

TENTERDEN TOWN COUNCIL



MINUTES OF THE PLANNING COMMITTEE MEETING HELD AT TENTERDEN TOWN HALL ON 10TH DECEMBER 2018

Councillors Present: M. Carter, J Crawford (Chair), Mrs. J. Curteis, H. Edwards (Vice-Chair), Miss N Gooch, M. Hickmott, R. Isworth, Dr. L. Lovelidge, K. Mulholland and Mrs. C. Walder.

Officers Present: Town Clerk Mr. P. Burgess, Deputy Town Clerk Mrs. C. Gilbert and Administrative Assistants Ms. S. Ratcliffe and Mrs. L. Owers.

Others Present: Cllrs. M. Freeman, C. Knowles, Mrs. P. Smith, A. Sugden (not members of this Committee), Cllr. P. Clokie (ABC) and 51 members of the public.

6894 **APOLOGIES FOR ABSENCE.** Cllr. J. Nelson.

6895 **DECLARATIONS OF INTEREST.** Cllr. Edwards declared an interest in Application No. 18/01701/AS and would leave the room. Cllr. Crawford declared an interest in Agenda Items 11 and 13, both of which related to Limes Land.

6896 **MINUTES.** The minutes and reports of the meetings held on 6th November 2018 (Special) and 12th November 2018 were confirmed and signed as correct records.

6897 **MATTERS ARISING.** None.

6898 **COUNCILLORS QUESTIONS.**

- (a) Cllr. Carter asked why no precept was allocated for the Planning Committee and queried where the funds are allocated from if there is a need to consult with planning experts. The Town Clerk confirmed that there is no precept request for Planning and any consultant fees are covered from the Internal Committee precept.

6899 **REPRESENTATIONS FROM MEMBERS OF THE PUBLIC.** One member of the public wished to speak regarding Application No. 17/00708/AS and three members of the public wished to speak regarding Application No. 18/01594/AS.

6900 **PLANNING APPLICATIONS.** The Committee considered the following planning applications. It was **RESOLVED** that its recommendations would be submitted.

17/00708/AS **Land North of 14 Westwell Court.**

Erection of a fifty-six bed care home and 23 units for assisted living (use class C2) comprising 16 cottages and seven flats (including Manager's accommodation) with associated landscaping, parking, stores and service areas, estate roads, access and landscaping buffers.

Cllr. Crawford reported that the Planning Committee's objections had been submitted to ABC with regard to the development on 7th November 2018. The discussion at this meeting would focus on the three resubmitted plans regarding access.

Mr Goodall of Oaks Road made a comment on the last statement from Kent Highways in which KCC appears to sign off on the Minor Access Road issue with the words "The use of Westwell Court as a means of access for the proposal site is accepted as suitable as it meets the *dimension* criteria for a minor access road within the Kent Design Guide". In this they ignore the number of dwellings to be served whereas the Kent Design Guide states very clearly and unambiguously that a cul-de-sac with a minor access road cannot serve more than 50 dwellings. Since the existent 24 dwellings in Westwell Court together with the 23 proposed additional dwellings comprise 47 of those 50, they are implying that the care home is equivalent to no more than 3 dwellings, which is totally unrealistic and disingenuous.

Mr Goodall commented that the simplest equivalence calculation that can be made is to ask how many 2-bed dwellings and 3-bed dwellings would be needed to match the capacity of a 56-bed care home. The answer is 22 which is significantly greater than 3.

In Mr Goodall's view KCC is trying to push this through under the radar. He said there has already been one set of headlines in the Kentish Express which say that KCC is breaching its own guidelines and that if ABC pass this then they too are culpable.

Cllr. Mrs. Walder reported that Mr Goodall's presentation covered some of her concerns. Cllr. Mrs. Walder raised concern over the fault analysis and KCC's uncritical view of the transport statement. Cllr. Mrs. Walder stated that the arguments are complex and technical and proposed that a letter be sent from the Town Clerk to Ashford Borough Council Planning requesting to have another speaker at the March 2019 ABC Planning meeting.

