

**DECISIONS OF ASHFORD BOROUGH COUNCIL'S PLANNING COMMITTEE.**

The following decisions have been made:

**Planning Applications:**

- 14/00728/CONA/AS** **Tenterden Trout Waters, Coombe Farm, Chennell Park Road.**  
Discharge of conditions 2, 7 & 8.  
**PERMIT.**
- 14/00897/CONA/AS** **3 The Croft.**  
Discharge condition 2.  
**PERMIT.**
- 16/001834/AS** **17 Golden Square.**  
Two storey rear extension.  
**PERMIT.**
- 17/00350/AS** **Westerly House, Cranbrook Road.**  
Erection of 1.5-1.8m retaining wall.  
**PERMIT.**
- 17/00446/AS** **Land between Beechwood Farm and London Beach Golf Club, Ashford Road.**  
Erection of three new dwellings and creation of access.  
**PERMIT.**
- 17/00613/AS** **79 High Street.**  
Relocation of flue at back of house from horizontal to vertical.  
**GRANT CONSENT.**
- 17/00634/AS** **3 St Benets Court.**  
Conversion of garage to living accommodation.  
**PERMIT.**
- 17/00688/AS** **18-20 High Street.**  
Listed building consent for internal alterations for a new retail space to include installation of new partitions and removal of modern partitions. Installation of new fascia panel with non-illuminated fret cut lettering and non-illuminated projecting signs onto existing brackets. Install 4no. new air conditioning units onto flat roof to rear of property.  
**GRANT CONSENT.**
- 17/00801/AS** **17 Wealden Avenue.**  
Lawful development certificate - proposed - loft conversion with dormers and rooflights and extended roof to side  
**PROPOSED USE/DEVELOPMENT WOULD BE LAWFUL.**

**Tree Applications:**

**17/00089/TC**

**The Limes, East Hill.**

T1-4 Limes: - Repollard. If any pollard heads are severely decayed and cannot support the 3 years growth, photo to be taken and new head to be formed by pruning slightly lower. T5 Sycamore - Reduce back to previous points

**RAISE NO OBJECTION.**

**17/00100/TC**

**69 Ashford Road.**

T1: Thuja Plicata - to reduce height by 1m & cut back sides by 0.5m T2: Ash - to repollard. Cut back growth by 1.5m. T3: Two cypress trees - to fell - reason: trees are overshadowing the greenhouse. T4: Oak - to repollard - Cut back growth by 1m. T5: Ash - Cut back growth by 1m. T6: Two Prunus: Cut back growth by 1m. T7: Ash - to repollard - cut back growth by 1.5m T8: Ash - to repollard - Cut back growth by 1.5m. Reason: T3 (2 Cypresses) - trees are overshadowing the greenhouse. T1, 2,3,4,5,6,7, 8 - to maintain to keep the trees at a reasonable height.

**RAISE NO OBJECTION.**

**17/00101/TC**

**4 Stace Close.**

T1: Small Beech: To fell - the tree is leaning heavily over the hawthorne tree. T2: Ded Thuja Plicata - fell. T3: Dying Thuja Plicata - fell. T4 Beech Fell.

**RAISE NO OBJECTION.**

**17/00106/TC**

**46 Ashford Road.**

Tree 1 Conifer: Fell dead tree. Tree2 Maple: Cut back to previous pruning points.

**RAISE NO OBJECTION.**

**End**

**Planning Committee 26<sup>th</sup> June 2017**

**Quotations for Wildlife Surveys**

**Agenda Item 9a**

Quotations have been received from Kent Wildlife Trust to conduct wildlife surveys for 4 green sites around the town.

A planning application has only been submitted for part of the Westwell land and part of the Hales Place but the strategic planning sub-committee felt it prudent to conduct surveys on other green spaces around the town.

