



## Planning Committee

Wednesday the 15<sup>th</sup> August 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 18<sup>th</sup> July 2018
4. Requests for Deferral/Withdrawal – None.

#### Schedule of Applications

- (a) **18/00125/AS - Oakwood Cottage, Etchden Road, Bethersden, Ashford, Kent, TN23 3BZ - Erection of cabin/lodge and change of Use of both Cabin/Lodge and land to a Wedding Facility, Siting of a Wedding Marquee and Service Tent, hardstanding, decking and canopy and Change of Use of Land for Parking Guest Cars for 15 Weddings held between April and October Each Year (retrospective)**

Cllr Mrs Blanford has asked that members be made aware of her views as follows.

Unfortunately, I find that this site is about the most unlikely to be a suitable site for weddings.

The site is within Ancient Woodland. With the amount of development taking place and planned for the Ashford Borough particularly close to Ashford, it is all the more important to protect woodland sites both for the trees themselves and the flora and fauna that have occupied the wood for centuries. The proposed site is set back into the woodland and not related to any other development. This might protect the human neighbours but will not protect other creatures living in the woodland. The noise measurements are queried and, in fact, noise will carry further at night. Excessive noise in the woodland would be undesirable particularly in the evening.

Etchden Road is one car width. There are no passing places and the road is not in a good condition. It would suffer still more from delivery lorries and the growth in vehicular traffic. The track from Etchden Road to the site is simply a woodland track with potholes and unsuitable for the increased usage. It should be noted that KCC Highways object. 56 or more cars parked in the woodland with noise, dust and petrol or diesel fumes is totally against the countryside code.

It should also be noted that the letters in support of the application come largely from persons and companies who will gain some financial benefit should the business go ahead therefore do not represent independent opinion.

It would be very difficult to enforce any conditions placed on this application should it be granted with regard to parking, lighting, sound, entertainment and general wear and tear on the surrounding area. Indeed, wildlife may already have been disturbed by human habitation in the woodland and the unauthorised wedding

events. It is only too easy to devalue a landscape and very difficult to bring it back to its natural state.

The applicant states that there would be an increase in employment but does not state what employment and since the weddings would be intermittent through the summer season they are unlikely to be full time jobs.

There are any number of sites for weddings and wedding receptions from expensive to economic in the area and the public would not be deprived by not having this venue.

I know that some members of the committee feel that humans should come before wildlife and I can sympathise with this where there is no alternative. But that is not the case here. The NPPF stresses the importance of protecting the countryside and I feel that we should do our best to safeguard this natural woodland and its ecology and I hope that members of the committee will refuse this unsustainable application.

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## **Proposal**

11. A transport technical note has been submitted this states that Etchden Road routes in a general northeast to southwest direction along the northern boundary of the site, connecting Ninn Lane with Fridd Lane. This stretch of road is predominantly unclassified, however a small section between Goldwell Lane and Ninn Lane is classified as a C-road. Etchden Road is subject to the national speed limit.
12. The hard surfaced area of the carriageway measures approximately 3.2m in width, however, when including the margins, the road measures approximately 5.2m in width. Whilst the formalised carriageway width restricts vehicle movements to one-way, there is sufficient space for two vehicles to pass at low speed using the margins.
13. A single accident has been identified, which was classified as 'serious'. This incident did not involve any motorised vehicles.
14. On the wedding day, the bridal party generally arrive on site between 0900 and 1100. Guests arrive for the ceremony at approximately 1230, and for the evening event at approximately 1900. The venue upholds a strict finish time of 2300.
15. Parking will be provided onsite in an informal arrangement, with space for at least 50 cars in the main car park, and an additional 25 adjacent to the main house if required. There is space within the site for taxis to enter and collect guests from the marquee, with no requirement for vehicles to wait on the public highway.
16. It is considered that guests are likely to car share, in particular if they are staying in local accommodation or travelling via taxi. If it is assumed robustly that three people travel in each car, and that 25 percent of people travel via taxi, this equates to a total of 50 vehicle trips to the site and 50 vehicle trips from the site each day.
17. Vehicles per wedding at the site:

Date	No. Guests	No. Vehicles
5th May	150	47
27th May	65	24
30th June	85	33
4th August	100	22* 2x minibuses

18. The arrival of the bridal party and guests is reasonably staggered and Oakwood Weddings store their own marquee, tables and chairs onsite, and also have their own toilet facilities. This minimises the number of large vehicles required to enter the site.
19. It is not disputed that Etchden Road is a narrow lane, however, this is an existing situation that is unlikely to be worsened by the additional vehicles associated with the use of the site as a wedding venue up to 12 times per year. Opportunities for passing are available along Etchden Road using the semi-surfaced margins, which is evidently how vehicles pass at the current time.
20. An updated acoustic report has been received today and is attached as an appendix. The EHO will attend the meeting and advise members on this.

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### **Kent Highways and Transportation:**

*Re-consultation:* maintain objections and make the following comments:

- no proof by the applicant that the margins either side are actually public highway so they cannot be considered as usable space for passing places hence the Highway Authority is currently objecting to the application
- the margins are not even surfaced in such a way that we would consider for an acceptable use as passing places, not a semi-metalled surface
- the current width of the carriageway is not wide enough to allow a vehicle to pass any of the above safely, without using the margins.
- over a relatively short period of time (just before the wedding ceremony, then before the evening celebrations, then once the wedding finishes) there will be a large amount of vehicle movements to / from the venue. The recent transport
- the technical note states that there would be 150 guests attended a wedding on this. This is contrary to the stated maximum number of guests as stated in the Design and Access Statement of no more than 120 guests
- there is potential up to 56 cars to travel to the venue over a half hour or so period just before the ceremony starts. The road is relatively lightly used and this would represent a considerable increase in the use of the road. The road is also popular amongst walkers, cyclists and horse riders.

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## **Planning Policy**

### **Ashford Borough Local Plan 2000**

~~EN27 – Landscape conservation~~

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## Assessment

25. Para. 83 of the NPPF says policies should *“planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of buildings and well-designed new buildings, and sustainable rural leisure developments which respect the character of the countryside.”* Para. 84 goes on to say that *“although sites to meet local business needs in rural areas may have to be found beyond existing settlements, in locations not well served by public transport, it is important in these circumstances to ensure that such developments are sensitive to their surroundings, do not have unacceptable impacts on local roads, and exploit opportunities available for improving sustainable access to the location.”* The proposal is the conversion of an unauthorised building and is not sustainable due to the proximity to the ancient woodland, isolated location and lack of information on the impact of the proposed car park on ecology and habitats. Therefore, is not sensitive to its location. Policy TRS10 does not refer to leisure uses and there is no longer a requirement in the NPPF to demonstrate that the use is essential to be located in the countryside. However, the impact regarding the protection of countryside sites, landscape, biodiversity, neighbour amenity and rural road network are all relevant.

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## Recommendation

### Refuse

**on the following grounds:**

4. The proposal site is served from Etchden Road which is a single track rural road with a lack of suitable passing places. The additional vehicle activity and traffic, which would include large delivery vehicles could not be accommodated on the road with no possibility of *effective and implementable* highway improvement works, to the detriment of highway safety.

- (b) 18/00262/AS - Land between Ransley Oast and Greenside, Ashford Road, High Halden, Kent - Proposed construction of 43 residential dwellings and associated garages / parking including construction of proposed access road and other associated works**

### Proposal

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16. In additional 0.7 hectares to the south east, in an adjoining field would be used for ecological mitigation and the drainage scheme. *This land is within the land the subject of the application see Annex 1.*

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- Swale features are located along lower topography, running through the middle of the site, linking with the existing site ponds and offsite drainage

features *in the south east corner adjacent to the proposed housing*. These would be planted up with waterside planting species such as Birch and reed beds to enhance a riparian character in the heart of the site.

