

TENTERDEN TOWN COUNCIL



MINUTES OF THE PLANNING COMMITTEE MEETING HELD AT ASSEMBLY ROOM ON MONDAY, 2 SEPTEMBER 2019

Councillors Present: M. Carter, V. Cole, J. Crawford (Chair), Mrs. J. Curteis, K. Mulholland, R. Parkin, R. Quinton and Mrs. K. Walder (Vice-Chair)

Officers Present: Mrs. C. Gilbert (Deputy Town Clerk) and Mrs. L. Owers (Administrative Assistant)

Others Present: P. Clokie (North Ward Member) (ABC) and Cllr. Mrs. S. Ferguson

7024 **APOLOGIES FOR ABSENCE.**

Cllr. Dr. Lovelidge and Town Clerk Mr. P. Burgess.

7025 **DECLARATIONS OF INTEREST.**

Cllr. Mrs. Curteis declared an interest in Application No. 19/01201/AS and Cllr. Carter declared an interest in Application No. 19/00715/AS. The Deputy Town Clerk reported that as per Standing Order 13b, Councillors with Disclosure of Pecuniary Interests should leave the meeting when discussed. The Town Clerk's advice in these circumstances would always be to leave the room. However, Cllr. Carter had stated that he will remain in the public area, but take no part in the debate.

Cllr. Carter stated that for fair representation, he would be sitting in the public area.

7026 **MINUTES.**

The minutes and report of the meeting held on 5th August 2019 were confirmed and signed as a correct record.

7027 **MATTERS ARISING.**

Cllr. Mrs. Walder referred to the Planning meeting held on 5th August 2019, Minute 7020, where it was noted that a letter had been sent by the Neighbourhood Plan Sub-committee to Ashford Borough Council (ABC) opposing Wates request to not carry out an Environmental Impact Assessment (EIA). Information has been received from Ms. S. Nepp of the Tenterden & District Residents Association and Mr. R. Masefield of the Selective Neighbourhood Plan Sub-committee which was tabled. The letters from both parties requested that the Town Council seeks legal advice to find out if the decision can be challenged. Cllr. Mrs. Walder reported that there is a limited time frame for challenging the decision and was proposing that £3,000 is allocated for the legal advice.

Cllr. Carter enquired whether the decision by the Planning Committee was legal. The Deputy Town Clerk reported that it was appropriate to discuss the legal advice under Matters Arising as it was in reference to Minute 7020. With regard to making the financial decision, the Deputy Town Clerk advised that the Planning Committee could take a vote and it would then be ratified at full Town Council. Cllr. Crawford stated that the Chair and Clerk are permitted to authorise expenditure up to £3,000.

It was **AGREED** that £3,000 would be allocated to fund legal advice on Ashford Borough Council's decision regarding Limes Land. This would be ratified at the Town Council meeting on 9th September 2019. Cllr. Carter voted against the decision.

7028 **COUNCILLORS QUESTIONS.**

Cllr. Carter reported that given the new and proposed housing in Tenterden, he suggested that a small Committee is set up to ensure the Town Council is receiving the correct Section 106 and any Community Infrastructure Levy (CIL) monies. Cllr. Carter requested that a letter is sent to Ashford Borough Council seeking clarification. It was agreed that this will be on the next Planning Committee Agenda.

Cllr. Mrs. Walder asked Borough Councillor P. Clokie his views. Cllr. Clokie reported that ABC tended to avoid CILS as funds are less than would be received through Section 106; it is much easier to ensure that affordable housing is included in developments through Section 106. Cllr. Clokie suggested that the Town Council writes to Ashford Borough Council requesting that we are considered for funds from the new homes bonuses which are due.

7029 **REPRESENTATIONS FROM MEMBERS OF THE PUBLIC.**

Mr. Carter and Mrs. Hobbins requested to speak on Planning Application No. 19/00715/AS and Mrs. Mullins requested to speak on Planning Application No. 19/01074/AS.

Some of the key points from each representation will be included in the minutes, however, full copies of the speeches will be uploaded to the Council's website, subject to the speaker's approval.

7030 **PLANNING APPLICATIONS.**

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

Cllr. Carter left the meeting, but not the room.

