

Planning Committee

Minutes of a Special Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **9th March 2016**.

Present:

Cllr. Burgess (Chairman);

Cllr. Wedgbury (Vice-Chairman);

Cllrs. Apps, Barrett, Bartlett, Bennett, Mrs Blanford, Bradford, Clokie, Farrell, Hicks, Ovenden, Mrs Webb.

In accordance with Procedure Rule 1.2 (iii) Councillors Bartlett, Hicks and Mrs Webb attended as Substitute Members for Councillors Galpin, Dehnel and Heyes respectively.

Apologies:

Cllrs. Aaby, Clarkson, Dehnel, Galpin, Heyes, Waters.

Also Present:

Cllrs. Miss Martin, Smith.

Head of Development, Strategic Sites and Design; Senior Planning Officer; Principal Solicitor (Strategic Development); Member Services and Scrutiny Support Officer; Head of Planning & Development; Head of Planning Policy & Economic Development; Environmental Health Officer; Senior Solicitor (Strategic Development).

355 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Made a Voluntary Announcement as he had attended an Overview & Scrutiny meeting approximately two years ago where J10 had been discussed;	356
	And	
	Made a Voluntary Announcement as he had attended a series of meetings with the Highways Agency over the last 18 months where this application had been discussed;	356
	And	

	Made a Voluntary Announcement as he was a governor of the William Harvey Hospital, traffic impact on which would be referred to during the course of the discussions.	356
Miss Martin	Made a Voluntary Announcement as she was on the East Kent National Health Trust Board of Governors; And Made a Voluntary Announcement as she had attended a series of meetings with the Highways Agency over the last 18 months where this application had been discussed.	356
Ovenden	Made a Voluntary Announcement as he was part of a J10 working group who had attended a series of meetings with the Highways Agency over the last 18 months where this application had been discussed.	356
Smith	Made a Voluntary Announcement as he had attended a series of meetings with the Highways Agency over the last 18 months where this application had been discussed.	356
Wedgbury	Made a Voluntary Announcement as he was a member of Kingsnorth Parish Council who had been involved in consultation.	356

356 For consultation - Land at existing M20 Junction 10 and land to south and east around M20, A2070, A20, Kingsford Street, Highfield Lane and Barrey Road

Reference Number	15/00001/NSIP/AS
Location	Land at existing M20 Junction 10 and land to south and east around M20, A2070, A20, Kingsford Street, Highfield Lane and Barrey Road
Grid Reference	04045/41063
Parish Council	Mersham and Sevington
Ward	North Willesborough/ Highfield/ Weald East

Development Description	M20 Junction 10a improvement scheme	
Applicant	Highways England	
Agent	Highways England, Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ	
Site Area	13 hectares	
(a)-	(b)-	(c) EHM X PO (drainage) X KCC X

The Head of Development, Strategic Sites and Design drew Members' attention to the Update Report. Highways England had contacted the Council to confirm that various documents that had been published on the Highways England website were historic documents only. Particular reference was also made to the changed estimated median cost for the scheme. Further representations had also been received from Retainagroup, The Village Alliance and the North Willesborough Community Forum. Finally, there was a proposed additional bullet point to paragraph 4 of the Recommendation. The Head of Development, Strategic Sites and Design reminded Members that this proposal would not be determined by the Council, who were acting only as consultees at this meeting.

In accordance with Procedure Rule 9.3, Mr Holland, a local resident, spoke. He said that he wished to discuss only one aspect of the scheme: namely the entry and exit into Barrey Road. On the southern side of the business park there were 24 retail outlets, with another 6 new outlets under construction. One of these new outlets would employ 100 staff and the 24 existing retail outlets already generated approximately 100 staff. On top of that there were approximately 20 empty units on the estate, some of which were already spoken for. In 2006 there were approximately 70 residences behind this estate and there were now over 100. The impact of this was the fact that there was only one entrance in and out of the estate. This was without taking into account the customers using the retail facilities. Last Sunday the parking had been completely full. The accident rate and number of near misses in the area was quite high, and this was one of the fastest roads in the Borough with speeds sometimes in excess of 70 mph. There was also a haulage company amongst the businesses coming into the estate which would mean frequent deliveries in and out of the estate. Clearly, the exit from the estate onto Bad Munstereifel Road would be extremely busy, and would only get worse with all the other units taking occupancy.

In accordance with Procedure Rule 9.3, Mr Wickens, on behalf of the Village Alliance, spoke. The Village Alliance welcomed the Council's recommendation for Highways England to widen its remit to cover the adjacent local road network, particularly the recommendation to close Kingsford Street from Highfield Lane, and thereby protect Mersham village. They also welcomed the report's findings

regarding the unsatisfactory design for the Barrey Road junction. Regarding Junction 10a's completion date of 2019, the Village Alliance sought assurance that the Council would stand firm on the zoning policy restrictions regarding the various developments that would be dependent on a fully functioning junction. Mr Wickens questioned whether the Council was absolutely confident that the new road scheme would meet the projected demand of traffic, given the raft of development that may be given the green light. Highways England had displayed projected traffic modelling which showed easy flowing traffic in the year 2030, but were unable to provide any information on the data used to develop the computer model. The proposed development and vehicle movements at site U19 were bizarrely regarded as irrelevant to the design of Junction 10a. Highways England had said that the data provided by the Council had been used. Could the Council define the developments and assumptions that had been included? Specifically, could the Council state whether provision had been made for the following increases in traffic i.e. the development of U19 with mainly HGV traffic operating 24/7, and all the development to the south, east and north of Ashford with about 8,000 additional houses and including traffic from Romney Marsh. Was the Council prepared to finance a completely independent traffic consultant to provide an analysis of current demand on the road system and the impact of all planned and future development on all road systems? Integrated and detailed planning was essential. Without it, and a good road system, there was a risk to the future effectiveness of Ashford. In view of the uncertain situation regarding the viability of Junction 10a, was the Council prepared to defer a decision on U19 and other developments, until the design and capability of J10a was better understood?

In accordance with Procedure Rule 9.3, Mr Roberts, a local resident, spoke. He thanked the Committee for the opportunity to express his profound doubts about the proposals for Junction 10a. Firstly, he did not believe that any objective traffic modelling on the part of Highways England could seriously flag up a need for a new junction based purely on traffic criteria. There were countless other junctions in other locations in urgent need of solutions and Highways England conceded that this was the case. Therefore, the traffic argument was spurious. Secondly, if the new junction was not required for traffic reasons, why was it being proposed? The reason was to make it possible for development to take place. It was not known what understanding had been reached between the developers and Highways England with regard to cost, but when the half junction was being considered, the developers were making a significant contribution to the cost. Was it unreasonable, therefore, to assume some sort of understanding for the full junction? Thirdly, there were compelling environmental reasons for opposing a new junction and consequent warehouse development. The constant movement of hundreds of heavy vehicles, all diesel, day and night, along the new link road would produce unacceptable levels of air pollution affecting the residents of Sevington, Willesborough, Brook, Wye, Mersham, and beyond. Fourthly, it was beyond dispute that the new road layout would cause delays to ambulances that, even if minor, could be critical in terms of patient outcomes. Finally, the Council had a duty to protect the rural environment, particularly in proximity to the urban environment. The Council's track record was appalling. It was complicit in the ill-conceived Imperial scheme at Wye and its blatant disregard for local feelings concerning the loss of Wealden countryside at Chilmington Green. It would be reassuring to see the Council displaying greater concern for the surroundings, and this was an opportunity for them to do so.

In accordance with Procedure Rule 9.3, Mr Davison, a local resident, spoke. He had been a Borough Councillor for 16 years, mostly on the Planning Committee and as Chairman for a few years. He had lived in the rural area of the Borough for over 60 years, and with this background he had some knowledge of this type of planning application. The proposed development saddened him with the destruction of the countryside and environment; the loss of productive farming land; and the 20-odd years that residents would have to put up with construction traffic. Ashford Borough Council records put local employment in service jobs at 82%. Here there were more service jobs and possibly the unpopular system of “zero hours” payment. Mr Davison sought assurance on two questions: firstly, that the green buffer zone, the Mersham wall, be confirmed as site WE15 i.e. east of Highfield Lane and up to Blind Lane. The Council promised protection for the village and it was hoped that this site would be offered protection. The second request was that Kingsford Lane be cut off at the junction with Highfield Lane to prevent Kingsford Lane becoming a rat run. It should have a turning circle to allow traffic to turn around. These two assurances would offer some compensation to losses suffered by the villages.

In accordance with Procedure Rule 9.3, Mr Turley spoke on behalf of Mersham and Sevington Parish Council. In spite of strong concerns about the relevance and validity of the junction design, the Parish Council had consistently participated in consultation and other meetings. Recognising that the development might go ahead, the Parish Council had consistently identified the critical factors which must be accommodated if that happened. Kingsford Lane must not become a rat run and general junction traffic should be prohibited from using that road. The Barrey Road junction was a concern and the proposed development would cause that to deteriorate further. That could not be allowed to happen and a full four-way light controlled junction was needed at that site. The William Harvey Hospital was a key requirement and local facility which must be protected and access to that facility from the south via the A20 must be protected. This was a residential area and acoustic protection was required for residents.

In accordance with Procedure Rule 9.3, Mr Stevenson spoke on behalf of North Willesborough Community Forum. In Willesborough the primary concern was traffic and the scheme so far presented had been very disappointing as it did not address local traffic needs. It looked like a generic motorway junction plucked from a catalogue. There was also concern about the lack of traffic data, Barrey Road and the overuse of the A20. Today there had been a workshop in Willesborough and it had been possible to provide feedback to Highways England. Highways England said that their traffic modelling indicated that the junction scheme would work. This was a golden opportunity for the Council to get involved and sort out the traffic on the east side of the town and make it work, both for national traffic and local traffic. To that end it was hoped that all interested parties could work together to come up with a system that could work and then persuade Highways England into adopting it.

