

Ashford Borough Council: Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on **17 April 2024**.

Present:

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

Cllrs Betty, Brunger-Randall, Chilton, Gathern, Harman (ex-Officio, non-voting), Ledger, Michael, Mulholland, Roden, Spain, and Walder.

In accordance with Procedure Rule 1.2(c), Councillor Michael attended as Substitute Member for Councillor McGeever.

Apologies:

Cllr McGeever, Nilsson.

Also Present:

Cllr. Mrs Bell, Hicks.

In Attendance:

Assistant Director of Planning and Development; Planning Applications and Building Control Manager, Deputy Team Leader Planning Applications, Deputy Team Leader - Planning Applications, Senior Urban Designer, Tree Officer, Principal Solicitor (Strategic Development); Senior Democratic Services Officer.

390 Declarations of Interest

Councillor	Interest	Minute No.
Brunger-Randall	Declared that she was working with the applicant for this application, and would speak as Ward Member, but would not propose a motion or vote.	394 – PA/2023/2108
	Declared that she was a Member of Tenterden Town Council Planning Committee who had made comments on the application. She would not take part in the debate, nor propose a motion or vote.	394 – PA/2024/0116
Gathern	Made a Voluntary Announcement of Other Interest, as her husband was a Member of Great Chart with Singleton Parish Council.	393

391 Public Participation

The Senior Democratic 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 eleven registered speakers, who had elected to read their speeches in person.

392 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on 13 March 2024 be approved and confirmed as a correct record.

393 Officers' Withdrawal of Reports

The Assistant Director of Planning and Development advised that Officers were withdrawing application PA/2023/0715 – Chilmington Green, Land to west of Chilmington Green Road, Ashford, Kent from the agenda. Since the Planning Committee Site Visit on 11 April there had been a number of new representations received. The most notable of those was from Natural England. The position of Natural England had been to raise no objection, and this was the position at September 2023 and had continued thus far. A detailed representation had been received on Monday, 15 April which had been included within the Update Report and had been published alongside. Following that, a further representation had been received that afternoon, 17 April, altering the position of Natural England once more. The position had not returned to that of September 2023 nor that of Monday 15 April. Officers were seeking clarifications on the final position of Natural England and it was felt imperative to have their position confirmed before making a decision on this matter. It was proposed that this matter be considered at an Extraordinary Meeting of the Planning Committee to take place on Tuesday 7th May 2024, this would be confirmed in due course.

394 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/2023/0277
Location	Hothfield Service Station, Maidstone Road, Hothfield, TN26 1AP
Grid Reference	Easting 596908, Northing 146630
Parish Council	Hothfield
Ward	Upper Weald
Application Description	Single-storey side extension to accommodate 'food to go' (Sui Generis).
Applicant	Motor Fuel Group
Agent	Julian Sutton
Site Area	0.3214 hectares

The Deputy Team Leader - Planning Applications gave a presentation describing the proposal, the site location, current landscaping, current and proposed parking arrangements, current and proposed locations for the bin store. Photographs were displayed showing the site as is. An explanation of what constituted material considerations was given. There would be no additional lighting, Kent Highways had raised no concerns and the proposal complied with Local Plan policies.

In accordance with Procedure Rule 9.3 Mr Julian Sutton, the agent, who had registered to speak in support of the application, was present and read their speech in person.

In accordance with Procedure Rule 9.3 Mr Ian Lloyd, from Hothfield Parish Council, who had registered to speak in objection to the application, was present and read their speech in person.

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

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. 3-year standard condition
2. Approved Plans
3. Submission of Material Samples
4. Construction Management Plan
5. Provision and Retention of Permanent Parking Spaces
6. Reporting of Unexpected Contamination
7. Extraction/Treatment of Fumes/Odours
8. Noise and Vibration of Plant
9. Scheme of Biodiversity Enhancements
10. Lighting Design Strategy
11. Hours of Operation

Informatives/Notes to Applicant

1. Working with the Applicant
2. Construction Informative

Application Number	PA/2023/2108
Location	Land Between Primrose Cottage & 1 Buffalo Cottages, Bethersden Road, Smarden , Ashford, TN27 8QX
Parish Council	Smarden
Ward	Weald North
Application Description	Erection of two detached two-storey dwellings with new vehicular access from Bethersden Road, associated parking area, and landscaping.
Applicant	Mr and Mrs Hoyle
Site Area	0.24 ha

The Senior Urban Designer gave a presentation detailing the location of the site, the proposed layout of the dwellings, the amendments that had been made thus far and details of the Tree Preservation Orders on the site and the proposals to reduce the crown size of T1 by 3m. The road itself had no footpath and was an unsustainable location, being over 800m outside the built confines of the village, and 1000m from

its centre. As detailed in the Update Report, reason three for refusal was to be amended to remove references to root protection areas.

