

Ashford Borough Council: Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on 7th June 2023.

Present:

Cllr Blanford (Chair)
Cllr Heyes (Vice-Chair)

Cllrs Betty, Brunger-Randall, Forest, Gathern, Harman (ex Officio, non-voting), Iliffe, Ledger, Mulholland, Nilsson, Spain, C Suddards, and Walder

In accordance with Procedure Rule 1.2(c), the substitute in attendance for Cllr Chilton was Cllr Charles Suddards.

Since the publishing of the Agenda, Cllrs Ovenden and Harman were no longer nominated to this Committee. In their places, Cllrs Ledger and McGeever had been nominated, and Cllr Harman attended ex officio as the newly-appointed Portfolio Holder for Planning.

Also Present:

Cllrs Mrs Bell, N Bell, Campkin, Chilton (who explained that his re-training for the Planning Committee had not yet taken place so he could not formally attend), Shilton

In Attendance:

Assistant Director, Planning and Development; Team Leader, Strategic Applications; Deputy Team Leader, Strategic Applications; Planning Applications and Building Control Manager; Team Leader, Planning Applications; Deputy Team Leader, Planning Applications; Principal Solicitor (Strategic Development); Senior Planning and Development Solicitor; Member Services Officer.

25 Declarations of Interest

Cllr Mulholland	Declared that he had officially supported the application when notified of it, in his previous position as Ward Member prior to the recent election. His vote on this application was therefore discounted.	PA/2022/2850
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26 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 four registered speakers, who wished to deliver their speeches in person.

27 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on 19th April 2023 be confirmed as a correct record.

28 Officers' Deferral/Withdrawal of Reports

There were none.

29 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	<u>PA/2023/0518</u>
Location	Park South Side Of, Elwick Road, Ashford, Kent TN23 1NN
Grid Reference	00977/42413

Parish Council	None
Ward	Victoria
Application Description	Renewal of the existing temporary planning permission Ref 20/00065/AS, (Creation of a new temporary car park on redundant land. Change of use from the previous A1 use to Sui Generis proposed car park. The proposal also includes the erection of a fence, sign entrance, ticket machines, height restrictor, hi-vis bollards, cycle racks, low height light columns, priority sign, Disability Discrimination Act compliant pedestrian access gate and new bins)
Applicant	Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent TN23 1PL
Agent	Mr Adam Hayes C/O Ashford Borough Council
Site Area	0.31 Hectares
(a) /	(b) (c) KHS 'X', SWS 'X,' HS1 'R' NR 'X'

The Deputy Team Leader, Strategic Applications said that the application was a straightforward amendment to a previous application which had been approved. He also directed Members' attention to the Update Report, and the amendment of the wording of Condition 2, to remove 'subsequently' from the text.

Resolved:

Permit

Subject to the following Conditions and Notes:

- 1) The application shall be carried out in accordance with the following approved plans

Drawing number ELWICK 02 revision G.

Reason: Specifying the application drawings and other details which form part of the permission is best practice under government guidance and in the interests of visual amenity.

- 2) The use hereby permitted shall be discontinued upon the first residential occupation of the redevelopment of land pursuant to outline planning permission 15/01282/AS and any reserved matters approval for up to 200 residential dwellings which includes part of the temporary car park.

Reason: To ensure that the application site is available for more comprehensive redevelopment south of Elwick Road in accordance with Local Plan policy and extant planning permission 15/01282/AS for that land and to ensure that the relationship of new development with temporary uses is an appropriate one.

- 3) The revised parking arrangement along the southern boundary as shown on drawing number ELWICK 02 revision G, providing a hatched area and new signage stating no parking within this area will be implemented within 4 weeks of the date of this permission and thereafter retained in accordance with the approved plans while the car park in use.

Reason: In the interests of providing a safer general layout

Note to Applicant

1. Working with the Applicant

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,
- 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,
- was provided with pre-application advice,
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was dealt with/approved without delay.

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 Deputy Team Leader, Planning Applications gave a presentation, stating that the application had previously been deferred by the Committee, when Members had requested clarification and the relevance of Policy H1 in the Pluckley Neighbourhood Plan (PNP) in relation to the scheme, and further clarification regarding the built-out area alongside. The site was part of a larger area / site, now partially built out, that had been identified for development in the Neighbourhood Plan. He explained that the lawful use of the brownfield site was for the storage of building materials and as an operating centre for two Heavy Goods Vehicles; the applicant intended to use the existing site access for the new properties. He confirmed that the built-out part of the PNP allocated site consisted of two pairs of semi-detached homes with a separate entrance to the current scheme. It had been assessed that the visual impact of the new properties on short and long views would not be detrimental, and that the space and distance from existing homes would not constitute over-development. The speed limit of 30mph towards the village began just beyond the access point and immediately after a sharp bend, so approaching vehicles from Smarden would be slowing down; Kent Highways had no concerns regarding road safety. He showed plans of the design of the two new homes, and described the materials to be used, which were sympathetic with their surroundings. Members' attention was drawn to further information / comments provided by the applicant in the Update Report.