Quotations are as follows:

Hales Place	£840
Land to rear of Westwell Court	£880
Large area of land between Appledore Rd and Woodchurch Rd	£1,125
Glebe Field	£665
<b>Total</b>	<b>£3510</b>

**Proposal: That the surveys should be commissioned subject to agreement by the landowners/tenants**



Phil Burgess  
Town Clerk

Impact on Crime and Disorder	:	None
Impact on Bio-diversity	:	None
Budgetary Impact	:	Reserves



## Briefing Notes for Lobbying on changing the NPPF

### Paper prepared by Shadoxhurst Parish Council, near Ashford, Kent

#### Context:

1. Shadoxhurst is a small village of 500 houses in a parish of some 2000 acres just four miles south of Ashford. Six months ago, 17 houses were completed on a brownfield site which as a large development was fully supported, but to date only 5 houses have been sold and occupied.
2. Critically, in March of this year there was a planning application granted by ABC Planning Committee for 12 houses on a **key piece** of land in the middle of our village. It was cherished land albeit there was no public access, but it was the **last green space** we had on that side of the road for a considerable distance.
3. Only a year before, ABC had refused the building of 15 houses on this land, on sound planning policy grounds, but also on the fact it was not in the Local Plan and pre-empted any decision through the Local Plan process. Apart from a change in design and a reduction by three houses, **nothing** had changed in the interim period, other than the publication of the 'Tilden Gill' appeal (see the next section, paragraph 1).
4. There is a planning application for 24 houses on the final green space we have, that too could be lost in the weeks ahead.
5. Residents and the Parish Council are certainly not NIMBYs but we have a right to speak up and object. The Parish and residents and both provided large dossiers of justified arguments which would, we believe, have resulted in refusal in better times when the ABC policies could be properly defended.
6. As well as the 12 new houses still not sold on the brownfield site, planning permission has been granted for 16 houses in the village, but work has not yet started. There are 7 houses currently being built on two separate sites with a potential 25 more awaiting permission. In all therefore that is another 60 families yet to move in, with probably more than 120 cars between them.
7. Furthermore, apart from an omission site of 100 houses plus, yet to be considered, we now have heard that a developer is trying to buy a bungalow in order to demolish it to then use that land as access into a field behind houses to create, potentially (they say) another 55 dwellings.
8. Potentially therefore, we could be forced to have 200 more houses in a village that has just over 500 already. Our only amenities are a pub, church, recreation ground and village hall.
9. Shadoxhurst is under threat and very much on the edge, with **over 7,000 houses** planned for Chilmington Green and the various sites proposed in Kingsnorth within two miles of the village. This removes the 'need' for any housing at all in our village. We are simply left with developer aspirations to buy up any land that could be ripe for house building, regardless of the impact.
10. We currently have no proper planning policy protection, and importantly, neither does any other village in Ashford's Borough.

#### The Problems:

1. In February 2016, a planning appeal for about 100 houses at Tilden Gill, Tenterden was lost because the developers managed to persuade the Planning Inspector that contrary to their evidence, ABC did **not** have the necessary five year supply of housing. ABC have had to formally admit this since that time and it has dramatically changed the planning situation in the Borough.
2. The National Planning Policy Framework (NPPF) states that in the absence of a five year supply, some of the LPA policies will have less weight. The inference perhaps being that developers would have less onerous hoops to jump, thus releasing more land to achieve the five year supply.
3. The result of this all is a very unhealthy situation. Will ABC will ever satisfy the five year supply deficit? We currently have no knowledge of their actual target figures. But the Local Plan process should be driven democratically with proper land proposals discussed in the public



domain. The developer in our situation described in paragraph 2 and 3 in the Context section above has bent the system and taken advantage of a weakness that we believe should not be there in the first place. This could be repeated in every village.