In accordance with the Committee’s decision on procedures on 17th February 2016, Cllr David Smith spoke as a non-Ward Member. One of the main factors which affected South Willesborough and Newtown was traffic flows and this was going to increase with the layouts being altered as proposed. There were currently 400

vehicles each way at peak hours. That would increase with this scheme unless something was done to prevent vehicles coming in in such quantities. The traffic flow would come down from the roundabouts and the shortest route to South Ashford would be via South Willesborough and New Town. One end was blocked off to higher vehicles because of the low bridge. Vehicles regularly got stuck under the bridge. This scheme would increase the number of vehicles coming through Orbital Park, Crowbridge and New Town. These were old, narrow and twisting roads. Other development in the adjacent areas would increase the traffic flow and lead to block ups and pollution. Could something be done to reduce the amount of traffic in that area? Barrey Road was listed on the Joint Transportation Board paperwork for many years as a scheme waiting to be done but had since disappeared and not seen the light of day. Barrey Road was a very dangerous junction. Speed limits would not be effective, and in addition there was a slip road which bypassed the roundabout so people on the near side would not be slowing down and would have a straight clear run up to J10. There was the possibility of a roundabout in that area instead as land was available. However, Highways England said this would add to the cost. If a roundabout was not an option, traffic lights could be installed instead. Cllr Smith declared that he was a party to the petition that had been raised on that subject and had been involved in circulating the petition to other people. There was also concern about the water run-off in this area, which flowed into the Aylesford Stream which was the main flood plain in the area. The Environment Agency engineer was considering run-off at J10, J10a and the link road to assess total run-off for the holding tanks. It was essential that the holding tanks were correctly sized because any excess flows in the Aylesford Stream would immediately hit South Willesborough with the possibility of flooding.

In accordance with the Committee's decision on procedures on 17th February 2016, Cllr Miss Martin, spoke as a non-Ward Member. She praised the Officer's report, which was very comprehensive. The concerns which had been mentioned so far by some of the residents about the access across the junction to the William Harvey Hospital had been highlighted in the Officer's report. With planned expansion in Ashford it was extremely important to try and improve access to the Hospital and she was very pleased to note that a response had been received from the East Kent National Health Trust.

The Head of Development, Strategic Sites and Design said she would like to clarify a few points because a number of the speakers had referred to issues that they would like to see addressed in the Highways England scheme and it was important to understand that Officers were also recommending that those issues were addressed. On page 1.57 of the Officer's report, recommendation 3 noted that no traffic data or modelling had been provided by Highways England as yet, so until that information was provided it would be difficult to assess issues raised, such as traffic movements in New Town. Once that information was available the Council would need to assess the data to see if the concerns raised by some of the speakers were also concerns for the Council. On page 1.59, recommendation 5 was asking Highways England to give consideration to a right hand signalised turn from the Barrey Road junction onto the A2070. Recommendation 6, was that there should be details of the closure of the vehicular link between Kingsford Street and Highfield Lane. Thus three of the key points raised by Members and the public were also of concern to Officers who were recommending that those concerns be raised with Highways

England. Regarding flood risk, recommendation 10 requested that the Council be consulted further on details of the management of surface water around the site. Finally, one of the speakers referred to contributions from developers. The Head of Development, Strategic Sites and Design could confirm that Highways England were expecting the Council to secure contributions of £16m towards this scheme. These included contributions that had already been secured through existing S106 agreements, and the Council would be securing further contributions in line with adopted policy via S278 agreements with Highways England. The Council would be continuing its policy to collect proportionate contributions from developments which would have an impact on that junction.

The Chairman asked the Head of Planning Policy and Economic Development what developments had been taken into account in designing the junction and its capacity. The Head of Planning Policy and Economic Development responded that the information that the Council had provided to Highways England was based on the existing planned developments in and around this part of the town, which included allocations from the Core Strategy, the Urban Sites and Infrastructure DPD, and existing planning permissions already granted by the Council. Supporting some of these planning permissions was traffic data and the Council had invited Highways England to assess and include that traffic information that supported those planning applications to form part of their assessment.

The Chairman asked the Environmental Health Officer whether there would be an unacceptable level of air-pollution and noise and what protection could be introduced. The Environmental Health Officer said that the Council had to undertake an air quality assessment annually. This was a statutory obligation and the next was due by the end of June. The intention was to report on the proposed J10a and to advise Defra on the current state of play. Officers were lacking the modelling outputs from the Highways England assessment, but were hoping that the information would emerge when the full environmental impact report was provided. With regard to noise, in order to do noise impacts the traffic flow data was required for predictive modelling and development of mitigation options. It would be possible to do this after receipt of the full environmental impact report.

A Member said that the site was in his ward of Weald East, as well as North Willborough and Highfield Wards. His comments as Ward Member had been included in the agenda, and some of the points he had raised had also been dealt with by speakers. He praised the hard work that had gone into this report by Officers and considered that the stakeholder meetings which had been held had been extremely beneficial by allowing feedback from members of the public to be heard by the Council, KCC and Highways England. He proposed the recommendations be approved, with small amendments as follows:

- Recommendation 5 – wording to be changed to ‘it is requested that there is a right hand etc’. There was an early version of the scheme which did have a right hand turn in it but it was removed due to ‘value engineering’. This was not the time to be penny-pinching on such an important scheme.

- Recommendation 6 – to end after the word ‘implemented’ to strengthen the recommendation.
- Recommendation 8 – the signing for M20 Junction 10 should be downgraded but reference should still be included to the Accident and Emergency department at the William Harvey Hospital.
- Add an additional bullet point specifically asking for a pollution assessment. The Environment Agency website currently showed a problem at the William Harvey Hospital site where the CO2 emissions exceeded 10,000 units. It was important to ensure that the air quality in that area was not made worse by the scheme.

Another Member considered that a right hand turn at Barrey Road would only be possible with the provision of traffic lights. The solution would be to make that part of the Orbital Road into two lanes from the roundabout, thus leaving a spare lane as the Barrey Road exit.

A Member commented that some members of the public appeared to be unaware that the Council was only a consultee in this process, and not the main decision-maker. The Council could give its views, but had no real control over the eventual outcome. Another major concern was that the whole scheme would fail if it was not possible to leave J10 in both an easterly and a westerly direction. It was essential to have an on and off slip in both directions at both Junctions 10 and 10a.

Recommendation number 7 also needed to be strengthened by inserting the word ‘required’ in place of ‘requested’. This was accepted by the Member who had proposed the recommendations be approved, and the amended proposal was then seconded.

Another Member advised that Highways England had consistently said that there was not enough distance between the two junctions to include slip roads in both directions. However, he considered that it was worth asking. He was also concerned that Highways England should include all access points for sites included in the Local Plan around this junction within their traffic modelling. He particularly mentioned the signalised junction on the A20 near the Pilgrims Hospice which was included on a planning application that was currently coming forward. That would seriously affect the traffic modelling between the two junctions and he wanted to make sure that junction was included, along with the access for site U19. The Head of Development, Strategic Sites and Design confirmed that Highways England were already considering the impact of development proposals. This could include the development site at Willesborough Lees, and potentially the development of the U19 Sevington Park development, as well as the proposal to further modify the Orbital Park roundabout.

Another Member said he wished to ensure that this £82m junction scheme would include all the items identified in the meeting, including provision for ambulances.

Resolved:**(A) Ashford Borough Council makes the following comments to Highways England in response to the pre-application consultation:-**

1. Ashford Borough Council considers there is a compelling need in principle for a new Junction 10a and A2070 link road to provide further capacity to facilitate residential and employment development within the Ashford growth area identified in its existing development plan documents
2. There is a lack of detailed plans and information to enable a detailed assessment of the scheme's environmental and social impacts and to consider the acceptability of mitigation measures.
3. There is no traffic data and modelling work provided so the council cannot adequately assess and understand the assumptions made in respect of trip rate data and distribution onto the strategic and local highway network for sites being considered as part of the Ashford Local Plan review. It cannot assess environmental issues such as the impacts on air quality, noise and vibration and the effectiveness of the proposed mitigation measures. The council is concerned about the potential for worsening environmental impacts over the current situation and inadequate mitigation to deal with such issues. The council reserves its position on these matters until this information is released.
4. Detailed scaled drawings are requested including levels and cross sections in particular on the following:
 - The Junction 10a gyratory and the proposed eastbound and westbound slip roads located within existing embankment areas.
 - The profile of the new A2070 dual carriageway and new roundabout.
 - The details of the proposed balancing ponds within the landscape.
 - The changes to the orientation of the A20 Hythe Road, restoration works and the new balancing pond in the area of the existing businesses to be removed.
 - The impact of the alterations along Kingsford Street including any changes to the carriageway, the location of the footpath and acoustic barrier and any loss of existing trees and vegetation and how the setting of nearby listed buildings will be affected.
 - The impact of the alterations at Barrey Road.

- Details of the new footway/cycleway bridges over the A2070 and M20.
 - The impact of the proposals including changes to the access arrangements for the A2070 footbridge/cycleway on the adjoining embankment areas on the setting of the listed buildings at St Mary's Church and Court Lodge.
 - Details of proposed lighting.
 - Details of the relocation of the sewage pumping station.
 - Details of the restoration of the existing Junction 10 east bound on slip road and westbound off slip road.
 - Details of the access connection to the proposed Stour Park development.
 - An arboricultural report detailing the existing trees and hedges and their category that would be affected by the proposal and details of replacement trees and wider landscaping.
 - Details of the permanent closure and realignment of PROWs, namely AE636, AE338, AE337A and AU53.
5. It is requested that there is a right hand signalised turn-out from Barrey Road onto the A2070.
 6. It is requested that the proposals include details of the closure of the vehicular link between Kingsford Street and Highfield Lane to be provided and implemented.
 7. It is required that the traffic modelling work include the option of the existing Junction 10 east facing slip roads being retained and the implications of this in terms of traffic impact and associated environmental issues.
 8. The signing for M20 Junction 10 should be downgraded to provide for local route choices, including reference to the Accident & Emergency facility at the William Harvey Hospital and Junction 10a would cater for strategic movements and should be signed accordingly in line with the recommendations of Kent Highways.
 9. There is concern about the overall visual impact on the rural character of Kingsford Street with the loss of existing trees and landscaping and the effect on the amenity of nearby residents

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10. As referred to in the Ashford Borough Council's Project Engineer's comments on surface water management and water environment principles (attached to this consultation response):-
- The council wish to be consulted on further details of the management of surface water around the site including the Flood Risk Assessment and preliminary Water Framework Directive Assessment. The developer should ensure the development does not increase the risk of flooding elsewhere and if possible result in an additional flood risk reduction benefit.
 - The new link road will create a barrier in the natural drainage regime in the area and it is considered a requirement that water can continue to flow towards the Aylesford stream as per the current land drainage regime. The council wish to see details of the method to convey water in line with the natural drainage regime.
 - The Ashford Borough Council Sustainable Drainage SPD is a fundamental local planning policy and should be considered throughout the design phase of the project to ensure that the scheme is in line with these requirements.
11. The proposals should include information to demonstrate that mitigation can be implemented to maintain the protected species population within the surrounding area and that the proposed works do not have a negative impact in designated nature conservation sites.
12. The proposals should show details to ensure all potential sources of contamination are properly identified and mitigated.
13. A pollution assessment should be carried out to confirm that no air quality management area needs to be created in the vicinity of the site.