19/00715/AS Land at Homewood School adjoining Fire Station, Ashford Road (Amended plans received).

Erection of apartment block containing 7 dwellings, a carport with a dwelling over along with associated parking and amenities.

Mrs. Hobbins addressed the Committee with her concerns regarding the planning application. Her main concerns were regarding whether the sale of the land

had been approved by the Secretary of State; who would be living in the apartments; loss of privacy as their property would be affected; and pollution of extra vehicles.

Mr. Carter of West Cross addressed the Committee and stated that the queries by Highways had been satisfied; a badger survey has been conducted over a three-week period and there are no badgers living on site; the concerns regarding the proximity of the trees to the build had been covered. Mr. Carter stated that on the land surveyors plans the density is quite low and does not include the road.

Cllr. Mulholland asked for clarification as to who will live in the apartments. Mr. Carter responded that it will be offered to Homewood School staff and local people in the first instance before going on the open market. Cllr. Mrs. Curteis asked why this was not ticked on the application form and Mr. Carter reported that as they were speculative developers, this would not be ticked.

Cllr. Quinton queried who the land belongs to; Mr. Carter responded that he was under contract to buy the land, so he will own it if planning is approved. Cllr. Quinton asked whether the Secretary of Education had approved the sale of school land; Mr. Carter reported that Homewood School were dealing with this. Cllr. Quinton asked about the assessment for flooding and where the soakaways are. Mr. Carter reported that a rainwater harvesting system will provide other services on site; no contaminated water will go into the ground. Cllr. Quinton also queried the fowl sewage; Mr. Carter confirmed that the main drains are 3m down the road and the architects should have ticked that it will go in the mains sewer. Cllr. Quinton queried the boundary line, which goes across the road and 30ft to the fence. Mr. Carter reported that the land registry shows the boundary down to the pond.

Cllr. Mulholland commented that the issues around safeguarding should be lodged as a concern, i.e. tenants near school grounds, even though they are not a material consideration. Cllr. Mrs. Curteis stated that Homewood School keeps expanding yet there is little parking; all land should be retained to cover this. Cllr. Mrs. Walder reported that the transport statement fails to note the number of buses that enter the site twice per day. Cllr. Mrs. Curteis reported that

there are foxes, cubs and badgers on the site, however, Mr. Carter responded that the ecology report had been carried out.

Cllr. Quinton highlighted the three objections from residents. Cllr. Quinton still felt this was over development; there were issues with neighbours' privacy; the development was too close to the root systems of the trees which have TPOs. The foundations would need addressing to protect the root systems. Although parking was solved, there will still be issues if couples move in. Cllr. Quinton also raised his concerns over safeguarding the Homewood School children over unsavoury residents potentially moving in. The site would overlook the 3G pitch and is the main entrance for the children entering the School.

OBJECT on the grounds of: (i) overdevelopment; (ii) overlooking/loss of privacy for neighbouring properties; damage to trees with TPO's; (iii) parking and highway congestion.

Cllr. Parkin abstained from voting.

Cllr. Carter returned to the meeting.

19/01015/AS Martins Cottage, Smallhythe Road.

Remove all existing mortar by hand and re-point with an historic mix using non-hydraulic lime putty with a matching aggregate.

It was agreed that the Listed Building Officer should determine this application.

19/01064/AS 8 Collison Place.

Single storey rear extension.

SUPPORT.

19/01066/AS Nationwide Building Society, 41 High Street.

Decoration of existing shopfront including repair/replacement where necessary; replacement of lead flashing; repainting of entrance door; replacement internally illuminated fascia and replacement non-illuminated projecting sign.

It was agreed that the Listed Building Officer should determine this application.

19/01074/AS Boundary Farm, Cranbrook Road.

Conversion and change of use of an existing outbuilding to facilitate a pet crematorium.

Mrs. Mullan of Cranbrook Road addressed the Committee with her concerns on the application. Mrs. Mullen's concerns covered the health of the

residents from emissions; the flue would be out of keeping in the AONB; the residents' human rights will be affected as the opening times of the Parkgate Centre were restricted yet the applicant plans imply they will be open at weekends; highway issues re dangerous road.