Cllr. Carter requested that advice is sought from an Independent Highways Consultant to dismiss or confirm the access issues.

Cllr. Isworth also expressed that we need expert advice as this application may go to appeal

Cllr. Edwards reported that the applicant had picked up on some of the points that the Town Council had raised in November, including the adding of double yellow lines. Resolution and suggested access to No.15 off a new private road rather than Westwell Court.

Cllr. Dr. Lovelidge was concerned about the types of delivery vehicles which would need access i.e. medical supplies etc.

Cllr. Mrs. Walder suggested asking the Independent Highways Consultant to take into account the Smallhythe Road junction, as well as the Westwell Court entrance from the A28 and the access to the development.

Cllr. Hickmott requested that a representative from KCC is invited to the next meeting when this application will be considered.

Cllr. Clokie (ABC) reported that the application would be reviewed at the ABC Planning Meeting in March 2019.

OBJECT as agreed at the Planning meeting on 6th November 2018.

The Town Council will request an extension for comments in order to employ an independent Highways Consultant to assess both the access to the site off Westwell; the impact on the entrance to Westwell Court itself off the A28; and the impact on the Smallhythe Road junction.

The Town Council do not believe that the DHA Transport Report deals with issues around heavy vehicles (ambulances, those vehicles delivering medical and other supplies). The Town Council request that KCC take a more critical view of the transport statement, which we believe contains faulty analyses.

The Town Council will be requesting an additional speaker at the ABC Planning in March, due to the complexity of this application.

18/01529/AS 3 Highbury Lane.

Change of use of B1 (office) on first floor use to ancillary use to the A3 café on the ground floor, and internal alterations to allow use of the upstairs toilet in association with the café, and additional prep and storage area and change of use of the outside area to A3 delicatessen/café to allow outside dining and modifications to the ground floor front windows. Includes a sign and canopy on the front elevation (part-retrospective).

SUPPORT.

18/01553/AS Boningale, Swain Road.

Side extension to property to provide new garage with room above.

SUPPORT.

18/01594/AS The Pines, Smallhythe Road.

Demolition of existing dwelling and erection of 7 residential units, with associated access, parking, landscaping and drainage.

Ms. N. Blake of Goodsall Road addressed the Committee. Ms. Blake was objecting to the application as a whole, as it was clearly an over-development of the land available. However, she was objecting most specifically to the plans for the semi-detached 3 storey houses. If this application were to be approved, the reality for her and their immediate neighbours, would be a 30 ft high by 30 ft wide brick wall within 10 meters of their kitchen windows.

They chose their plot on the Taylor Wimpey Three Fields development

very carefully. Plot 105 seemed to be the one which most closely reflected their budget and requirements. Ms. Blake's main priority was to ensure that their home offered plenty of light; Ms. Blake suffers from Seasonal Affective Disorder, for which she takes prescribed medication and the symptoms are greatly alleviated by access to natural light. The layout of Plot 105 also met their needs because the kitchen/diner with access to the garden is where they spend most of our time.

Ms. Blake was aware that Phase B of the Three Fields development will go ahead in due course, but they were relaxed about this because there would be a separation between their garden fence to beyond the public footpath. Whilst they realised that there would always be a possibility for The Pines to be re-developed, they imagined that this would be in keeping with the footprint of the existing house. Ms. Blake believed that the area behind their fence to be far too confined a space to allow the building of any type of residential dwelling. Ms. Blake was shocked to learn of the application because Ashford Borough Council had failed to inform them, even though they will be the residents most severely affected. Furthermore, no planning notices are in place.

Ms. M. Leek of Three Fields Road addressed the Committee. Ms. Leek commented that there was no consideration to ecology of the Pines' garden. There are many species of birds and the land is too slim for seven flats. There is also the case for a loss of privacy as the proposed flats are 3-storey and the windows and balconies will be overlooking their property.

Mr. A. Jones of Goodsall Road addressed the Committee. Mr. Jones reported that there were no planning notices displayed for this application. It is gross overdevelopment of the site and it is only 1m from their boundary. Mr. Jones commented that it would have a negative impact on the green buffer zone and he expressed concerns of the risk of flooding of the stream (stated as a ditch in the application) which is close to where the 3 storey buildings would be situated. He also expressed concerns about site access issues and the negative impact of this development and requested that this must be scaled back.