(B) Delegated Powers

That authority be delegated to the Head of Development, Strategic Sites and Design or the Head of Planning Policy and Economic Development to make any necessary adjustments to the Council comments as detailed above as may in their opinion be required in consultation with the Portfolio holder.

Queries concerning these Minutes? Please contact Rosie Reid: Telephone: 01233 330565 Email: rosie.reid@ashford.gov.uk.

Agendas, Reports and Minutes are available on: www.ashford.gov.uk/committees

Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **16th March 2016**

Present:

Cllr. Burgess (Chairman);

Cllr. Wedgbury (Vice-Chairman);

Cllrs. Apps, Barrett, Mrs Bell, Bennett, Mrs Blanford, Bradford, Dehnel, Farrell, Galpin, Heyes, Hicks, Link, Smith.

In accordance with Procedure Rule 1.2 (iii) Councillors Mrs Bell, Hicks and Smith attended as Substitute Members for Councillors Clokie, Powell and Ovenden respectively.

Apologies:

Cllrs. Clarkson, Clokie, Ovenden, Powell, Waters.

Also Present:

Cllr. A Howard.

Joint Development Control Manager, Principal Strategic Sites Planner & Urban Designer, Senior Development Planner (Kent Highway Services), Principal Solicitor (Strategic Development), Member Services and Scrutiny Support Officer, Head of Planning & Development, Chilmington and Design Team Leader.

377 Declarations of Interest

Councillor	Interest	Minute No.
Mrs Bell	Made a Voluntary Announcement as she was a Member of the Weald of Kent Protection Society	379 – 14/01116/AS
	And	
	Made a Voluntary Announcement as she was the Portfolio Holder for Public Interaction and Borough Presentation.	379 – 15/01575/AS
Bennett	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	379 – 14/01116/AS
Mrs Blanford	Made a Voluntary Announcement as she was a Member of the Weald of Kent Protection	379 – 14/01116/AS

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Society

And

	Made a Voluntary Announcement as she was a member of the Campaign to Protect Rural England.	379 – 14/01116/AS
Burgess	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	379 – 14/01116/AS
Smith	Made a Voluntary Announcement as he was Treasurer of the South Willesborough and New Town Community Group who had made an objection to this item. He would speak and leave the Chamber for the debate and vote.	379 – 15/01575/AS

378 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 17th February 2016 be approved and confirmed as a correct record.

379 Schedule of Applications

Resolved:

That following consideration of (a), (b) and (c) below,

- (a) Private representations (number of consultation letters sent/number of representations received)**
- (b) The indication of the Parish Council's/Town Council's views**
- (c) The views of Statutory Consultees and Amenity Societies (abbreviation for consultee/society stated)**

Supports 'S', objects 'R', no objections/no comments 'X', still awaited '+', not applicable/none received '-'

decisions be made in respect of Planning Applications as follows: -

Application Number	15/01575/AS	
Location	Site of former Klondyke Works, Newtown Road, Ashford, Kent	
Grid Reference	01548/41597	
Parish	None	
Ward	Aylesford Green (Ashford)	
Application Description	Model railway visitors centre for the display and heritage of model railway models including new highways junction and associated parking	
Applicant	Mr Cliff Parsons	
Agent	RDA Consulting Architects Ltd	
Site Area	1.01 ha	
(a) 37/1R South Willesborough And Newtown Community Group - R 1 petition (93 signatories)	(b) -	(c) HE - + KH&T - X KCC (Ecology) – R KCC (Heritage) - X SWS - X PO – X EA - Stagecoach - NR – KWT – Visit Kent – The Historical Model Railway Society – KICC -

The Principal Strategic Sites Planner & Urban Designer drew Members' attention to the Update Report. This detailed three errata, clarification on impact on listed buildings, an updated Recommendation and additional planning conditions.

In accordance with Procedure Rule 9.3, Mr Webb spoke on behalf of South Willesborough & Newtown Community Group in objection to the application. He said he had always had an interest in railways, both as a hobby and a second career and he would like to be sympathetic towards this application. However, his purpose at

the meeting was to represent the local community of New Town. The residents were concerned at the prospect of this large exhibition hall being built close to their homes. With a live steam miniature railway train round the perimeter of the site and only 7 metres from the children's bedrooms in the old school. This was compounded by the erection of the proposed 3 storey viewing platform which would overlook the nursery school and the residents' homes and gardens. There would be noise and smoke coming from the site all day from 10am to 6pm, 7 days per week. 60 car parking spaces would be inadequate for a projected maximum of 500,000 visitors with a potential demand for over 600 cars to be parked. The whole of the area of New Town and into South Willesborough would be swamped with cars from AIMREC visitors. Mr Webb questioned where all the visitors would park – not hundreds, but thousands of visitors. There would be chronic congestion and mayhem. This project would be an unwarranted intrusion into the lives of the residents, and this application should be refused.

In accordance with Procedure Rule 9.3, Mr Parsons, the applicant, spoke in support of the application. He explained that AIMREC was not a museum but a working hands-on education centre. It would be open 7 days per week from 10am – 5pm but the miniature outside railway would only operate at weekends, weather permitting. On Mondays the centre would be open only for school parties, undergraduates and students studying industrial and social history. Between them, the Trustees had over 150 years' experience in running model railway exhibitions. This project would be a huge benefit to Ashford with regard to employment and apprenticeships, and would provide the only model railway education visitor centre in the world. It would show a history of the Ashford works and Ashford's part in the two World Wars. This was a prime site due to railway links to London and Ashford's railway heritage. Advertising would encourage visitors to come by train. It was anticipated that AIMREC would contribute up to £20m revenue to the local economy. The website had already received 480,000 hits from 28 different countries with offers of support and donations. AIMREC noted, whilst looking for a venue, that Ashford had included this site in their Local Plan for tourism, leisure or light industrial purposes. At the outset the Trustees met with the New Town Residents Association who supported the idea of the centre, although they were concerned about parking provision. The Trustees had been working with Kent Highways and consultants, and as a result had provided more car parking spaces than required. In addition, AIMREC's new building was only half the size of the old sheds which once occupied the site.

The Ward Member said that he was in favour in principle of a railway museum in Ashford, but he outlined his concerns regarding this particular application.

Resolved:

- (A) Subject to the prior receipt of a Reptile Survey and appropriate mitigation measures, with delegated authority to the Strategic Sites and Design Manager or the Joint Development Control Manager to approve the same and to add any further planning conditions or obligations necessary to secure it.**

(B) Subject to the applicant first entering into a section 106 agreement in respect of planning obligations related to

- a. **Carbon off-setting; controlled parking zone; off-site highway works, travel plan and travel plan monitoring fee.**
- b. **Monitoring fee**

as detailed in table 1, in terms agreeable to the Strategic Sites and Design Manager or the Development Control Manager in consultation with the Head of Legal and Democratic Services, with delegated authority to either the Strategic Sites and Design Manager or the Development Control Manager to make or approve minor changes to the planning obligations and planning conditions, as they see fit.

Table 1

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
1.	<p><u>Carbon Off-Setting Contribution</u></p> <p>Contribution for funding carbon savings based on the residual carbon emissions of the building set out in the approved energy performance certificate and quantified over 10 years.</p> <p>Project: Retrofitting of International House with Low and Zero Carbon Technologies</p>	<p>To be calculated using the shadow price of carbon set out in the Sustainable Design and Construction SPD</p>	<p>Payable on the occupation of the building</p>
2.	<p><u>Controlled Parking Zone</u></p> <p>Contribution towards the making and</p>	<p>To be agreed in consultation with KCC</p>	<p>On first occupation of the building</p>

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	implementation of a Traffic Regulation Order in Newtown and South Ashford area Zone 11 (north of Norman Road and east of Beaver Road)		
3.	<u>Monitoring Fee</u> Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking	£1000 one –off payment	Payment upon commencement of development
4.	<u>Off-site Highway Works</u> Provision of interim junction	To be agreed in consultation with KCC	
5.	<u>Travel Plan</u> Submit a travel plan to be approved by the Council which aims to reduce car use by occupiers and encourage alternative modes of transport. Implementation of the approved travel plan.	Not applicable	Travel plan to be approved prior to first occupation
6.	<u>Travel Plan Monitoring Fee</u> Contribution towards the cost of monitoring compliance with the travel plan and	£5,000	£1,000 upon first occupation and £1,000 on the anniversary thereof for 4 years

Planning Obligation		
Detail	Amount(s)	Trigger Point(s)
helping to ensure its success		
<p>Notices will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be index linked as set out on the council web site in order to ensure the value is not reduced over time. The costs and disbursements of the Council's Legal Department incurred in connection with the negotiation, preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs.</p> <p>If an acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused.</p>		

(C) Permit

Subject to the following conditions and notes:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Written details including source/ manufacturer, and samples of bricks, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity.

3. Prior to the commencement of the development hereby permitted the following details shall be submitted to and approved by the Local Planning Authority in writing:
 - (a) 1:20 sectional details and vertical and horizontal sections through windows and entrances;
 - (b) 1:50 scale drawings of architectural features to include main building entrance feature and viewing platform;

- (c) 1:20 sectional and elevational details of facade/metal screen to middle block of building (front and rear elevations);
- (d) Details of Iron Bridge replica entrance feature into site.

Reason: So the Local Planning Authority can be satisfied as to the details of the proposal.

- 4. No construction activities shall take place, other than between 0730 to 1800 hours (Monday to Friday) and 0730 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday.

Reason: To protect the amenity of local residents in accordance with Policy CS1 of the Local Development Framework Core Strategy.