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

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, Cllr Guy Washer, on behalf of Pluckley Parish Council, spoke in objection to the application.

The Ward Member spoke in objection to the application.

Resolved:

Permit

- A. Subject to the applicant submitting information to enable an Appropriate Assessment under the Habitats Regulations to be adopted by the Assistant Director - Planning and Development which identifies suitable mitigation proposals such that, in their view, having consulted the Solicitor to the Council & Monitoring Officer and Natural England, the proposal would not have a significant adverse effect on the integrity of the Stodmarsh SAC, SPA and Ramsar Site; and with delegated authority to the Planning Applications and Building Control Manager or the Strategic Development and Delivery Manager 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; and,
- B. 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:

- Standard time condition
- Development carried out in accordance with the approved plans
- Materials to be approved
- Landscaping Scheme including planting
- Arboricultural Method Statement
- Details of boundary treatments
- Sustainable Drainage Scheme and verification report
- Completion and maintenance of the access shown on the submitted plans
- Provision and retention of visibility splays, vehicle parking spaces, cycle parking, and turning facilities
- Bound surface from the highway
- Measures to prevent surface water discharging on highway
- Electric vehicle charging points
- Construction Management Plan

- Ecological mitigation plan
- No external lighting without the consent of the LPA
- GCN District Level Licence
- Biodiversity Enhancement
- Unexpected contamination
- PV Panels
- Site inspection

Notes to Applicant

- Working with the Applicant
- List of plans/documents approved
- Bird Nest Season
- KCC Highways informative
- Provision of water-butts

Application Number	PA/2022/2850
Location	Hegg Hill House, Smarden Bell Road, Smarden, Ashford, Kent TN27 8NX
Parish Council	Smarden
Ward	Weald North
Application Description	Amendment to omit the dressing room area and reposition the WC and basin to the previously approved proposal (20/00859/AS), installation of secondary glazing to two existing windows, false floor and extractor duct tile vent on external wall.
Applicant	Mr N & Mrs L Board
Agent	Mr Simon Hoyle

The Team Leader, Planning Applications gave a brief presentation, drawing Members' attention to the changes to the details of the Listed Building Consent that were now being requested. These changes actually reduced any negative impact by removing the need for internal partitioning. The extract fan would vent externally through 1920's hanging tile cladding. The small area of false flooring was needed to level the floor and accommodate waste piping; this, and the secondary glazing did not need Listed Building consent, as stated in the Update Report.

Resolved:

Grant Consent

- A. Subject to 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 The development to which this consent relates, excluding the reinstatement of the sections of wall to bedrooms 1 and 2, as shown on the approved plans, 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 shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents Approved by this decision, unless otherwise agreed by the Local Planning Authority.

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.

Informative

1. Working with the Applicant

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- 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,
- In this instance, the applicant/agent was updated of any issues after the initial site visit, was provided with pre-application advice,

- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.

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

Application Number	PA/2022/2708
Location	Oxney Isle Barn, Swan Street, Wittersham, TN30 7PL
Grid Reference	588774, 127031
Parish Council	Wittersham
Ward	Isle of Oxney
Application Description	Erection of a new dwelling and landscaping
Applicant	Mr and Mrs Allen-Butler
Agent	Mr Shane Jell
Site Area	1.32ha

The Deputy Team Leader, Planning Applications gave a presentation. He explained that the proposed home was to be accessed via a Public Right Of Way which ran along the western edge of the site in its entirety, before turning southwards. He indicated the existing buildings in the vicinity, and confirmed that the site was currently open farmland in an Area of Outstanding Natural Beauty, outside of the confines of Wittersham village. As such, the application did not comply with HOU5, as it failed to prove 'exceptional, outstanding and innovative' quality of design required to be acceptable development. He described the design and materials proposed for the new home, its internal and external spaces, the proposed landscaping / ecology, the energy-saving measures and parking provision. Earlier designs of the scheme had been assessed by the Design Panel. In the Update Report, Members were asked to note that the agent had submitted an example of exceptional quality of design in Northern Ireland which he considered similar to the proposed application, and the Update Report also gave the Officer's comments in response.

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

The Ward Member commented on the application.

Resolved:

Refuse

- A. The proposed development lies outside of the settlement boundaries of any identified suitable settlement within the Ashford Local Plan 2030 and would give rise to an unsustainable new home in the countryside, contrary to the adopted spatial strategy and without any overriding justification provided to support this form of development. The proposal is not a dwelling of 'exceptional quality or innovative design', as set out by the application, and so does not satisfy the exception criteria of Policy HOU5 or Paragraph 80(e) of the NPPF. As such, this form of development fails to accord with Policy HOU5 of the Ashford Local Plan (2030) and the aims and objectives set out in the National Planning Policy Framework 2021.

- B. The development will harm the intrinsic character and qualities of the site and surrounding countryside and fail to conserve or enhance the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty (AONB). The proposal would therefore be contrary to policy ENV3b of the Local Plan and the aims and objectives of the National Planning Policy Framework 2021.