes and a satisfactorily worded S106 legal agreement to the satisfaction of the Assistant Director Planning & Development in consultation with the Solicitor to the Council to secure the ongoing link between holiday let use of the Coach House building and the business operating at the Honest Miller Public House; and
- B Subject to the applicant first submitting information to enable an Appropriate Assessment under the Habitats Regulations 2017 (as amended) to be adopted by the Assistant Director - 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 Planning Applications and Building Control 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.

(with delegated authority to the Strategic Development & Delivery Manager or the Planning Applications and Building Control Manager to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit).

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 hereby permitted shall be carried out in accordance with the approved plans and documents.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The approved Coach House holiday let shall only, be used for holiday let accommodation, and shall not be subdivided nor used as a separate dwelling or any other use and shall not be occupied by any person as his or her sole or main place of residence.

Reason: The establishment of a permanent residential use of the site would be contrary to Development Plan policies and detrimental to the character of the area.

4. The areas shown on drawing number 3446-31B hereby approved as vehicle parking and vehicle turning areas shall be provided and retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to the reserved parking space(s).

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users.

5. No external lighting shall be installed on the approved building or within the wider application site, until details have been submitted to, and approved in writing by the Local Planning Authority prior to the occupation of any part of the development hereby approved. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area/the environment and wildlife/local residents from light pollution.

6. A hard and soft landscaping scheme for the site (which may include entirely new planting, retention of existing planting or a combination of both) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Thereafter, the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

Reason: In order to protect and enhance the amenity of the area.

7. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building(s) for its/their permitted use(s).

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned, thinned or reduced other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority.

(b) If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: In order to protect and enhance the amenity of the area.

8. An up to date register shall be kept, in legible English, of the main or home address of each of the owners of the holiday let and of each of the occupiers and of any guests using the holiday let, and their dates of use, and shall make the register available for inspection by the Local Planning Authority at an address notified in writing to the Local Planning Authority at 48 hours' notice.

Reason: To enable the Local Planning Authority to monitor the occupation of the holiday let to ensure that the establishment of a permanent residential use of the site, which would be contrary to Development Plan policies and detrimental to the character of the area, does not take place.

9. No walls and fences shall be installed within the application site, until details have been submitted to, and approved in writing by the Local Planning Authority prior to the occupation of any part of the development hereby approved. The approved scheme shall be erected and maintained in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area.

10. Prior to the completion of the development, details of how the development will offset biodiversity loss/enhance biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented before first occupation and thereafter retained.

Reason: To enhance biodiversity and the ecological value of the site and surrounding area.

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11. The development shall be carried out in accordance with the submitted flood risk assessment (ref. Flood Risk Assessment in Support of Residential Development at The Coach House, The Honest Miller, The Street, Ashford, Kent/RSPD, Jan 2022) and the following mitigation measures it details (including finished floor levels being set no lower than 48.23m above Ordnance Datum (AOD) and all sleeping accommodation only being placed at first floor level). These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

12. 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 the 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 proactive manner by; 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, and the applicant/agent responded by submitting amended plans.

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

2. Nesting Birds

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees, scrub, hedgerows and buildings are likely to contain nesting birds between 1st March and 31st August inclusive. The building is to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

3. The site is subject to a section 106 agreement

Application Number	22/00893/AS
Location	The Coach House, The Street, Brook, Ashford, TN25 5PG
Grid Reference	606932/144744
Parish Council	Brook
Ward	Bircholt
Application Description	Proposed conversion of the outbuilding (referred to as the Coach House)
Applicant	Churchill Property Trading Limited
Agent	Mr Bax, Kent Planning Consultancy Ltd
Site Area	0.0236 hectares

(a) 12/42R & 1S (b) R (c)

The same Deputy Team Leader – Planning Applications had already amended the description and addressed the matters pertaining to the listed building consent application in his previous presentation relating to the Coach House site. The existing shutters were to be maintained, some previously-bricked-up apertures were to be re-opened, one new window was to be installed, and a single sky-light inserted in the roof. The building had previously been used as storage and was in a state of disrepair. The previous presentation drew Members' attention to the proposed

changes to the report including changes to the description of development and changes to condition 3 of this application, in the Update Report.