- 5. No development shall take place until a Construction Management Plan has been submitted to and approved by the Local Planning Authority in writing. This plan should include:

- (a) Routing of construction and delivery vehicles to / from the site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel, with the replacement of staff parking for the duration of construction;
- (c) Timing of deliveries;
- (d) Provision of wheel washing facilities;
- (e) Details of site access point(s) for construction;
- (f) Temporary traffic management/signage.

The development should be carried out in accordance with the Construction Management Plan.

Reason: In the interests of highway safety and the amenities of neighbouring residents.

- 6. Prior to the use commencing, the vehicle parking spaces shown on drawing number 13.115.51 Rev A shall be provided and permanently retained for the duration of the development.

Reason: To ensure the provision and retention of adequate off-street parking facilities for vehicles in the interest of highway safety.

7. Prior to the use commencing, the vehicle loading/unloading and turning facilities shown on drawing number 13.115.52.Rev A shall be provided and permanently retained for the duration of the development.

Reason: In the interests of highway safety.

8. Prior to the use commencing, the cycle parking facilities shown on drawing number 13.115.52.Rev A shall be provided and permanently retained for the duration of the development.

Reason: To ensure the provision and retention of adequate off-site parking facilities for bicycles in the interest of highway safety.

9. Prior to the use commencing, the access details shown on drawing number 13.115.51 Rev A and drawing number 2905-01 Rev D shall be completed and maintained for the duration of the development.

Reason: In the interests of highway safety.

10. Prior to the use commencing, the associated highway works shown on drawing number 13.115.51 Rev A and drawing number 2905-01 Rev D shall be completed and maintained for the duration of the development.

Reason: In the interests of highway safety.

11. No development shall take place until details of measures to prevent the discharge of surface water onto the highway have been submitted to and approved in writing by the Local Planning Authority.

Reason: So the Local Planning Authority can be satisfied as to the details of the proposal.

12. Prior to the use commencing, details of new pedestrian wayfinding signs signing the proposed Model Railway Education Centre from the International Station shall be submitted to and approved in writing by the Local Planning Authority. The signs shall be provided in situ before the use commences.

Reason: To ensure pedestrian legibility across the area in the interests of good planning.

13. No development shall take place until details of a parking management scheme have been submitted to and approved by the Local Planning

Authority in writing. These details should include the provision of a Pay and Display Scheme in which visitors can obtain a refund if they purchase a ticket into the centre. The Pay and Display Scheme shall be implemented prior to the opening of the AIMREC building.

Reason: To prevent overspill parking from the Designer Outlet in the interest of the residential amenity of the area.

14. Prior to the commencement of development, a detailed remediation scheme to ensure that the site is suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) must be submitted to and approved in writing by the Local Planning Authority. The scheme must describe all the relevant works to be undertaken including, the proposed remediation objectives and performance criteria, a schedule of works and site management protocols.

The scheme must deliver a site that will not qualify as 'contaminated land' under Part 2A of the Environmental Protection Act 1990, having regard to the intended use of the land after remediation.

The approved scheme shall thereafter be carried out in accordance with its approved terms, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be notified at least two weeks prior to commencement of the remediation scheme works.

Following completion of the remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15. If unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2.

Following completion of the remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be

prepared and submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. (LDF Core Strategy Policy CS1 and CS4)

16. No external lighting shall be installed until details have been submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area and local residents from light pollution.

17. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall be in accordance with the approved landscape masterplan (drawing no 3130_DR_001). They should include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, picnic area, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage, power communications cables, pipelines etc indicating lines, manholes, supports etc).

Reason: In order to protect and enhance the amenity of the area.

18. The details of soft landscape works required in condition 17 above shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme.

Reason: To ensure that adequate details of the proposals are submitted in the interests of the protection and enhancement of the area.

19. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority; and any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenity of the area.

20. The approved development shall be carried out in such a manner as to avoid damage to the existing trees along site boundaries, including their root systems, and other planting to be retained by observing the following:

(a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012, (Trees in relation to design, demolition and construction - recommendations). Such tree protection measures shall remain throughout the period of construction;

(b) No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;

(c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;

(d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation;

(e) Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

(f) No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans without the prior written consent of the Local Planning Authority. Such trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

21. No development shall take place until details of boundary treatment have been submitted to and approved in writing by the Local Planning Authority. This should include a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details and shall be permanently maintained.

Reason: In the interest of the visual amenity of the area.

22. Prior to development commencing, a scheme for the enhancement of biodiversity on the site in accordance with the general recommendations set out in the Ecological Appraisal (Lloyd Bore) shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall take account of any protected species that have been identified on the site, and in addition shall have regard to the enhancement of biodiversity generally. It shall be implemented in accordance with the approved proposals within it and shall be carried out in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance existing species and habitat on the site in the future

23. The premises shall not be open to the public other than between the hours of 10:00AM – 5:00PM Monday to Sunday with the exception of Christmas Day, Boxing Day and New Year's Day when the premises will be closed.

Reason: To protect the residential amenity of the locality

24. The building hereby approved shall be constructed to achieve a minimum Very Good Building Research Establishment BREEAM (or subsequent equivalent quality assured scheme) overall standard comprising the following minimum elements:

- i) 'Excellent' standard in respect of energy credits
- ii) 'Maximum' standard in respect of water credits
- iii) 'Excellent' standard in respect of material credits

Prior to development commencing, the following details shall be submitted to the Local Planning Authority for written approval:

1. Details of a 'Design Stage' assessment and related certification, and,
2. Details of how the development will reduce carbon dioxide emissions to a level 20% below the predicted total energy demand through the use of on-site sustainable energy technologies such as renewables and/or low carbon technologies.

Following completion of the final building, a BREEAM 'Post Construction Stage' assessment and related certification confirming the BREEAM standard that has been achieved, and stating the amount of residual carbon emissions and how they are proposed to be dealt with to ensure that the development is carbon neutral (including details of any necessary mechanisms to be put in place and associated timetables) shall be submitted to and approved in writing by the Local Planning Authority.

Following any approval of a 'Post Construction State' assessment, the approved measures and technologies to achieve the BREEAM (good/very good/excellent) standard and to ensure that development is carbon neutral shall be implemented in accordance with the approval and thereafter shall be retained in working order in perpetuity.

Reason: In order to ensure that the energy efficiency through sustainable design and construction is achieved

25. No development shall commence until plans and particulars of a sustainable drainage system (including the details below) for the disposal of the site's surface water have been submitted to and approved in writing by the Local Planning Authority.

The final drainage plan for the scheme will be approved by Ashford Borough Council to ensure that surface water runoff from the site is being dealt with appropriately and in line with Ashford Borough Council's Sustainable Drainage SPD. This will include a modified surface water drainage strategy which satisfies the requirements of the SPD.

The submitted system shall comprise retention or storage of the surface water on-site or within the immediate area in a way which is appropriate to the site's location, topography, hydrogeology and hydrology.

Surface water runoff should be dealt with within the application boundary via suitable methods approved by Ashford Borough Council where possible. Proposals should identify any overland flow paths, channelling of flows, or piped flows along with the final point of discharge of the water from the site should be identified.

Permission for discharging of surface water into the existing public sewer must be obtained by the applicant via written confirmation from Southern Water of their agreement to the proposals.

The submitted system shall be designed to (i) avoid any increase in flood risk, (ii) avoid any adverse impact on water quality, (iii) achieve a reduction in the run-off rate in accordance with the Ashford Borough Council Sustainable Drainage SPD document, adopted October 2010. (iv) promote biodiversity, (v) enhance the landscape, (vi) improve public amenities, (vii) return the water to the natural drainage system as near to the source as possible and (viii) operate both during construction of the development and post-completion.

The submitted details shall include identification of the proposed discharge points from the system, a timetable for provision of the system and arrangements for future maintenance (in particular the type and frequency of maintenance and responsibility for maintenance).

The approved system shall be provided in accordance with the approved timetable. The approved system shall be maintained in accordance with the approved details and shall be retained in working order until such time as the development ceases to be in use.

A plan indicating the routes flood waters will take should the site experience a rainfall event that exceeds the design capacity of the surface water drainage system or in light of systems failure (Designing for exceedance) including appropriate mitigation measures and emergency response procedures.

Reason: In order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development pursuant to Core Strategy Policy CS20 Sustainable Drainage.

26. Prior to the commencement of development the applicant, or their agents or successors in title, has secured the implementation of
- i archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
 - ii following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: To ensure that features of archaeological interest are properly examined and recorded.

Reason: Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority is fundamental to the development permitted that such details must be submitted prior to the works, other than demolition works, commencing on site. This is because, at the time of granting permission, full details were not yet available but this information is necessary to ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

27. Prior to the commencement of development the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological interpretation work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that information of railway heritage archaeological interest is properly disseminated in accordance with NPPF.

28. The development approved shall be made available for inspection, at a reasonable time, by the local Planning authority to ascertain whether a breach of planning control may have occurred on the land (as a result of departure from the plans hereby approved and the specific terms of this permission/consent/approval).

Reason: In the interests of ensuring the proper planning of the locality, the protection of amenity and the environment, securing high quality development through adherence to the terms of planning approvals and to ensure community confidence in the operation of the planning system.

29. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents Approved by this decision, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

30. Prior to the external miniature railway being brought into use, the following details shall have been submitted to and approved by the Local Planning Authority in writing and thereafter the development shall only be operated in accordance with the approved details unless the Local Planning Authority has agreed to any variation in writing;-

(i) Days of operation of the miniature railway

- (ii) The times within which the miniature railway will operate during the specified days of operation and the frequency of circuits of the site
- (iii) Details of how the miniature railway rolling stock will be secured from vandalism or miss-use when the premises are closed to the public
- (iv) Details of the proposed miniature locomotive(s) sufficient to establish noise during operation in terms of db(A) SPL at 1 metre from the running train both with and without the operation of any warning horn / whistle

Reason: In order to ensure that the operation of the miniature railway has an acceptable relationship with nearby residential uses and as no such fine detail has been submitted with the application.

31. Construction for the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: To ensure proper sewerage disposal and avoid pollution of the surrounding area.