4. The housing deficit means that the many respected and trustworthy policies, whether from the Core Strategy 2008 still technically in place, or the proposed (still Draft) Local Plan to 2030, are not providing sufficient protection to rural communities, leaving a wide open door to developers to, in effect, 'trash' the Ashford countryside by proposing housing where it would otherwise be inappropriate and in normal circumstances, refused.
5. If our village was being 'planned' along the lines of nearby Chilmington Green and many other large developments too, we would have proper planned green spaces incorporated to break up the housing lines and urban feel. With the current situation, we will be penalised as our only two green spaces are being lost to housing. This makes us much worse off than current housing planning standards and best practice. It also makes for an urban feel to the village. Other villages will go the same way. Any degree of fairness and well being is wholly lost in this.
6. We are also aware that large developers have significant 'land banks' stored until favourable economic factors ensure satisfactory profits from building the houses.
7. The situation is such that many other villages and Parishes will also stand to lose their key green spaces as developers exploit the chinks in ABC's armour. We are not being scaremongering, we are being realistic.
8. In addition, at last March's Planning Committee meeting, Aldington Parish also lost a key green space to housing, when they had lobbied strongly wanting some respite from the large amount of house building currently taking place there (in the order of over 160 houses).
9. There is also a bullying effect now present that we have witnessed that states, "if you don't accept and approve this development, you could end up with something much worse".
10. There are many situations where developers are given permission, then choose not to build, whether for economic or other reasons, which then skews the Local Plan delivery. Any delay then makes the five year supply even harder to attain penalising the LPAs, giving the developers even stronger powers to dictate the building programme through delivery failures.
11. The power of developers has gone too far against residents, villagers, Parish Councils and indeed Ashford Borough Council itself, who are all trying to protect key pieces of green space from inappropriate development.
12. The cumulative effect of the proposed housing growth and the resultant impact on the local infrastructure is not being properly assessed with the current situation either.
13. It is essential that we as a village retain a substantial green belt to prevent encroachment of development from Ashford, this requires a firm policy from ABC that is defensible. It will be important that all the other villages on the outskirts of Ashford have similar protection as the urban sprawl spreads further outward.
14. Even the villages not so close to Ashford can all benefit from a properly defined green belt to prevent mergers.

#### **The Solutions:**

1. The NPPF paragraph 14 needs to be altered so that the need for the five year supply does not have the strength it currently has to effectively remove democratic planning policies from decision making.
2. Furthermore, the question and test of **sustainability** in these circumstances needs to be better defined nationally and then maintained during planning decisions. Either a site is sustainable or it is not, therefore it should not be a variable position depending if there a lack of housing.
3. Through the Government White Paper, the NPPF needs to redress the imbalance of weight given to developers. Rather than penalise or criticise LPAs for apparent slowness in bringing land forward, we now have a situation where, economic constraints slowed or even stopped house building in the slump period of 2008/9, for example, but LPAs are expected to deliver from a



developer created historical shortfall that has carried on, year on year regardless of the variations in the country's economic situation. This cannot be right.

4. The method for determining the actual five year housing supply needs to be radically revised. It is a rolling year on year requirement which dates back too far. **It needs to be properly reviewed and changed into something realistic and that addresses local needs, not theoretic or aspirational numbers.**
5. The 'required numbers' for ABC are not currently within our purview, however we do know that the historical knock on effect makes it very difficult for LPAs (not just Ashford) to ever catch up. A line needs to be drawn in the sand whereby realistic numbers are created taking account of historical economic up and down turns. **This must also include true and accurate assessments of local needs.**
6. The NPPF also needs to be changed so that all villages and defined communities have a **proper green belt** of land that is properly protected from any form of encroaching development. This green belt is to maintain separation and definition of that village and community and ensure that conurbations and other defined developments do not develop and absorb such communities without suitable green space.
7. Neighbourhood Plans, Village Envelopes and Village Landscape Protection Policies need to be given full weight in terms of Local Planning and Localism through the Local Plan process, irrespective of any perceived shortage in the five year supply.
8. The NPPF also needs to emphasise the importance of assessing and taking full and proper account of the **cumulative effects** of major development on existing local and nearby communities and their adequacy of infrastructure.
9. When assessing development, the NPPF must afford greater importance and weight to village heritage and local green spaces in terms of their value to communities.
10. There must be power given to LPAs to impose financial penalties on developers that gain permission to build and then choose not to complete the building programme within a defined time.
11. The Shadoxhurst decision could be part of that line drawn in the sand. That our loss could be used to help protect other villages and communities. We need your help.