## Consultations

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### **KCC Flood & Water Management:**

*Re-consultation:*

- satisfied that the proposed drainage scheme is designed to manage all storms up to and including the 100 year +40% climate change event
- suggested conditions still required

### **KCC Public Rights of Way and Access Service:**

*Re-consultation:*

- planning contribution for upgrading the length of footpath AT154 to church yard

### **Environmental and Contracts (Street Scene & Open Spaces Officer):**

*Re-consultation:*

- does not allow the facilitation of waste from all properties at a front of property point of collection
- 9 properties 25m from a designated collection area
- special assistance collections are limited to a maximum pull distance of 25m hence why individual properties should be no more than 25m from where the refuse freighter passes
- of 5 reversing manoeuvres  
[HDM&SS comment: the applicant has confirmed that in the guidance in Manual for Streets states all residents should not be required to carry waste more than 30m and collection vehicles should be able to get within 25m of every storage point, the freighter can reverse into the cul-de-sac for the 9 units. The collection points would be accessible in accordance with this and the road layout has been determined by the site topography.]

**Culture and the Environment (Open Space):** no objections request a planning obligation for improving river access at Victoria Park. ~~and have made the following comments:~~

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### **(c) Principle**

51. The site abuts the village to the south and east and the entire site is previously undeveloped land. Therefore, policy TRS2 would be relevant and the proposals would not meet any of the exemptions in policy TRS2, This policy is consistent in particular with para. 79 of the NPPF *to avoid isolated homes in the countryside*:
- a) it is an agricultural dwelling, justified under PPS7, or,
  - b) it is a re-use or adaptation of an existing rural building of architectural or historic interest, justified under policy TRS13, or
  - c) it is a replacement dwelling that is justified under policy TRS3, or,
  - d) it is a 'local needs' scheme on an exception site justified under policies TRS4 or TRS5.

*Due to the proximity of the site to High Halden village policy TRS2 is given less weight in decision making and para. 79 of the NPPF does not have to be strictly applied.*

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**(d) Landscape character and visual amenity**

96. The environmental harm generated by the proposed scheme would not be so significant and any harm would be outweighed by the social and economic benefits. Therefore, in the context of the three dimensions of sustainable development in the NPPF, this would not constitute sustainable development.

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**(e) Heritage and the impacts on heritage assets**

114. In accordance with Paragraph 197 of the NPPF the effect of the development on the significance of a non-designated heritage asset should be taken into account. The Oast House is a historic landscape feature, due to its importance to local heritage and hop crops in Kent. Plot 1-4 have a frontage to Ashford Road, these have been set back so the that the oast remains the dominant feature and a character area using black weatherboarding and dark red tiles would ensure that the context of the adjoining site is respected. Therefore, there would be no material harm to the non-designated heritage asset. The exterior of the building has traditional features, however, the conversion works would have led to the loss of evidential value which means that the buildings may be unsuitable for statutory listing. *The Council have been notified of a request to Historic England to statutorily list Ransley Oast, Ransley Barn and Cattle Shed forming the original farmstead and group of buildings. This application is still pending and due consideration has been given to these buildings at this moment in time as non-designated heritage assets.*

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**(f) Transport and highway safety**

121. There would also be a number of pedestrian links to the PROW AT154 which provides connectivity to Church Hill and the primary school. The surfacing of the PROW *through the application site and to the church yard* would be required to be upgraded by condition and *a planning obligation* given the increase in use from the development.

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**(i) Trees and landscaping**

147. Tree species and positions have been selected based on their ecological value, species that would establish in clay soil, impact of tree roots on Ransley Oast and Barn and Greenside *from subsidence*, maintaining attractive views, inter-visibility through the site, spread of trees next to buildings, use of native Wealden trees and diversity of trees near the

ponds. This would ensure that there would be satisfactory landscaping throughout the site to break up the built form, roads and parking.