Notes to Applicant

1. The proposed railway along the boundary with Newtown Road will require structural approval as it is within 3.65m of the public highway. The applicant should therefore contact the Structures Team at KCC Highways and Transportation to discuss the proposals in more detail.
2. Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation
web:www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

3. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Ottersbourne, Hampshire SO21 2SW (tel: 0330 303 0119) or www.southernwater.co.uk

4. Working with the applicant

In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance:

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- the applicant/ agent responded by submitting amended plans, which were found to be acceptable and permission was granted
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was dealt with/approved without delay.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Application Number	14/01456/AS	
Location	Land adjoining 1 Willesborough Court, Blackwall Road South, Willesborough, Kent	
Grid Reference	03517/42590	
Parish Council	None	
Ward	North Willesborough (Ashford)	
Application Description	Erection of 34 dwellings to include car parking, new access, landscaping and associated infrastructure	
Applicant	Barratt Homes, Weald House, 88 Main Road, Sundridge, Kent TN14 6ER	
Agent	Ian Bull Consultancy Ltd, 1 Mountbatten Way Brabourne Lees Ashford.	
Site Area	1.3 hectares	
(a) 50/16R	(b)	(c) KHS R, EA X, SWS X, NE X POL X, EHM X, EA X, PO X, PCT X, HM X, KCC(DCU) X SSOS X; KWT X, SW X,, PO (Drainage) R, NE X, KCC (FRO) X, RSDB X, EHM (EP) X, WCF X
<u>Amends 50/2R</u>		KHS R EA X, HM X, KCC (EDU) X, KCC(FRO) PO (Drainage) X

The Principal Strategic Sites Planner & Urban Designer drew Members' attention to the Update Report. 4 further representations had been received by neighbours, raising the same points already covered in the report. Southern Water reconfirmed their comments made in a previous response regarding foul and surface water sewerage disposal. There were two proposed additional Conditions and a proposed additional Note to Applicant.

In accordance with Procedure Rule 9.3, Ms Dunn, on behalf of the Applicant, spoke in support of the application. The report summarised the key policy considerations and consultee comments received. Work had been undertaken following the initial submission in response to both the drainage officer and the KCC Highways Officer comments. They were happy to accept the condition in relation to plot 9 and the additional conditions mentioned earlier. The site in question was allocated in the Urban Sites and Infrastructure DPD, so the principle of development was already established. Although the DPD allocated a site for up to 40 dwellings, in order to accommodate highway, drainage and landscaping requirements, as well as feedback received, the application now comprised 34 open market and affordable dwellings. The design was high quality in terms of layout, design and materials and in keeping with the surrounding area. All of the dwellings proposed met all technical standards as well as Ashford and national space standards. The row of poplars was a prominent feature of the site, but, as mentioned in the Officer's report, they were not conducive to development and could not be retained. However the landscaping scheme mitigated against the loss. It was also believed that the correct balance between landscaping and car parking provision had been achieved. A drainage strategy had been developed for the site, which would provide a considerable betterment to the current situation. Throughout the application there had been engagement with the local residents, including a public exhibition and meeting with residents on separate occasions. Subject to KCC Highways approval, BDW Kent would be happy to fund both the extension of the 30 mph speed limit, as well as yellow lines. In conclusion, this was a well-designed scheme, which had taken on board feedback and comments. It would provide a number of benefits to the local area, much needed family homes, the full policy requirement of affordable homes as well as contributions of over half a million pounds towards education, health care, highways and open space. Ms Dunn urged Members to approve this application.

Resolved:

- (A)** Subject to the applicant first entering into a Section 106 agreement/undertaking in respect of planning obligations as detailed in Table 1, in terms agreeable to the Head of Development Strategic Sites and Design or the Joint Development Control Managers in consultation with the Head of Legal and Democratic Services, with delegated authority to either the Head of Development, Strategic Sites and Design or the Joint Development Control Managers to make or approve minor changes to the planning obligations and planning conditions (for the avoidance of doubt including adding additional conditions or deleting conditions), as they see fit.
- (B)** The applicant entering into a section 278 agreement in relation to the SPG6 payments

Table 1

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
1.	<p>Affordable Housing</p> <p>Provide not less than 30% of the units as affordable housing, comprising 60% affordable rent units and 40% shared ownership units in the locations and with the floorspace, wheelchair access (if any), number of bedrooms and size of bedrooms as specified. The affordable housing shall be managed by a registered provider of social housing approved by the Council. Shared ownership units to be leased in the terms specified. Affordable rent units to be let at no more than 80% market rent and in accordance with the registered provider's nominations agreement</p>	<p>10 affordable dwellings</p> <p>4 shared ownership units</p> <p>6 Affordable Rented</p>	<p>Affordable units to be constructed and transferred to a registered provider upon occupation of 75% of the open market dwellings</p>
2.	<p>Allotments</p> <p>Contribution towards provision of 0.33 ha of allotments and ancillary facilities at Lower Vicarage Road</p>	<p>£258 per dwelling for capital costs</p> <p>£66 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	Ashford and maintenance thereof		
3.	Carbon Off-Setting Contribution Contribution for funding carbon savings (excluding infrastructure) based on the residual carbon emissions of the dwelling or building set out in the approved energy performance certificate and quantified over 10 years	To be calculated using the shadow price of carbon set out in the Sustainable Design and Construction SPD	Payable on the occupation of each dwelling or building
4.	Children's and Young People's Play Space Contribution towards provision of provision of new natural play area at Hythe Road Recreation Ground	£649 per dwelling for capital costs £663 per dwelling for maintenance	Upon occupation of 75% of the dwellings
5.	Health Care (TBC) Contribution towards healthcare centres/surgeries in the area	£504 for each 1-bed dwelling £720 for each 2-bed dwelling £1008 for each 3-bed dwelling £1260 for each 4-bed dwelling £1728 for each 5-bed dwelling or larger	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
		£0 for any affordable units	
6.	<p>Informal/Natural Green Space</p> <p>Contribution towards provision of Public access project in Hythe Road Recreation Ground – to comprise installation of all weather routes across the site and to the play area with associated landscape improvements including planted and paved resting and picnic area for the disabled.</p>	<p>£434 per dwelling for capital costs</p> <p>£325 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings
7.	<p>Monitoring Fee</p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking</p>	£1000 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years (if not one-off payment)
8.	<p>Outdoor Sports Pitches</p> <p>Contribution towards provision of either</p>	<p>£1,589 per dwelling for capital costs</p> <p>£326 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	new all-weather MUGA at Hythe Road		
9.	Primary Schools Contribution towards additional primary school places at North Willesborough/ Kennington with new build Primary School	4000 per House	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
10.	Secondary Schools Contribution towards the 3 classroom extension to Kingsdown block at Highworth School, Ashford.	£2359.80 per per house	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
11.	Strategic Parks Potentially applicable to all residential developments •Contribution towards Provision of controlled public access through ecologically sensitive area of park , connecting the new development with the Stour Valley walk via a new bridge.	£146 per dwelling for capital costs £47 per dwelling for maintenance	Upon occupation of 75% of the dwellings

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
12.	Libraries Contribution towards: bookstock at Ashford Library for the initial impact of new residents of this development.	Library bookstock £1632.54	Upon occupation of 75% of the dwellings

(C) Permit

Subject to the following conditions and notes:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Material and details

2. Written details including source/manufacturer, and samples of bricks, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity

3. Details of walls and fences to be erected within the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The walls and fences shall then be erected before the adjoining part of the development or dwelling is occupied in accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity

4. Details of the substation adjacent to the rear of units 3 and 5 shall be submitted to and approved by the Local Planning Authority prior to the commencement of works and installed in accordance with the approved details.

Reason: The details have not been provided and in the interests of visual amenity

5. Details of the method of bin storage and transfer for collection at the front of the property for unit 9 as shown on the approved plans shall be submitted to and approved by the Local Planning Authority prior to the commencement of works and shall be installed and thereafter maintained in accordance with the approved details

Reason: In the interests of good bin storage and collection.

6. The development hereby permitted shall incorporate measures to minimise the risk of crime. No development shall take place until details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

Reason: for the condition: In the interest of Security, Crime Prevention and Community Safety and in accordance with Policies of the Borough/District Council's Core Strategy Plan (dated, page, section) and the guidance within The Kent Design Initiative (KDI) and protocol dated April 2013

7. Details of final levels for the development including slab levels of the building shall be submitted to and approved by the Local Planning Authority prior to the commencement of works and the development shall be carried out in accordance with the approved levels.

Reason: In the interests of the visual amenity of the surrounding area

Highways and Parking

8. The area shown on the drawing number W003/01W as vehicle parking space, garages, turning and loading and off-loading space shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this space.

Reason: Development without provision of adequate accommodation for the parking, loading, off-loading and turning of vehicles is likely to lead to such activities inconvenient to other road users

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9. The vehicle turning area (s) hereby approved shall be provided prior to the development to which it relates being occupied or brought into use and thereafter the area(s) shall be retained available for this purpose.

Reason: So that vehicles may enter and leave the site in a forward gear in the interests of highway safety

10. The occupation of the development authorised by this permission shall not begin until:
- a. the Local Planning Authority has approved in writing a full scheme of works for the extension of the double yellow lines along Blackwall Road South up to the junction with Blackwall Road North

and

- b. the approved works have been completed in accordance with the Local Planning Authority's written approval and have been certified in writing as complete on behalf of the Local Planning Authority;

unless alternative arrangements to secure the specified works have been approved in writing by the local planning authority.

Reason: In the interests of Highways Safety

11. The occupation of the development authorised by this permission shall not begin until:
- a. the local planning authority has approved in writing a full scheme of works for the extension of the 30mph limit up to the junction of Blackwall Road South and North

and

- b. the approved works have been completed in accordance with the Local Planning Authority's written approval and have been certified in writing as complete on behalf of the Local Planning Authority;

unless alternative arrangements to secure the specified works have been approved in writing by the Local Planning Authority.

Reason: In the interests of Highways Safety

12. No development shall take place until details of the bicycle storage facilities showing a covered and secure space for each dwelling have been submitted to an approved in writing by the Local Planning Authority. The approved bicycle storage shall be completed prior to occupation of each dwelling and shall thereafter be retained.

Reason: To ensure the provision and retention of adequate off-street parking facilities for bicycles in the interests of highway safety

- 13 Before the first occupation of each dwelling the following works between that dwelling and the road serving the dwelling shall be completed as follows:
- (a) Footways and/or footpaths shall be completed, with the exception of the wearing course;
 - (b) Carriageways completed, with the exception of the wearing course, including the provision of a turning facility beyond the dwelling together with related:
 - 1. highway drainage, including off-site works,
 - 2. junction visibility splays,
 - 3. street lighting, street nameplates and highway structures if any.