### Briefing and Lobbying 'Open Letter' to the Minister of State for Housing and Planning

We the undersigned Parishes within the Ashford Borough consider that the national planning legislation and guidance has become far too heavily weighted towards developers and away from proper democratic local policy led decision making. We recognise that smaller communities should be better protected from developers nibbling away bits of our vital green spaces. Such spaces would be planned into larger developments, but in villages we are very vulnerable. We ask that the following matters are rectified so that local control can be given to elected local borough and district council members who can make full decisions in the light of local led planning policies:

1. The NPPF paragraph 14 needs to be altered so that the need for the five year supply does not have the strength it currently has to effectively remove democratic planning policies from decision making.
2. Furthermore, the question and test of **sustainability** in these circumstances needs to be better defined nationally and then maintained during planning decisions. Either a site is sustainable or it is not, therefore it should not be a variable position depending if there a lack of housing.
3. Through the Government White Paper, the NPPF needs to redress the imbalance of weight given to developers. Rather than penalise or criticise LPAs for apparent slowness in bringing land forward, we now have a situation where, economic constraints slowed or even stopped house building in the slump period of 2008/9, for example, but LPAs are expected to deliver from a developer created historical shortfall that has carried on, year on year regardless of the variations in the country's economic situation. This cannot be right.
4. The method for determining the actual five year housing supply needs to be radically revised. It is a rolling year on year requirement which dates back too far. **It needs to be properly reviewed and changed into something realistic and that addresses local needs, not theoretic or aspirational numbers.**
5. The 'required numbers' for ABC are not currently within our purview, however we do know that the historical knock on effect makes it very difficult for LPAs (not just Ashford) to ever catch up. A line needs to be drawn in the sand whereby realistic numbers are created taking account of historical economic up and down turns. **This must also include true and accurate assessments of local needs.**
6. The NPPF also needs to be changed so that **all** villages and defined communities have a **proper green belt** of land that is properly protected from any form of encroaching development. This green belt is to maintain separation and definition of that village and community and ensure that conurbations and other defined developments do not develop and absorb such communities without suitable green space.
7. Neighbourhood Plans, Village Envelopes and Village Landscape Protection Policies need to be given full weight in terms of Local Planning and Localism through the Local Plan process, irrespective of any perceived shortage in the five year supply.
8. The NPPF also needs to emphasise the importance of assessing and taking account of the **cumulative effects** of major development on existing local and nearby communities and their adequacy of infrastructure.
9. When assessing development, the NPPF must afford greater importance and weight to village heritage and local green spaces in terms of their value to communities.
10. There must be power given to LPAs to impose financial penalties on developers that gain permission to build and then choose not to complete the building programme within a defined time.

We ask the Minister of State to reply to all these points.

Signed by the following Parish and Town Councils:

Council	Name	Designation
Aldington & Bonnington		
Appledore		
Bethersden		
Biddenden		
Bilsington		
Boughton Aluph		
Brabourne		
Brook		
Challock		
Charing		
Chilham		
Crundale		
Eastwell		
Egerton		
Godmersham		
Great Chart with Singleton		
Hastingleigh		
High Halden		
Hothfield		
Kenardington		
Kingsnorth		
Little Chart		
Mersham		
Molash		
Newenden		
Orlestone		
Pluckley		
Rolvenden		
Ruckinge		
Sevington		
Shadoxhurst		
Smarden		
Smeeth		
Stanhope		
Stone-cum-Ebony		
Tenterden		
Warehorne		
Westwell		
Wittersham		
Woodchurch		
Wye (with Hinxhill)		