Cllr. Carter reported that the site levels were questionable and ABC should be requesting more information about the heights and levels. Cllr. Carter stated that this was over development by 3/4 houses.

Cllr. Mrs. Walder thanked the residents for their representations. Cllr. Mrs. Walder highlighted the issues of loss of light due to the height of the three storey buildings. Given the age of The Pines, Cllr. Mrs. Walder accepted that some form of development would take place where the house was currently situated. Cllr. Mrs. Walder raised her concern that the most prominent part of the development was a block of flats which would be seen from the approach into Tenterden; the development would need to be more in keeping.

Cllr. Isworth reported that his main objection was that this development was not included in the Local Plan 2030. Cllr. Dr. Lovelidge reported that this was overdevelopment; concerns are raised over emergency vehicles being able to reach end of the development; no provision for waste bins; and no ecology report was provided.

Cllr. Mulholland requested that this application is called in to the full ABC Planning Committee. Cllr. Edwards stated that the applicant had not followed procedures and the application was premature in light of Tent1b.

OBJECT on the grounds:

- 1. Over intensification of the area.**
- 2. Surface flooding issues due to different levels of the land.**
The plans state that a ditch runs through the property, however, this is a stream.
- 3. A habitat survey was missing from the application.**
- 4. Kent Highways views are required regarding emergency access to all the properties on the site.**
- 5. Privacy of neighbours on Goodsall Road and Three Fields Road would be severely impacted given the height of the buildings, overlooking balconies and proximity to their boundaries.**
- 6. Loss of natural light to neighbouring properties due to the physical size of proposed buildings.**
- 7. Site access issues; the development is opposite Morghew Park/Farm and too close to the entrance to the Three Fields development; this needs to be investigated by KCC Highways.**
- 8. Given how sympathetic Taylor Wimpey were with designing properties that were in keeping with Tenterden, the approach to Tenterden will be visually unappealing given the prominence of the flats.**
- 9. The second block of flats is inappropriately positioned; there is approximately one metre to the East and West boundaries.**

The Town Council will be requesting that this application is called in to ABC's full Planning Committee.

18/01620/AS **2 Heather Drive.**
Erection of a conservatory.
SUPPORT.

18/01636/AS **1 Grove Cottages, Smallhythe Road.**
New detached single family dwelling in part of existing garden with new access.
DEFER on the grounds that the Council are very concerned with the proposed access and will be requesting a further extension to commenting on this application once the revised plan showing visibility splays and/or a traffic speed survey have been submitted.

18/01637/AS **Ashburnham House, Ashford Road.**
Change of use of part of amenity garden to provide two new semi-detached dwellings with outbuildings and amenity facilities.

Cllr. Mrs. Curteis reported that this development was not suitable on the same site as a Nursery. Cllr. Mrs. Curteis had noted three online objections; all of which

were read out by the Deputy Town Clerk. It was noted that no neighbours had objected.

Cllr. Mulholland commented that he could not find any material reasons for objecting to the application and Cllr. Edwards commented that it would be difficult to refuse at Borough level.

OBJECT due to serious concerns over the access from the A28 onto the property. The current access serves both Ashburnham House and the Nursery. At the time of discussion, no report was noted from KCC Highways regarding access.

Cllrs. Hickmott, Crawford and Mulholland abstained from voting.

18/01689/AS **St Michaels Butchery, Ashford Road.**
Change of use of former butchery from Class A1 (retail) to B1a (office use).
SUPPORT.

18/01698/AS **The Cottage, Belcot Manor Farm.**
Change of use of land to extend residential curtilage. Erection of side extension. Conversion of existing attached barn with first floor extension over. Erection of new cart style garage.
SUPPORT on condition that the rough grassland is replaced and bat boxes are installed on the buildings; eight different species of bats have been identified.

Cllr. Edwards left the room.