The final wearing course shall be applied within 1 year of the occupation of the dwelling unless otherwise agreed by the Local Planning Authority in writing.

Where the road serving the dwelling is not proposed for adoption by the highway authority, a future maintenance regime (including a timetable for its implementation, responsible persons and clear funding proposals) shall be submitted to and approved by the LPA in writing before occupation of the first dwelling. The development shall then be carried out in strict accordance with the approved details unless otherwise agreed in writing by the LPA

Reason: In the interests of highway safety and the amenity of residents

Landscaping

- 14 No development shall take place until full details of both hard and soft landscape works including within the on-site open space have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant].

Reason: In order to protect and enhance the amenity of the area

-
- 15 The details of soft landscape works required in condition 14 above shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: To ensure that adequate details of the proposals are submitted in the interests of the protection and enhancement of the area.

- 16 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority; and any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenity of the area

- 17 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens and on-site open space shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved unless previously agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure the new landscaped areas are properly maintained in the interest of the amenity of the area.

Environmental Protection

- 18 Following completion of the remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. (LDF Core Strategy Policy CS1 and CS4)

- 19 Prior to the commencement of the development a Code of Construction Practice shall be submitted to and approval in writing by the Local Planning Authority. The construction of the development shall then be carried out in accordance with the approved Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites and the Control of dust from construction sites (BRE DTi Feb 2003).unless previously agreed in writing by the Local Planning Authority

The code shall include:

- An indicative programme for carrying out the works
- Measures to minimise the production of dust on the site(s)

Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s)

- Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site(s)
- Design and provision of site hoardings
- Management of traffic visiting the site(s) including temporary parking or holding areas
- Provision of off road parking for all site operatives
- Measures to prevent the transfer of mud and extraneous material onto the public highway
- Measures to manage the production of waste and to maximise the re-use of materials
- Measures to minimise the potential for pollution of groundwater and surface water
- The location and design of site office(s) and storage compounds
- The location of temporary vehicle access points to the site(s) during the construction works
- The arrangements for public consultation and liaison during the construction works

Reason: To protect the amenity of local residents

Archaeology

- 20 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

Drainage

- 21 No development shall commence until plans and particulars of a sustainable drainage system for the disposal of the site's surface water based on the principles & Calculations set out in the submitted documents approved in writing by the Local Planning Authority and based on the principles identified in the following drawings;

- Drainage Strategy Drawing – Rev D – Drawing Number 11313-CIV-500 – July 2015
- Planning Layout Drawing Rev W – Dated 13th January 2016.

The final drainage plan and strategy for the scheme will be approved by Ashford Borough Council to ensure that surface water runoff from the site is being dealt with appropriately. The final surface water design should be in accordance with Ashford Borough Council's Sustainable Drainage SPD providing a site runoff rate of no greater than 4l/s/ha.

The submitted system shall comprise retention or storage of the surface water on-site or within the immediate area in a way which is appropriate to the site's location, topography, hydrogeology and hydrology.

Surface water runoff generated by the site should be dealt with within the application boundary via suitable methods approved by Ashford Borough Council, this includes any new outfall structures. Suitable access should be provided to any new structures to allow for any ongoing maintenance of the structure to be completed in a safe manner.

The submitted system shall be designed to (i) avoid any increase in flood risk, (ii) avoid any adverse impact on water quality, (iii) achieve a reduction in the run-off rate in accordance with the Ashford Borough Council Sustainable Drainage SPD document, adopted October 2010. (iv) promote biodiversity, (v) enhance the landscape, (vi) improve public amenities, (vii) return the water to the natural drainage system as near to the source as possible and (viii) operate both during construction of the development and post-completion.

The submitted details shall include identification of the proposed discharge points from the system, a timetable for provision of the system and arrangements for future maintenance (in particular the type and frequency of maintenance and responsibility for maintenance).

The approved system shall be provided in accordance with the approved timetable. The approved system shall be maintained in accordance with the approved details and shall be retained in working order until such time as the development ceases to be in use.

A plan indicating the routes flood waters will take should the site experience a rainfall event that exceeds the design capacity of the surface water drainage system or in light of systems failure (Designing for exceedance) including appropriate mitigation measures and emergency response procedures.

Reason: In order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development pursuant to Core Strategy Policy CS20 Sustainable Drainage.

- 22 Details of the proposed means of foul and surface water sewerage disposal shall be submitted to and approved by the Local Planning Authority prior to the commencement of works in consultation with Southern Water and shall be installed in accordance with the approved details.

Reason: In the interests of providing sewerage disposal for the development.

Restrictions to development/ use

- 23 Before the first occupation of the building hereby permitted the windows at Plot 22 ensuite bathroom south elevation shall be fitted with obscure glazing, fixed shut and shall be permanently retained in that condition thereafter.

Reason: In the interests of the residential amenities of adjacent dwellings

- 24 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no windows, or similar openings shall be constructed in the following elevation(s) of the buildings

Plot 21 and plot 22 south elevation.

other than as hereby approved without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenity of occupants of the adjoining property

- 25 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any

subsequent Order revoking or re-enacting that Order, the dwellings hereby approved shall only be occupied as single dwelling houses as described by Use Class C3 of the Town and Country Planning Use Classes Order 1987 as amended.

Reason: To ensure that car parking provided within the development remains adequate to meet the needs of the occupiers of the development and to protect the amenities of future occupiers of the development.

- 26 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, the car barns shall be provided in accordance with the detailing shown on the approved plans and shall not be further altered through the addition of further alterations/ doors without the prior permission of the Local Planning Authority in writing.

Reason: To ensure the covered space is retained available for the storage of a vehicle when not in use in order to prevent the displacement of car parking and subsequent inappropriate car parking

Sustainable design and construction

- 27 The development shall be carbon neutral. Each dwelling hereby approved shall be constructed and fitted out so that:
- a) the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day as measured in accordance with a methodology approved by the Secretary of State;
 - b) carbon emissions are reduced by 15% through Low and Zero Carbon Technologies once energy efficiencies have been applied.

Unless otherwise agreed in writing by the Local Planning Authority, no work on each dwelling shall commence until the following details for those dwellings have been submitted to and approved in writing by the Local Planning Authority:

- a) Standard Assessment Procedure ("SAP") calculations from a competent person stating the estimated amount of carbon emissions from energy demand with and without LZC technologies installed.
- b) Details of the LZC technologies to be used to achieve the 15% reduction in carbon emissions.

The development shall be carried out in accordance with the approved details. The approved LZC technologies shall thereafter be retained in working order unless otherwise agreed in writing by the Local Planning Authority.

Unless otherwise agreed in writing by the Local Planning Authority, no dwelling shall be occupied until SAP calculations from a competent person have been submitted to and approved in writing by the Local Planning Authority for that dwelling stating (i) the actual amount of carbon emissions from energy demand with the LZC technologies that have been installed and what the emissions would have been without them and (ii) the actual amount of residual carbon emissions.

No dwelling shall be occupied unless the notice for that dwelling required by the Building Regulations 2010 (as amended) of the potential consumption of wholesome water per person per day has been given to the Local Planning Authority

Reason: In order to (i) achieve zero carbon growth and ensure the construction of sustainable buildings and a reduction in the consumption of natural resources, (ii) seek to achieve a carbon neutral development through sustainable design features

and on-site low and/or zero carbon technologies and (iii) confirm the sustainability of the development and a reduction in the consumption of natural resources and to calculate any amount payable into the Ashford Carbon Fund, thereby making the development carbon neutral, all pursuant to Core Strategy policy CS10, the Sustainable Design and Construction SPD and advice in the NPPF.

Ecology

- 28 Details of the measures to enhance biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works and shall be implemented prior to occupation of the development and thereafter maintained

Reason: In order to enhance biodiversity of the site in accordance with the NPPF and Core Strategy Policy CS11.

- 29 Prior to occupation of the first dwelling, interpretation boards and a dog waste bin shall be provided at the entrance to the adjoining Local Wildlife Site, Willesborough Lees and Flowergarden Wood in accordance with details submitted to and approved by the Local Planning Authority in consultation with Kent Wildlife Trust and thereafter maintained in accordance with the approved details.

Reason: To help provide information for local residents and users of the wildlife site to help deal with recreational pressures in the interests of nature conservation.

- 30 Prior to occupation of the first dwelling details of a residents 'information pack in respect of the use of the adjoining Local Wildlife Site, Willesborough Lees

and Flowergarden Wood shall have been approved by the Local Planning Authority in consultation with Kent Wildlife Trust. The residents' information pack shall comprise the following:-

- (a) Details of domestic pet predation, dog litter and associated implications on the Local Wildlife Site in general and the reason behind the designation.

The residents' information pack shall be provided to each household on its first occupation.

Reason: To help provide information on the local wildlife site and impacts on its use for the residents to help deal with recreational pressures in interests of nature conservation.

- 31 The development shall be made available for inspection, at a reasonable time, by the local planning authority to ascertain whether a breach of planning control may have occurred on the site (e.g. as a result of departure from the plans hereby approved and/or the terms of this permission).

Reason: In the interests of ensuring the proper planning of the locality and the protection of amenity and the environment, securing high-quality development through adherence to the terms of planning approvals, and ensuring community confidence in the planning system.

- 32 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within Schedule 2, Part 1 and Class A of that Order (or any Order revoking and re-enacting that Order), without the prior approval of the Local Planning Authority.

Reason: To ensure against inappropriate extensions being created to homes and thus protect the character and amenities of the locality.

Notes to Applicant

1. Prospective purchasers of homes should note that (i) the applicant has identified that the street system shown on the approved plans will not be offered to Kent County Council for adoption as public highway and that, in such a scenario, (ii) condition 13 of this permission requires the submission of details of the future maintenance regime for roads to be submitted for approval of the Local Planning Authority. These details are required to be approved in writing by the Local Planning Authority before the occupation of the first dwelling and are required to include a timetable for implementation, details of responsible persons involved with the future maintenance of roads and clear funding proposals. Prospective purchasers of homes are advised to fully understand and take these future maintenance matters into account in

deciding whether to purchase homes authorised by the grant of this permission.