In accordance with Procedure Rule 9.3, Mr Andrew Clark, local resident, spoke in objection to the application.

In accordance with Procedure Rule 9.3, Cllr Simon Betty, on behalf of Brook Parish Council, had requested to speak in objection to the application. The Chair asked if he wished to speak again; Cllr Betty confirmed he had presented his objections to both applications in his previous speech and so declined.

Resolved:

GRANT

Subject to the following Conditions and Notes and issues relating to nutrient neutrality being resolved:

(with delegated authority to the Strategic Development & Delivery Manager or the Planning Applications and Building Control Manager to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit).

1. The works to which this consent relates shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Full details including source/ manufacturer, and samples (where necessary) of materials to be used and detailed scaled drawings and sections where applicable in respect of all the matters listed below shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the development shall be carried out using the approved materials.

- Material samples (including those of the proposed fenestrations, the lean-to extension and any repairs to the building).
- Details of rainwater goods which should be black cast iron or aluminium.
- Joinery details for all new windows, rooflight and external doors.

- Details of new first floor and internal stair construction within the Coach House building and its relationship with the existing structure.
- Details of new vents and flues.
- Details of any external lighting.

Reason: In the interests of visual amenity, and to ensure that special regard is paid to the interests of protecting the special architectural and historic character detailing the integrity of the Listed Building under Section 16 of the Planning (Listed Building Conservation Areas) Act 1990.

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.

Notes to the 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 proactive manner by; 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, and the applicant/agent responded by submitting amended plans.

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

Application Number 21/00100/AS

Location	Pinnock Yard, The Pinnock, Pluckley
Grid Reference	591784,144820
Parish Council	Pluckley
Ward	Upper Weald
Application Description	Erection of 2 dwellings along with associated parking, bin store & bike store
Applicant	Mr G Oxley
Agent	Sevencroft Ltd
Site Area	0.076 hectares

The Interim Planning Applications and Building Control Manager gave a presentation, introducing the site as within the confines of Pluckley Thorne and included in the Neighbourhood Plan. The site had been previously used for storage and HGV parking; it was currently overgrown and several small temporary structures had fallen into disrepair. He explained the proposed layout and design of the dwellings, their juxtaposition to other properties and the access from the road, to which KCC Highways had raised no safety concerns. Resident parking was included in the plan.

In accordance with Procedure Rule 9.3, Ms Abigail Daines, local resident, spoke in objection to the application.

In accordance with Procedure Rule 9.3, Mr Graham Oxley, applicant, spoke in support of the application.

In accordance with Procedure Rule 9.3, Cllr Guy Washer, on behalf of Pluckley Parish Council, spoke in objection to the application.

The Ward Member spoke in objection to the proposal.

Resolved:

DEFER

In order for Officers to seek and provide:

1. Clarification and relevance of Policy H1 in the Pluckley Neighbourhood Plan with regarding to the scheme.

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2. A revised site plan to show the two pairs of semi-detached properties (four units) on the H1 site and its relationship with the proposal.
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Application Number	PA/2022/2696
Location	72 Meadowbrook Road, Kennington, TN24 9AZ
Grid Reference	60160/14485
Parish Council	Kennington
Ward	Bockhanger
Application Description	Proposed Vehicular crossover
Applicant	Mrs Monica Hutanu
Agent	N/A
Site Area	N/A

The Interim Planning Applications and Building Control Manager made a short presentation of the proposal for the provision of the dropped kerb, to allow on-site parking for the property.

Resolved:

PERMIT

Subject to the following Conditions and Notes: (with delegated authority to the Strategic Development and Delivery Manager or Development Management Manager to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit).

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 hereby permitted shall be carried out in accordance with the following approved plans and documents:

Title	Description	Date
Block Plan	Block Plan	8 December 2022

Location Plan

19 October 2022

Reason: For the avoidance of doubt and in the interests of proper planning.

3. 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.

4. The means of access shall be completed in accordance with the hereby approved plans prior to first use and the access shall thereafter be maintained.

Reason: In the interests of highway safety.

Note to Applicant

Working with the Applicant

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
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