18/01701/AS **5 Eastwell Meadows.**
Single storey rear extension.
SUPPORT.

Cllr. Edwards returned to the room.

18/01705/AS **52 Shrubcote.**
Conversion of existing integral garage into a living area and removal of internal walls to create an open plan kitchen/dining room and reconfigure other rooms accordingly.
SUPPORT.

18/01718/AS **9 Grange Crescent.**
Two storey side extension and conversion of semi-detached property in two x one bed flats (resubmission of, and revision to design, planning permission 05/01827/AS).

Cllr. Mrs. Curteis provided some background to this application, which was won on appeal. To date, there has been little work undertaken since the appeal, the site is in a terrible state and scaffolding has been up

for last five years (approx). Cllrs. Mrs. Curteis and Mulholland both proposed that this application was called into the full ABC Planning Committee, with strict time limits imposed.

OBJECT on the grounds that the Town Council are concerned with over development. The Town Council will request that this application is called into the full ABC Planning Committee given the issues with how long the site has been left in a dire state (over 10 years since appeal was granted) and concerns that this may continue.

Cllr. Mulholland abstained from voting.

6901 **ASHFORD BOROUGH COUNCIL DISCHARGE OF CONDITIONS.** List No. 006 was **NOTED**.

6902 **ASHFORD BOROUGH COUNCIL DECISIONS.** List No. 573 was **NOTED**.

6903 **SUB-COMMITTEE & WORKING GROUP REPORTS.**

- (a) Strategic Space Planning Sub-Committee. An update from the Chair of the Sub-Committee was **DEFERRED** to the meeting on 14th January 2019.
- (b) Selective Neighbourhood Plan (SNP).

Cllr. Crawford provided an overview of the Selective Neighbourhood Plan proposal and also the work that had been undertaken by both the Green Spaces Group and Strategic Space Planning Sub-Committee.

Cllr. Mrs. Walder thanked the Green Spaces Steering Group on the work undertaken; the Selective Neighbourhood Plan is designed to be a community led project. Cllr. Mrs. Walder commented that substantial work had been carried out already and the SNP will give Statutory protection of green spaces in Tenterden.

Cllr. Carter reported that the SNP would not provide complete green space protection; it could move building out into the areas of natural beauty. The Government will sponsor £9,000 out of £20,000 but they want house building and we must be realistic – it will not blanket cover Tenterden. Cllr. Mrs. Walder responded that the SNP is not anti-development but pro the right kind of targeted development.

Cllr. Crawford reported that there needs to be strict guidelines to satisfy the criteria for protecting green spaces. Not all areas will satisfy, but the SNP researches and provides evidence.

Cllr. Mulholland advised that he had attended conference in Dover and he asked for views on an SNP; the response was that they were all in favour and it does have influence.

It was **RESOLVED** to undertake a Selective Neighbourhood Plan with initial funding of £5,000. £10,000 had been put forward in the Precept proposal for 2019/20 towards the Selective Neighbourhood Plan.

It was **RESOLVED** that the following Councillors were appointed as members of the Selective Neighbourhood Plan Working Group: Cllrs. Mrs. Curteis, Mrs. Walder and Crawford.

6904 **TDRA STATEMENT REGARDING LIMES LAND.** The Town Clerk's apology to the Tenterden & District Residents Association was **NOTED**.

6905 **MINOR MATTERS.**

(a) Land South of Tilden Gill Road. The tree preservation orders on the land South of Tilden Gill Road were **NOTED**.

(b) Application No. 18/00448/AS – Land South of Tilden Gill Road. Notification that Cllr. Crawford will speak at Ashford Borough Council's planning meeting on 12th December 2018 regarding this application was **NOTED**.

6906 **CORRESPONDENCE.**

(a) Limes Land Protection Group. A response letter from the Limes Land Protection Group to Wates was **NOTED**.

6907 **ANY OTHER BUSINESS.**

None.

The meeting opened at 7.00pm and closed at 8.30pm

The foregoing Minutes and Report were confirmed and signed at a meeting of the Planning Committee on the 14th day of January 2019.

Chairman _____ (14.01.2019)