2. This development is also the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990 which affects the way in which the property may be used.
3. Working with the applicant

In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance:

- the applicant/agent was updated of any issues after the initial site visit,
 - was provided with pre-application advice,
 - the applicant/ agent responded to our initial contact, and by submitting amended plans, which were found to be acceptable and permission was granted
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
4. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service the development and should contact Southern Water, Sparrowgrove House, Sparrowgrove Otterbourne, Hampshire SO21 2SW (tel 0330 303 0119) www.southernwater.co.uk ,
 5. The site and adjacent land appears to be located within the River Stour Internal Drainage District, where any watercourse would be classed as an

'ordinary watercourse' and comes under the terms of the Land Drainage Act 1991 (as amended by the Flood and Water Management Act 2010), whereupon any culvert, diversion, weir dam or like obstruction to the flow of the watercourse requires the consent of the River Stour Internal Drainage Board, under the Land Drainage Act 1991. In the absence of any agreement to the contrary, maintenance of the watercourse is the responsibility of the riparian owner. Application for consent should be made to the River Stour Internal Drainage Board (Tel: 01227 462 377; enquiries@riverstouridb.org.uk.www.riverstouridb.org.uk

Application Number	14/01116/AS
Location	Pluckley Brickworks, Station Road, Pluckley, Kent
Grid Reference	91862/43408
Parish Council	Pluckley
Ward	Weald Central
Application Description	Proposed development of 25 dwellings and new access
Applicant	Crabtree & Crabtree (Pluckley) Limited, c/o BDB Design LLP, Church Barn, Milton Manor Farm, Ashford Road, Canterbury, Kent, CT4 7PP
Agent	Mr M Drury, BDB Design LLP, Church Barn, Milton Manor Farm, Ashford Road, Canterbury, Kent, CT4 7PP
Site Area	8.2ha

(a) 33/3+, 6S, 29R	(b) R	(c) KH&T - + EH(EP) - + HM - + KCC - + NHS - Cult - + SWS - + EA - X PO (Drainage) - + WKPS - S KWT - R CPRE - S
(a) 33/2+, 11R	(b) R	(c) KH&T - + KCC - + EA - X PO (Drainage) - + SWS - + WKPS - R NE - + Cult - +
(a) 33/1+, 2S, 6R	(b) -	(c) KH&T - + KCC - + EA - + NE - + EH - + PO (Drainage) - + SWS - + WKPS - R
(a) 33/7R 1+	(b) S	(c) EA - + EH(EP) - + NE - + Cult - R PO (Drainage) - + SWS - + KWT - +

The Joint Development Control Manager drew Members' attention to the Update Report, which included an amendment to the number of neighbour objections and further comments from the Weald of Kent Protection Society and the Campaign to Protect Rural England.

In accordance with Procedure Rule 9.3, Mr Drury, the agent, spoke in support of the application. He said his client had bought this site in April 2012 and had appointed Mr Drury as agent to prepare residential redevelopment proposals. The Council's

advice at that time was to see how much support there was in the local community for redevelopment of the site. Following initial meetings with the Parish Council and Council Officers, an application was submitted in August 2014 for 52 houses, business units and a car park. The views of residents were mixed and split between support and opposition. The main concerns were the car parking arrangements and the scale of the development. At that time work started on a Neighbourhood Plan for Pluckley and it became clear that the community shared a common purpose with the agent for redevelopment of the site; firstly to do away once and for all with the danger of converting the site to industrial use; and secondly, to provide village housing of the right type and number. The Parish Council and Neighbourhood Plan Steering Group were keen to see as few houses as viable on the site, and therefore no affordable housing was included in the application. A viability study was submitted to the Council, and was audited. The revised plan and outline application was produced in partnership for 25 high quality homes, some of which had been identified for downsizing. The idea of the public car park had been dropped and there were no new business units proposed, and station garage would remain in its original usage, albeit with new tenants. Mr Drury commended the Officer's report, which he considered comprehensive and fair.

In accordance with Procedure Rule 9.3, Mr Newman, on behalf of Pluckley Parish Council, spoke in support of the application. This site had been used for nearly 30 years. The lake was used by parishioners as a leisure amenity, and the area had become a natural habitat for several special species. The Parish would like it to remain as a nature reserve. However, part of the site was heavily polluted and it did have an outstanding licence for waste disposal. There had been several contentious previous applications and this was a sensitive site. The process of the application had coincided with the preparation of the Neighbourhood Plan which had given the opportunity for residents to express their views. The overall consensus was that a limited amount of housing was preferable to any industrial use. It was important that any development should be proportionate to the size of the hamlet. A compromise had been reached to deliver 25 dwellings, contained in the old works area, which offered protection to the habitats and the leisure use of the rest of the site and the adjoining field. Four of the homes were smaller and suitable for downsizing for elderly residents. There would be other sites in the Parish, supported in the Neighbourhood Plan, which would also meet this need, as well as the need for starter homes. Most residents felt that this solution removed the threat of future industrial use, cleaned up an ugly area and was appropriate to the size of this small area of the Parish. Mr Newman thanked Officers who had drawn up the conditions which offered the protection the Parish was seeking, so that the Parish Council now felt able to support this application, which was reflected in the draft Neighbourhood Plan. Mr Newman said the Parish Council asked Members to support this application.

Resolved:

(A) Subject to the applicant entering into a Section 106 agreement/undertaking in respect of planning obligations related to

a. Carbon off-setting

- b. Children's play space
- c. Sports (outdoors)
- d. Secondary education
- e. Libraries
- f. Social care
- g. Community learning
- h. Youth
- i. Extension to village hall
- j. Monitoring fee

as detailed in Table 1, in terms agreeable the Strategic Sites and Design Manager or the Development Control Manager in consultation with the Head of Legal and Democratic Services, with delegated authority to either the Strategic Sites and Design Manager or the Joint Development Control Manager to make or approve minor changes to the planning obligations and planning conditions, as they see fit:

Table 1

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
1.	<p><u>Outdoor sports pitches</u></p> <p>Contribution towards repairs to the surround fencing of the tennis courts at the Recreation Ground</p>	£52 per dwelling	Before completion of 75% of the dwellings
2.	<p><u>Children's and young people's play space</u></p> <p>Contribution towards the installation of junior football</p>	£24 per dwelling	Before completion of 75% of the dwellings

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	goalposts on the Recreation Ground		
3.	<p><u>Carbon off-setting</u></p> <p>Contribution for funding carbon savings based on the residual carbon emissions of the dwelling or building set out in the approved energy performance certificate and quantified over 10 years. In the first instance to go towards cladding the village hall to improve its thermal efficiency or then on any other carbon savings scheme the Council may identify</p>	To be calculated using the shadow price of carbon set out in the Sustainable Design and Construction SPD	Payable on the occupation of each dwelling
4.	<p><u>Secondary education</u></p> <p>Contribution towards the Highworth school phase 2 expansion</p>	£2359.80 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
5.	<p><u>Libraries</u></p> <p>Contribution for additional bookstock at libraries in the borough (excluding infrastructure)</p>	£223.27 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
			the dwellings
6.	<u>Adult social care</u> Contribution towards funding additional adult social care staff in the borough	£77.58 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
7.	<u>Community Learning</u> Contribution towards community learning services in the area (excluding infrastructure)	£34.45 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
8.	<u>Youth services</u> Contribution towards youth services in the area (excluding infrastructure)	£63.12 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
9.	<u>Extension to village hall</u> Contribution towards an extension to the village hall to provide a new foyer entrance and toilets, including a disabled toilet	£2165.78 per dwelling	Before completion of 75% of the dwellings
10.	<u>Monitoring Fee</u> Contribution towards the Council's costs of monitoring compliance with the	£1000 per annum until development is completed	First payment upon commencement of development and on the anniversary

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	agreement or undertaking		thereof in subsequent years
<p>Notices will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be index linked as set out on the <u>council web site</u> (from the date of the committee resolution in relation to the extension to village hall contribution) in order to ensure the value is not reduced over time. The costs and disbursements of the Council's Legal Department incurred in connection with the negotiation, preparation and completion of the deed are payable.</p> <p>If an acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused.</p>			

(B) Permit

Subject to the following conditions and notes:

1. Approval of the details of the layout, scale, landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. (A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.

(B) The development hereby permitted shall be begun no later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The details submitted pursuant to Condition 1 of this permission shall show dwellings sited on the previously developed part of the site as per approved Drawing No. 2294 – 10 Revision E and that are a maximum 2-storey height and form and where second floor accommodation is proposed, this must be provided wholly within the roof space. The details shall also show how each dwelling accords with the Technical housing standards – nationally described space standard, the Council's adopted Residential Space & Layout SPD or any other standard adopted by the Local Planning Authority.

Reason: To ensure that the siting and scale of new residential development remains appropriate for the site and in the interest of visual amenity and the residential amenity of future occupiers.

4. Written details and samples of bricks, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the development shall only be carried out using the approved external materials.

Reason: In the interests of visual amenity.

5. A masterplan setting out:

- a. the dwelling types;
- b. the dwelling mix (showing a minimum of 4 2/3 bed dwellings) and associated residential floorspace per dwelling;
- c. location of the public open space; and
- d. the location of SUDS features

shall to be submitted pursuant to Condition 1 of this permission and the development shall be carried out in accordance with the approved masterplan unless reserved matters approval is granted for other details.

Reason: To ensure that the type, mix and associated quantum of residential floorspace is appropriate for the site and is in accordance with good place making principles (including acceptable sustainable drainage, space standards and parking provision).

6. Prior to the commencement of the development, full details of facilities to accommodate the storage of refuse and material for recycling for each dwelling and its collection by refuse vehicles shall be submitted at the same time as details required to be submitted pursuant to Condition 1 and approved in writing by the Local Planning Authority. The approved details shall be implemented before the occupancy of dwellings to which they relate. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any other Order or any subsequent

Order revoking or re-enacting that Order, such approved facilities shall be retained in perpetuity and access thereto shall not be precluded.

Reason: To ensure satisfactory arrangements are put in place and retained in perpetuity for the collection and storage of refuse and recycling.

7. Prior to its erection on site, details of any external lighting proposed (including height, design, location, intensity and light spillage) shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall then be carried out in strict accordance with the approved details and thereafter maintained. No external lighting shall be installed on the site other than that approved without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual and residential amenity.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within Classes A-E of Part 1 and Class A of Part 2 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without prior approval of the Local Planning Authority.