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**(m) Whether planning obligations are necessary**

1.	<p><b>Affordable Housing</b></p> <p>Provide not less than 40% of the units as affordable housing, comprising 47% affordable rent units and 53% shared ownership units in the locations and with the floorspace, wheelchair access (if any), number of bedrooms and size of bedrooms as specified.</p> <p>The affordable housing shall be managed by a registered provider of social housing approved by the Council. Shared ownership units to be leased in the terms specified. Affordable rent units to be let at no more than 80% market rent and in accordance with the registered provider's nominations agreement.</p>	<p>40% of units as affordable:</p> <p>8x affordable rent (4x 1 bed flat, 2x 2 bed house, 2x 3 bed house)</p> <p>9x shared ownership (5x 2 bed house, 4x 3 bed house)</p>	<p>Affordable units to be constructed and transferred to a registered provider upon occupation of 75% of the open market dwellings.</p>	<p>Necessary as would provide housing for those who are not able to rent or buy on the open market pursuant to Core Strategy policy CS12, the Affordable Housing SPD and guidance in the NPPF.</p> <p>Directly related as the affordable housing would be provided on-site in conjunction with open market housing.</p> <p>Fairly and reasonably related in scale and kind as based on a proportion of the total number of housing units to be provided.</p>
7.	<p><b>Public Right of Way</b></p> <p>Upgrade footway sleeper bridges in Parish of High Halden</p> <p>Allow the length of path AT154 from the site boundary to the church yard be upgraded to</p>	<p>£1,000</p> <p>£15,000</p>	<p>Upon occupation of 75% of the dwellings</p>	<p><b>Necessary</b> in order to achieve an acceptable design quality pursuant to Core Strategy policies CS1 and CS9 and guidance in the NPPF, and the Kent Design Guide.</p>

	compacted stone surface			<p><b>Directly related</b> as would improve the design quality of the development and provide connectivity to the village for sustainable travel</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and additional pedestrian movements</p>
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## Recommendation

**(A) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations set out in table 1 *in terms agreeable to the Head of Development Management and Strategic Sites in consultation with the Head of Legal and Democracy, with delegated authority to the Head of Development Management and Strategic Sites to make or approve changes to the planning obligations and planning conditions (including adding or deleting conditions), as she sees fit.***

**(B) Permit**

Subject to the following conditions and notes:

- No development shall commence until protective fencing has been installed to safeguard the root areas of the hedges and trees in accordance with drawing number 17145-BT5 and Arboricultural assessment & method statement prepared by Barrell Tree Consultant dated 13.08.2018 ref: 17145-AA4-DC, to protect their root areas from construction damage. It should be boarded out at ground level in accordance with British Standard 5837: 2012 "Trees in relation to design, demolition and construction." No level changes, service routings, materials storage, site traffic, building operations, storage, excavations, or other works shall take place within these protected tree root areas. The tree protection measures shall be complied with and maintained for the course of the proposed works.

Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

**Reason:** To enable the local planning authority to ensure the retention of trees and hedges on the site in the interests of visual amenity.



12. Prior to first occupation the hard landscaping and hard and soft boundary treatments shall be provided in accordance with approved plans *CALA21506 11 G sheet 1, 2 , 3 and 4.*

The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to first occupation or in the next planting season of the completion development hereby approved and thereafter maintained.

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:** To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

- (c) **18/00842/AS - 22 School Road, Charing, Ashford, TN27 0JN - Recladding of existing concrete panels that provide the exterior finish of the house, with an insulated render system**

None.

- (d) **18/00845/AS - 3, 5 & 7 Wheler Road, Charing, Ashford, TN27 0JU - Recladding of existing concrete panels that provide the external appearance of the houses with an insulated render system**

None.

- (e) **18/00846/AS - 24, 30, 38, 40, 42, 48, 50, 54 & 69 Downs Way, Charing, Ashford, TN27 0LF - Recladding of concrete panels that provide the existing external finish with a reinforced insulated render system**

None.

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