Cllr. Mrs. Walder raised additional concerns to Mrs. Mullan's. There were no details of cold storage for the corpses, ashes and it would be situated next to the stables; this in itself raises animal welfare concerns. There were no facilities for workers or visitors to wash their hands.

Cllr. Parkin was in agreement with the concerns raised and stated that information appeared to be missing from the application. The application did not mention how the waste will be disposed of given that it would be commercial waste.

OBJECT on the following grounds:

1. Entirely open-ended opening hours and hours of operation for the pet cemetery business and operation of the incinerator - unacceptable consequent impact on the amenity of neighbours in a largely residential area. Parkgate Centre nearby is required to observe restricted opening hours and days precisely because of the proximity of residential properties and this proposal is both customer-facing, meaning customers could arrive at any time and includes the operation of an incinerator unit which will produce noise and smoke;
2. Serious concerns about cross-contamination given the absence of satisfactory arrangements to store animal corpses (e.g. no refrigeration). These animals have not come through the licensed and regulated slaughter process for livestock - they present the risk of disease and contamination through drug ingestion. They may also have suffered injuries which will lead to blood and other bodily fluid loss. Customers are able to bring them directly to the unit, with no regard to safe and secure handling to minimise contamination and there are no facilities at the unit to keep it clean. The suggestion that a domestic sink in the farmhouse's kitchen is adequate is indicative of the lack of thought and care that has gone into this proposal. The implication clearly is that uncollected ashes will be disposed of through the normal domestic waste system and foul sewage disposal is described as 'unknown'. These are not normal domestic waste products and to use these systems for disposal is

highly reckless;

3. The proposal indicates that the existing building will still be used for both animal feed storage and livestock housing. This is wholly unsuitable and raises serious animal welfare concerns. An ash-producing incinerator will lead to particles contaminating any feed and exposing livestock to the constant presence and smell of other animal corpses is completely unacceptable practice;

4. Road safety - any increase in traffic at this particular site is a serious concern despite KCC Highways stating that the proposal does not meet the criteria to warrant involvement by them. Boundary Farm sits on a blind bend on a stretch of the Cranbrook Road that has seen far too many crashes and one fatality in 2016. Parkgate's new entrance was permitted precisely because it was far away enough from the blind bends and the proposed site is extremely close to the entrance where slow-moving and heavily-laden commercial vehicles turn into Chapman's scrapyards opposite;

5. No ventilation or air-conditioning units accompany this application despite their manufacture by the incinerator's manufacturer. If they are to be fitted, these will again produce an unacceptable impact on the amenity of residential neighbours in the AONB.

Cllr. Mrs. Walder left the room.

19/01085/AS Tenterden Trout Waters, Coombe Farm, Chennell Park Road.

Proposed shepherds hut (amended description).

SUPPORT.

Cllr. Mrs. Walder joined the meeting.

19/01092/AS 59 Rogersmead.

Proposed two storey/single storey side and rear extensions to form additional accommodation and attached annexe.

SUPPORT on condition that the first floor landing window is opaque glass to protect the neighbour's privacy.

19/01098/AS Potters, 7 East Cross.

Vehicle crossover to serve existing parking.

SUPPORT.

19/01106/AS 142 High Street.

Change of use of, and works of conversion to existing redundant shop and offices to 3no self-contained domestic apartments including rear extension, new walls, fenestration, replacement side lean-to (revision to planning permission 17/00789/AS).

SUPPORTS this application on condition that the allocated parking is sufficient and complies with TR3A.

19/01107/AS 142 High Street.

Conversion from offices and storage to 3no. self-contained domestic apartments. Rear extension, removal and erection of internal partition walls; changes and additions to fenestration; replacement balustrade to rear; replacement side lean-to; removal of escape tower (revision to listed building consent 17/00790/AS).

It was agreed that the Listed Building Officer should determine this application.

19/01128/AS Lauras Cottage, Cherry Orchard.

Single storey rear extension to form garden room/studio.

SUPPORT.

19/01136/AS 14 East Cross.

Installation of new flat roof over existing central roof gully.

It was agreed that the Listed Building Officer should determine this application.

19/01137/AS 14 Eastgate Road.

Replacement of existing conservatory with a single storey rear extension.

SUPPORT.

19/01151/AS 138 High Street.

