

## Planning Committee

Wednesday the 7<sup>th</sup> June 2023 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

4. Requests for Deferral/Withdrawal

None.

6. Schedule of Applications

- (a) PA/2023/0518 - Park South Side Of, Elwick Road, Ashford, Kent TN23 1NN –** 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).

Condition 2 wording minor change

Remove the word “subsequently” from wording.

- (b) 21/00100/AS - Pinnock Yard, The Pinnock, Pluckley –** Erection of 2 dwellings along with associated parking, bin store & bike store

Additional Information

The applicant has provided a number of comments on the Parish Council representations, which can be summarised below:

- It was not the applicant but the developer of the site next door who was granted planning permission on appeal for the four larger houses.
- The houses being proposed in this application - to which the Parish Council object - are almost identical in size and style to the ones that they supported in the original application from 2017.
- The original draft of the Pluckley Neighbourhood Plan said that the site could accommodate “up to” 4 houses. However, the Planning Inspector overseeing the PNP imposed a word change to the draft which said that the site could accommodate “approximately” 4 houses. This was obviously done with a view of not limiting the site to just the four houses.
- In 2003 a ‘Lawful Development Certificate’ was granted by Ashford Borough Council for the storage of building materials and the parking of Heavy Goods Vehicles. The site therefore has the classification of a Brownfield

Site within the “developed” confines of the village, and in so being is in accordance with the relevant planning policies. Furthermore, the site is also, under Policy H1A of the Pluckley Neighbourhood Plan (which was adopted into the local plan in 2017) considered to be “An Allocated Site For Housing Development”.

- The site enjoys established access rights and KCC Highways have stated that the visibility splays are acceptable and that safety is not compromised.
- The Parish Council state that as there are currently “no” traffic movements taking place, and therefore the proposed development would not lead to “fewer” traffic movements. However, the applicant highlights that although the site has not been in commercial use for the past few years, with little or no traffic movements, it should not be believed that this semi redundant level of use will continue if planning is refused. There is every reason to believe that the site will return to its former “lawful” use if the current scheme is unsuccessful.
- There are no planning conditions limiting the scope or intensity of that “lawful” use, which could result in more traffic movements (in particular, Heavy Goods Vehicle movements). It is to the very real possibility of those traffic movements, and not to the current level, that is referred to in the application and by KCC Highways.
- It is not the case that the development would lead to overcrowding on the site.
- The site was chosen as being suitable for residential development in the Neighbourhood plan and would harm the view from Mundy Bois Road.

#### Officer Comment

The Certificate of Lawfulness (existing) granted at the site in June 2003 was for the storing of building materials and an operating centre for two Heavy Goods Vehicles (application reference 02/01720/AS). Whilst the certificate related solely to two Heavy Goods Vehicles, it did not restrict the vehicles movements of the said vehicles, and nor did it restrict any other vehicle movements associated with the lawful use.

It is considered that the comments made by the applicant have been assessed within the Planning Committee report.

- (c) PA/2022/2850 - Hegg Hill House, Smarden Bell Road, Smarden, Ashford, Kent TN27 8NX** - 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.

#### Matters for clarification / assessment

In respect of the false floor referenced in the description and shown on the plans, this has previously received listed building consent and is required to create a level floor in the bathroom as well as to accommodate the bath and shower waste pipe. Likewise, in terms of the secondary glazing to 2 small bathroom windows to the side of the sinks, this generally doesn't need listed building consent. It is the preferred method to provide insulation to windows in listed buildings and is fully reversible. Both of these works are included so there is no ambiguity in respect of

all works proposed. Both are acceptable and cause no harm the character, appearance and significance of the listed building.

**(d) PA/2022/2708 - Oxney Isle Barn, Swan Street, Wittersham, TN30 7PL – Erection of a new dwelling and landscaping.**

Additional Information

The applicant's agent states that the current proposal is similar to another single storey dwelling which was voted 2019 Royal Institute of British Architects (RIBA) House of the Year. The agent makes reference to fact that the RIBA judges considered the example dwelling to have a sophisticated contemporary architecture with a simple language which reflected its local context, vernacular and culture. The judges also referenced that the rooms had large windows which took advantage of the views outside.

The applicant's agent states that one of the Design Review Panel described the current application as contemporary rural architecture. Using the RIBA award winning dwelling as an example, the agent suggests the current simple rational design reflects traditional elements of the area and makes for exceptional development. The agent considers the proposed dwelling would be sympathetic to the adjoining buildings and its setting, and the mixture of roof forms, volumes and heights would mark variations in public and private spaces in the scheme and would allow passive solar gain and shading.

Officer Comment

The RIBA award winning dwelling referenced by the applicant's agent is known as 'House Lessans' and is located in County Down in Northern Ireland. Unlike the current proposal which is proposed to be located within an open agricultural field, the referenced dwelling in Northern Ireland partially utilised and replaced existing farmstead buildings (including re-using an existing corrugated single storey barn). Whilst it can be argued that both dwellings could represent forms of contemporary modern architecture, the circumstances, setting and siting of the dwelling in County Down appear somewhat different to this current application.

It should also be noted that the RIBA house was celebrated over the fact of creating a contemporary well designed rural house on a budget. However, it does not appear to have been considered to be of an exceptional quality or innovative design, which is much the case with the current proposal.

Every planning application is considered on its own planning merits, and the specifics of the example in Northern Ireland are different to this current application. The policy context and specifics in County Down in Northern Ireland will be different to that in Ashford Borough Council, and ultimately this application has to be considered against the specific policy criteria of Ashford Borough Council's Local Plan (in particular HOU5). For the reasons previously highlighted within the main agenda report, it is not considered that the proposed dwelling is of exceptional quality or innovative design which is truly outstanding and innovative. The failure to achieve such an exceptional or innovative dwelling further exacerbates the detrimental impact the scheme would have within this rural AONB location.

