

SUPPLEMENTARY REPORTS

AREA 2 PLANNING COMMITTEE

DATED 13 December 2017

**Kings Hill
Kings Hill**

TM/17/01392/RM

Reserved matters for 132 dwellings in Area 1 (junction of Tower View and Kings Hill Avenue) being details relating to the siting, design and external appearance of the proposed buildings, the means of access, drainage and strategic landscaping involving discharge of conditions 1, 12, 13, 19, 20, 23, 37, 38 and 39 of TM/13/01535/OAEA (Outline planning permission for residential development) at Area 1 Kings Hill Phase 3 Gibson Drive Kings Hill for Countryside Properties

Kent Police: I have reviewed the play area railings. The railings will enhance the general security and safety of the play area and I support their installation as indicated.

DPHEH:

A reserved details application has been submitted since the original committee report:

TM/17/03068/RD	Pending	
Details of conditions 21 (materials), 22 (surfaces) and 36 (verification report) submitted for Housing Area 1 pursuant to planning permission TM/13/01535/OAEA		

The submitted information for the committee application shows the block paving to all be of a concrete brick type and generally laid in herringbone style ie, the proposal is that the paviour materials differ in colour only depending on where they are laid within the development.

In regard to the footway materials described [namely bracken coloured (yellowy/pink) concrete paviours], there is an inconsistency with the information on dwg KN-P5-01 submitted for TM/17/03068/RD that shows footways in either tarmac or dark grey charcoal block paviours. This will need to be clarified in the determination of TM/17/03068/RD.

The agent has clarified that the emergency access will be protected by lockable bollards not a lockable gate.

RECOMMENDATION UNCHANGED

Trottiscliffe (A) TM/17/01522/FL
Downs And Mereworth (B) TM/17/01438/LB

(A) Change of use from A4 public house/managers flat to C3 two bed residential dwelling and new roof to single storey side extension (B) Listed Building
Application: New roof to single storey side extension and undertaking internal and external alterations to facilitate proposed change of use from public house to a dwelling house at Plough Inn Taylors Lane Trottiscliffe for Mr D Carson

PC: Trottiscliffe Parish Council lodged an expression of interest in making a bid for the 'Plough Inn' on 12 December 2017.

Private Reps: Five further neighbour representations have been received since the writing of the committee report. These raise objection on the following grounds:-

- Continued need for a Village Pub
- The George lacks the intimacy of a village pub and is a destination food outlet;
- It should be taken over to provide a village centre point where community spirit can flourish;
- There is no village alternative with a local feel;
- The Plough Inn is attractive to ramblers and walkers, and offers something different;
- If The Plough were able to offer post office services, local basic food sales such as bread and eggs it would be welcomed;
- Future community events would be attractive to those who don't want to drive;
- Recent landlords have been inexperienced and unable to cater for a small village pub. The most recent landlord made plans for conversion clear from the start;
- At the opening welcome evening the applicant referred to the bar area as her future lounge, and this was only a few days before they lodged the planning application;
- She did not seek local feedback as to what the village wanted;
- The Plough is an important asset which should not be lost;
- Although it is stated that leaflets were distributed, none were received locally: promotion in the village would have been sensible;
- The ACV on the Plough needs to be a "Material consideration" in any planning decision making process;
- The recommendation to permit is contrary to part 1.3 of the Core Strategy on "Consultation with Communities" because the Parish Council voted against this proposal, the community asked for the Plough to be made an Asset of Community Value and there is a volume of support against the move;
- Contrary to the community strategy that the council is "Serving you better" and it should "improve the quality of life";
- Mental health and isolation is a growing concern. Being involved in community projects and feeling part of a community mitigates this in some way;
- This could be a viable business: most ventures fail as a result of poor management not perceived non-viability.

- NPPF requires support for a prosperous rural economy, and promotes the retention of local services and community facilities in villages, such as public houses
- A public house is an employer and very often a person's first taste of employment so helps give people opportunities.

DPHEH: The wording in Para 6.24 in the committee report has unfortunately not accurately given key time periods in the ACV process. The 6 month moratorium is not additional to the initial moratorium period of 6 weeks.

Since the committee report was written, there have been developments in the ACV process. At the time of writing the report, the 6 week period for expressions of interests from community bidders was in force. Within this 6 week period, an expression of interest in making a bid for the 'Plough Inn' was lodged on 12 December by Trottiscliffe Parish Council. As a result of this bid, the moratorium period is extended to 6 months in total and will end on 30 April 2018.

This extended process does not however alter the planning process in determining the application or the recommendation. The ACV status remains a material consideration. It could also be taken as formal reiteration by the Borough Council that TMBCS policy CP26 applies to the premises.

The Borough Council can no longer demonstrate a five year supply of housing as measured against other objectively assessed need. Whilst this will be addressed through the Local Plan Review, it has clear implications for decision making in the immediate term for planning applications that relate to new housing. In this respect, paragraph 49 of the NPPF states "Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites".

Paragraph 14 of the NPPF, which states the presumption in favour of sustainable development, also confirms that with regard to decision making this means that :-

"Where the Development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless : –

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole
- or specific policies in this Framework indicate development should be restricted.

Policy CP13 which relates to Other Rural Settlements states permission can be granted for changes of use, if the overall trip generation is projected to be lower than that associated with the former use, or if there would be a significant improvement to the appearance,

character and functioning of the settlement. For the avoidance of any doubt, the balance argument has been applied to this and is not considered to be relevant under para 49, as it is not a policy relevant to the supply of housing in this respect. As such, the lack of 5 year supply has no weight in the assessment of the proposal against this policy

Policy CP26 is a policy that could, in some circumstances, relate to a net gain in housing units. However in this case, the existing manager's flat at first floor level means that this proposal does not result in a net gain in housing units, and so the weight to be given to policy CP26 in the determination of this case is not affected by the lack of a 5 year supply in my view. The description of the case has been amended as above to make this clearer.

RECOMMENDATION UNCHANGED