Head of Development Management and Strategic Sites

Planning Committee

Wednesday the 10th November 2021 at 7.00pm

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. Requests for Deferral/Withdrawal

21/01173/AS - Land north of Stumble Holme, Kingsford Street, Mersham, Kent - Erection of 5 no residential dwellings with associated access, parking, landscaping and amenity space.

Request for deferral is from the applicant in order to amend the site location plan and access to the site and to allow for the necessary re-consultation. Officers are happy with this request.

4. Schedule of Applications

(a) **17/01613/AS** - Land at Lenacre Hall Farm, Sandyhurst Lane, Boughton Aluph, Kent - Hybrid application for up to 79 new residential dwellings consisting of a full planning application for the development of 21 new residential dwellings, access, drainage and landscaping to the south of the site and outline planning application with all matters reserved except for access for the development of up to 58 new dwellings with associated access, landscaping, open space and community orchard.

Consultation

1. A further 3 letters of objection have been received but no new issues raised. Objections relate to:

- This scheme has been rejected before.
- The neighbourhood plan is designed to mitigate future development of the site.
- Increase in traffic.
- Pressure on local services.
- Harm to wildlife.
- Impact on the quality of life for existing residents.
- Flooding.

Recommendation

2. Reason for refusal part (a)

Add policies HOU1 & HOU14

3. Reason for refusal part (d) add the following bullet points:

- Governance of informal green space.
- Accessibility standards

(b) **19/00483/AS** - Harvest House, Branch Road, Chilham, CT4 8DR - Full planning application for the erection of 10 2-storey dwellings with associated access, parking, private amenity space and landscaping and provision of 5 no. additional parking bays for use in association with existingsurgery

Consultation

Since publication of the September Planning committee report, a further 9 representations have been received.

One objection queries the adequacy of the proposed visibility splays at the new access junction given the proposed planting and the presence of a telegraph pole within the left splay.

One comment has been received from St Mary's Primary School, Chilham siting its interest as a school community in the village. It urges the Committee to encourage the developers to take an environmentally responsible approach. It suggests that heat pumps would be a better option than conventional gas boilers and cookers to help reduce carbon emissions.

Three recent consultation responses raise additional issues with respect to the recent handling of the application and the failure of the applicants to address the two reasons for member' deferral at the September planning committee.

Additional issues:

Failure to carry out a proper consultation on the amendments to the scheme;
Failure to address health and safety issues with respect to the layout of the affordable units and conflicts with the surgery/dispensary, potentially putting its future at risk;
Failure to properly address the green agenda by dismissing the role of PV installation. Misinforming the committee as regards the appropriateness of PVs in this setting - there are already PVs in Branch Road;

(Officer comment: In respect of solar panels / photovoltaics, it is acknowledged that there are examples of these nearby both on properties in Arden Drive opposite the site and at the Chilham Sports Centre approximately 70m to the south east. The former lie within the conservation area but were installed under permitted development rights. The latter lies outside of the conservation area. Both are within the AONB. PVs however are not by enlarge a prevailing characteristic of the conservation area. The applicant is keen not to pursue PVs on this site due to its prominence in the conservation area, when viewed from the south, and due to the high quality of the design they are seeking to achieve. Officers do not object to this approach but equally are not proposing the removal of permitted development rights should future owners wish to install PVs at a later date**)**.

The bulk of members' concerns related to the design of the layout and not the design of the units themselves but the proposals do not revisit the layout;
The amendments fail to make any improvements to the design of the scheme's layout in response to members' concerns regarding unsafe parking around the surgery and conflict between cars, bikes and pedestrians around the surgery.
The lack of integration for the affordable houses in the main complex has not been addressed.

In addition to the above, one objector suggests an amendment to the layout to help improve the safety of patients using the surgery. It suggests that the path to the front of Harvest House is deleted and replaced with a path adjacent to the flank wall of the surgery. This would require some remodelling of Harvest House to move the front door from the north to the south elevation.

A further letter has been received with a petition attached (655 signatories) calling for the application to be postponed. Three grounds are given: 1. That the access to plots 1-4 would pose a safety risk and hence undermine the viability of the doctor's surgery; 2. The Stodmarsh remediation scheme is neglected and has not been agreed and 3) The 0 Carbon development has not been met.

(**Officer comment:** The issues 1 and 2 above have been addressed in the September committee report - see Annex 2 to main report. Issue 3 is dealt with in the current planning report which includes a Paper provided by the applicant on their ethos and approach. Amongst other measures detailed in the report, it is proposed that Air Source heat pumps are secured through planning condition).

First Time homes

As set out in the report to committee the NPPG and Written Ministerial Statement (WMS) on First Time Homes are material to the consideration of this application. First Homes are a specific kind of discounted market sale housing product which counts as 'affordable housing'. According to the published WMS, First Homes are the government's preferred discounted market tenure product. First Homes follows on, and adapts, the 'Starter Home' initiative which was first introduced around six years ago.

As reflected in Policy HOU1 of the Local Plan, the principle of affordable home ownership is one that the Council supports. Consequently, officers of the Council are currently discussing how First Homes might be delivered in the borough whilst bearing in mind the potential implications this may have for existing Council policy which has only recently been assessed and adopted (2019). The intention is for the Council to produce a Position Statement that sets out in detail how the Council intend to approach the delivery of First Homes in the short to medium term. The Councils agreed position will be published in due course. In the longer term a future Local Plan should set out the favoured approach.

The following paragraphs address the implications of the WMS in relation to the application being reported to Planning Committee. The following paragraphs supersede paragraphs 18 and 44 of the officer's report. New paragraphs 18 and 44 are set out below.

18. "National Planning Policy Guidance (NPPG) / Ministerial Statement on First Time Homes - The WMS states that First Homes should account for at least 25% of all affordable housing units delivered as part of each residential

development proposal that is delivering any affordable homes (exclusions apply – notably Build to Rent, specialist accommodation for older persons or students, self-build and 100% affordable housing proposals)".

44. The WMS is a material consideration. However, under the transitional arrangements for decision making, Planning Policy Guidance, states that the new First Homes policy requirement does not apply to "applications for full or outline planning permission where there has been significant pre-application engagement which are determined before 28 March 2022". These circumstances would apply to this application. Consequently it is considered that this application is caught under the transitional arrangements and so at the time of reporting the application to Planning Committee the requirement to provide First Homes does not apply. Policy HOU1 is the most up to date part of the development plan in regards to affordable housing and is consistent with the NPPF. As such, full weight should be applied to Policy HOU1 in terms of decision making. The weight to be applied to Policy HOU1 is reflected in Table 1 of the officers report which seeks to secure affordable housing in accordance with the Local Plan requirements.

Recommendation

The words "Solicitor to the Council" need to be added to both line 5 of Rec (A) and line 4 of Rec (B).

(c) **21/01173/AS** - Land north of Stumble Holme, Kingsford Street, Mersham, Kent - Erection of 5 no residential dwellings with associated access, parking, landscaping and amenity space.

Application deferred

(d) **21/01290/AS** – 6 Pondmore Way, Ashford, Kent, TN25 4LU - First floor extension to existing garage.

No updates

(e) **21/01592/AS** - Bennetts, 56 The Street, Appledore, Ashford, Kent, TN26 2AE – Erection of 2-bay garage with log store; erection of greenhouse; erection of a gazebo.

No updates

END OF UPDATE REPORT