Remove failed brickwork to foundation to 2 no. bay windows to front elevation and rebuild using same salvaged bricks on a sound foundation.

It was agreed that the Listed Building Officer should determine this application.

19/01162/AS 54 High Street

Change of use from retail (A1) to Nail Bar (Sui Generis) (retrospective).

SUPPORT.

19/01164/AS 54 High Street.

Installation of air conditioning unit to side elevation fronting Church Road and fascia signage to front elevation.

Tenterden Town Council would like the Listed Building Officer to consider the following comments: the air conditioning unit should be set back so as to not impact on the listed building; the pipework should be concealed; the building should be returned to its former state including the tiling; the fascia signage should be the same size as the previous tenant's sign and should not be illuminated

19/01167/AS 54 High Street.

Internal shop fitting installations and decorations.

It was agreed that the Listed Building Officer should determine this application.

19/01185/AS Fairlight, Cranbrook Road.

The replacement of existing out-buildings with a single storey dwelling and associated ecological and landscape enhancements.

SUPPORT.

19/01192/AS Monks Meadow Oast, Appledore Road.

Prior notification for the change of use from office to residential.

SUPPORT.

19/01197/AS 1 Leslie Crescent

Proposed car-port and timber clad workshop, together with enlargement of existing vehicular cross-over.

Tenterden Town Council SUPPORTS this application on condition that the hedge is cut back to increase visibility.

Cllr. Mrs. Curteis left the room.

19/01201/AS London Beach Golf Club, Ashford Road

Three exclusive detached houses

Tenterden Town Council would like to DEFER the decision on this application to Ashford Borough Council.

Cllr. Mrs. Curteis returned to the room.

7031 **NOTIFICATION OF DISCHARGE OF CONDITIONS.**

List No. 14 was **NOTED.**

7032 **DECISIONS OF THE ASHFORD BOROUGH COUNCIL PLANNING COMMITTEE.**

List No. 582 was **NOTED.**

7033 **SUB-COMMITTEE & WORKING GROUPS.**

- (a) Selective Neighbourhood Plan Working Group. The minutes from the meeting held on 30th July 2019 were **NOTED**.

7034 **POLICY ON CONTACT WITH DEVELOPERS.**

Cllr. Carter reported that every proposal from developers is different and the decision whether to speak or not speak to developers should be done on a case by case basis. Cllr. Mrs. Walder reported that Cllr. Knowles had been in discussion with Ashford Borough Council regarding the Churchill Developments situation; it was suggested that the proposal be deferred pending feedback from both Cllr. Knowles and Cllr. Clokie. Cllr. Mrs. Walder reported that Cllr. Mulholland and herself are members of ABC's Planning Committee and there has to be a Planning Officer in attendance at any meetings with developers.

Cllr. Crawford reported that the Council should be working with ABC so the Council does not conflict with ABC policy.

There were mixed views within the Planning Committee on whether the Town Council should or should not speak to developers. A counter-proposal was put forward that the decision should be **DEFERRED** pending asking the Town Clerk to arrange a meeting with Ashford Borough Council and their Planning Officers and also Kent Association of Local Councils; this meeting would be in open forum.

7035 **MINOR MATTERS.**

- (a) Proposed diversion of public footpaths AB68 & AB69. The proposed diversion of parts of AB68 and AB69 was **NOTED**.
- (b) Churchill Retirement Living. The letter received from Churchill's agent inviting the Town Council into discussions regarding their proposed development and the Head of Planning at Ashford Borough Council's comments regarding the proposal were **NOTED**.

7036 **CORRESPONDENCE.**

Two letters had been tabled; one from Ms. S. Nepp of the Tenterden & District Residents Association and one from Mr. R. Masefield of the Selective Neighbourhood Plan Sub-committee. Both letters concerned the Environmental Impact Assessment on Limes Land and were discussed under Matters Arising.

7037 **ANY OTHER BUSINESS PREVIOUSLY NOTIFIED TO THE CHAIRMAN.**

None.

The meeting opened at 7.00 pm and closed at 8.50 pm

The foregoing Minutes and Report were confirmed and signed at a meeting of the Planning Committee held on Monday, 7 October 2019.

Chairman _____ (Monday, 7 October 2019)