In accordance with Procedure Rule 9.3 Mr Simon Hoyle, the applicant, who had registered to speak in support of the application, was present and read their speech in person.

Resolved

DEFERRED for Officers to work with the Applicant to resolve the conflict between the siting of the dwellings and the trees, and to seek removal of all reference within the proposal to reducing the crown size of T1.

Application Number	21/01862/AS
Location	Land at the Street and North of Court Lodge, The Street, Brabourne, Kent
Parish Council	Brabourne
Ward	Bircholt
Application Description	Conversion and change of use of the ground floor to distillery use (Sui Generis)
Applicant	The Wineburner LLP Martello Lodge Undercliff Sandgate, Folkestone, Kent, CT20 3AT
Agent	Ian Bull Consultancy Ltd 1 Mountbatten Way Brabourne Ashford, Kent, TN25 6PZ
Site Area	0.2ha

The Deputy Team Leader Planning Applications gave a presentation detailing the proposal before the Committee, the site history and the history of the application including a Judicial Review brought against the resolution of the Planning Committee on this application previously. Photographs of the site, the agricultural building in question and surrounding area were shown. An amendment to the recommendation was made for clarity as detailed within the Update Report. Additional representations had been received along with photographs, which were detailed to the Committee and contained within the Update Report.

In accordance with Procedure Rule 9.3 Dr Kathleen Embleton-Smith, a resident, who had registered to speak in objection to the application, was present and read their speech in person.

In accordance with Procedure Rule 9.3 Mr Sebastian Barnick, the applicant, who had registered to speak in support of the application, was present and read their speech in person.

In accordance with Procedure Rule 9.3 Mr William Harbottle, from Brabourne Parish Council, who had registered to speak in objection to the application, was present and read their speech in person.

The Principal Solicitor (Strategic Development) advised the Committee that the application needed to be considered afresh under the Development Plan and material considerations, particularly the new material considerations in the Supplementary Report, at the end of which the Planning Officers had made a revised recommendation to permit.

In response to a question, the Deputy Team Leader Planning Applications confirmed that the pertinent parts of the supporting business case document had been referred to in the previous Committee report.

Resolved

Permit

Subject to all Conditions and Notes listed in the Minutes of the Meeting of 17 August 2022, with the addition of conditions recommended in paragraphs 21 and 23 of the report restricting the times of operational use and seeking details regarding automatic blinds to the existing roof lights of the building.

(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).

Application Number	PA/2024/0116
Location	2 Craythorne, Tenterden, TN30 6SD
Grid Reference	88953 / 33873
Parish Council	Tenterden Town Council
Ward	Tenterden North
Application Description	First floor extension to create two storey dwelling
Applicant	Mr R Overton

Agent Mr D Harman

Site Area 0.03 ha

The Deputy Team Leader Planning Applications gave a presentation describing the application site at present, the proposal before the Committee, the topography and built form of the street and wider locality, the street scene itself and details of windows and finishes proposed.

In accordance with Procedure Rule 9.3 Mr Ian Marsden, a resident, who had registered to speak in objection to the application, was present and read their speech in person.

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. 3-year standard condition
2. Approved plans
3. Materials in accordance with the submitted details
4. Removal of PD Rights for Classes A, B & E
5. First floor window on north elevation to be obscure glazed / fixed shut
6. Retention of parking as per block plan

Note to applicant

Working with the Applicant

In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive 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

In this instance the applicant/agent was updated of any issues after the initial site visit and the applicant/agent amended the plans to address the concerns raised. 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/2024/0340
Location	Bennetts, 56 The Street, Appledore, TN26 2AE
Grid Reference	95593 / 29517
Parish Council	Appledore
Ward	Isle of Oxney
Application Description	External soil stack on the north elevation
Applicant	Mrs Elizabeth Mitchell
Agent	N/A
Site Area	0.4 ha

The Deputy Team Leader Planning Applications gave a presentation in relation to this application, and the following accompanying application on the agenda (PA/2024/0356). Details of the property, its history and the location of the proposed external soil stack were given.

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. 3-year standard condition
2. Approved plans

Note to applicant:

Working with the Applicant

In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive 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.

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

Application Number	PA/2024/0356
Location	Bennetts, 56 The Street, Appledore, TN26 2AE
Grid Reference	95593 / 29517
Parish Council	Appledore
Ward	Isle of Oxney
Application Description	Addition of a new shower room within a bedroom, including a new external soil stack on the north elevation and extractor fan
Applicant	Mrs Elizabeth Mitchell
Agent	N/A
Site Area	0.4 ha

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).

1.3-year standard condition

2.Approved plans

3.Details to be submitted and approved for the soil stack and ventilation

Note to Applicant

Working with the Applicant

In accordance with paragraph 38 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive 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.

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

Queries concerning these minutes? Please contact Democratic Services:
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