Reason: In the interests of protecting the character and amenities of the locality.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any other Order or any subsequent Order revoking or re-enacting that Order, the dwelling hereby approved shall only be occupied as a single dwelling house as described by Use Class C3 of the Town and Country Planning Use Classes Order 2015.

Reason: To ensure that car parking provided within the development remains adequate to meet the needs of the occupiers of the development and to protect the amenities of future occupiers of the development.

10. Prior to the commencement of the development hereby approved, plans and particulars of a sustainable drainage system (including the details below) for the disposal of the site's surface and foul water based on the principles and calculations set out in the following application documents and in line with the Council's Sustainable Drainage SPD (providing a site runoff rate of no greater than 4l/s/ha) shall be submitted to and approved in writing by the Local Planning Authority.

- Flood Risk Assessment by RMB Consultants (Civil Engineering) Ltd. dated August 2014;
- Foul Drainage Assessment and Surface Water Management Plan by RMB Consultants (Civil Engineering) Ltd. dated August 2014; and,

- Section 3.3 page 19 of Design and Access Statement by BDB Designs dated July 2014.

The submitted system shall be designed to (i) avoid any increase in flood risk, (ii) avoid any adverse impact on water quality, (iii) achieve a reduction in the run-off rate in accordance with the Ashford Borough Council Sustainable Drainage SPD document, adopted October 2010, (iv) promote biodiversity, (v) enhance the landscape, (vi) improve public amenities, (vii) return the water to the natural drainage system as near to the source as possible and (viii) operate both during construction of the development and post-completion.

The submitted system shall include:

- the retention or storage of surface water on-site or within the immediate area in a way which is appropriate to the site's location, topography, hydrogeology and hydrology; and,
- the identification of proposed discharge points from the system, a timetable for provision of the system and arrangements for future maintenance (in particular the type and frequency of maintenance and responsibility for maintenance).

The approved system shall thereafter be carried out in accordance with the approved details and timetable and shall be maintained in accordance with the approved details.

Reason: In order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development pursuant to Core Strategy Policy CS20 Sustainable Drainage.

11. Details of walls and fences to be erected within the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The walls and fences shall then be erected before the adjoining part of the development or dwelling is occupied in accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the area.

12. A landscaping scheme for the site (which may include entirely new planting, retention of existing planting or a combination of both) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Thereafter, the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season

with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

Reason: In order to protect and enhance the amenity of the area.

13. The details submitted pursuant to Condition 1 of this permission shall include plans and particulars of the future management and maintenance of all parts of the site except for dwellinghouses (including their gardens and drives) and roads. The details submitted shall in particular identify who will be responsible for future management and maintenance. Where it is intended to transfer the ownership of specified land to another person for management and maintenance, the details shall include a timetable for the transfer (by reference to the occupation of a certain number of dwellings) and written confirmation from that party that they agree to the transfer. Where it is not intended to transfer land to another person, details shall be included to demonstrate that (i) sufficient financial resources will be available to fund the future management and maintenance and (ii) sufficient access rights have been reserved. The details submitted shall also identify the parts of the site where public access and recreational use will be allowed and shall include the arrangements for such access and use.

The development shall be carried out in accordance with the approved plans and particulars. Where there is an approved timetable for transfer of ownership of land, no more than the number of dwellings specified may be occupied until the relevant land has been transferred. The site shall be maintained and managed in accordance with the approved details. The parts of the site which are identified as such in the approved details shall be available for the public to access and use in accordance with the approved details.

Reason: To ensure the site is properly maintained in the interest of the amenity of the area.

14. No development shall take place until full plan and cross-section details of any proposed earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed grading and mounding of land areas, including the existing and proposed levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation, surrounding landforms, fences and buildings. The development shall only be carried out in accordance with the approved details.

Reason: In the interests of the amenity of the area.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any other Order or any subsequent Order revoking or re-enacting that Order, any car barns provided in

accordance with the details required to be submitted in accordance with Condition 1 shall not be further altered through the addition of further doors or any other structure that would preclude their use for the parking of vehicles without the prior permission of the Local Planning Authority in writing.

Reason: To ensure that the covered space is retained available for the storage of a vehicle when not in use in order to prevent the displacement of car parking and subsequent inappropriate car parking.

16. Details of motor vehicle parking facilities (that accords with the Council's adopted Residential Parking & Design Guidance SPD or any other standards adopted by the Local Planning Authority and clearly shows which spaces relate to which unit as well as those that are communal / visitor spaces) shall be submitted to and approved in writing by the Local Planning Authority at the same time as the submission of details pursuant to Condition 1. The approved facilities shall be provided prior to the development to which they relate being occupied. Thereafter, the facilities shall be retained for ancillary parking use and access thereto shall not be precluded.

Reason: To ensure the provision and retention of adequate off-street parking facilities in the interests of highway safety.

17. No dwelling shall be occupied until space has been laid out and equipped within the site for covered bicycle storage on each dwelling plot, in accordance with approved details that shall be submitted to and approved in writing by the Local Planning Authority at the same time as the details required pursuant to Condition 1. Such approved covered bicycle parking shall thereafter be retained in perpetuity.

Reason: To ensure the provision and retention of adequate off-street parking and storage facilities for bicycles in the interests of highway safety and to promote cycle use in the interests of facilitating more sustainable patterns of movement related to local trips.

18. Prior to works commencing on site, details of parking for site personnel as well as details of loading/unloading and turning areas for construction traffic shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be provided and retained throughout the development. The approved parking, loading and turning areas shall be provided prior to the commencement of development.

Reason: To ensure provision of adequate parking, loading and turning facilities for vehicles in the interests of highway safety and to protect the amenities of local residents in accordance with policy.

19. Prior to the commencement of development, details of facilities, by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances at the application site, shall be

submitted to and approved in writing by the Local Planning Authority. The approved facilities shall then be provided prior to the works commencing on site and thereafter shall be maintained in an effective working condition and used before vehicles exit the site and enter onto the adopted highway for the duration of the construction works.

Reason: To ensure that no mud or other material is taken from the site onto the neighbouring highway by wheels of vehicles leaving the site to the detriment of highway safety and the amenities of local residents.

20. The first 5m of the access from the edge of the highway shall be constructed of a bound surface, the details of which shall be submitted to and approved in writing by the Local Planning Authority. The access shall then be constructed in accordance with the approved detail prior to its first use and maintained as such.

Reason: To ensure that no gravel or other material is taken from the site onto the neighbouring highway by wheels of vehicles leaving the site to the detriment of highway safety.

21. No works associated with the construction of the dwellings hereby approved and associated hardstanding shall begin on site until the approved access has been constructed, where the visibility splays shown on Drawing No. 353/105 received 03/03/16, within which there shall be no obstruction in excess of 1.05m in height above the carriageway edge, shall be provided and the splays shall be so maintained at all times. Thereafter, construction traffic shall only use this access during the remainder of the construction of the development.

Reason: In the interests of preventing damage to TPO trees through the use of the existing access and highway safety.

22. Prior to the commencement of development, details of traffic calming measures along Station Road where appropriate, for example the provision of double yellow lines at the junction of the new access road with Station Road and to the access road shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved plans prior to the first occupation of the dwellings, with the approved traffic calming measures remaining in situ.

Reason: In the interests of highway safety.

23. Prior to the commencement of development, details of the works for the disposal of sewage and foul water shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To avoid pollution of the surrounding area.

24. Prior to the commencement of development, detailed sound calculations from noise from the adjacent railway line and a scheme for protecting the dwellings/development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall thereafter be completed before the approved dwellings / development are occupied, and thereafter shall be retained as effective protection.

Reason: In order to protect the occupiers of the dwellings from undue disturbance by noise.

25. Prior to the commencement of development, a detailed remediation scheme to ensure that the site is suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) must be submitted to and approved in writing by the Local Planning Authority. The scheme must describe all the relevant works to be undertaken, including the proposed remediation objectives and performance criteria, a schedule of works and site management protocols and include the following components to deal with the risks associated with contamination of the site:
- a. A preliminary risk assessment which has identified:
 - i. all previous uses
 - ii. potential contaminants associated with those uses
 - iii. a conceptual model of the site indicating sources, pathways and receptors
 - iv. potentially unacceptable risks arising from contamination at the site.
 - b. A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c. The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme must deliver a site that will not qualify as 'contaminated land' under Part 2A of the Environmental Protection Act 1990, having regard to the intended use of the land after remediation.

The approved scheme shall thereafter be carried out in accordance with its approved terms, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be notified at least two weeks prior to commencement of the remediation scheme works.

Following completion of the remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

26. If unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 25 and where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of condition 25 and completed before the occupation of any dwellings.

Following completion of the remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors (LDF Core Strategy Policy CS1 and CS4).

27. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect controlled waters and comply with the NPPF.

28. The development shall be carried out in accordance with the recommendations in the approved Ecological Appraisal and associated Figures and Appendices dated August 2014, letter containing supplementary information by Bioscan dated 14/10/14 and letter re: great crested newt and

reptile translocations dated 03/03/16 and any license issued by Natural England unless otherwise agreed in writing by the Local Planning Authority and Natural England and the approved replacement habitats shall remain in situ.

Reason: To protect existing populations of protected species on the site.

29. Prior to the commencement of the development hereby approved, specific details of the habitat to replace the open mosaic habitat for invertebrates and BAP habitats as recommended in the approved Ecological Appraisal and associated Figures and Appendices dated August 2014 shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority and the approved replacement habitats shall remain in situ.

Reason: To protect existing populations of protected species on the site.

30. Prior to the commencement of the development hereby approved, details of a scheme for the protection and enhancement of biodiversity of the site, including the provision of bat and bird boxes, the use of native species in landscaping and the incorporation of features beneficial to wildlife such as green corridors, ponds and swales and wildflower planting corridors wherever possible within and around the perimeter of the site, together with details of the timing/phasing of the respective elements forming the scheme and proposed management arrangements, shall be submitted to, and approved in writing by the Local Planning Authority. All works shall then proceed in accordance with the approved details with any amendments agreed in writing.

Reason: In the interests of enhancing the biodiversity of the site.

31. No development shall take place until an arboricultural impact assessment, tree protection plan and method statement have been submitted to an approved in writing by the Local Planning Authority pursuant to condition 1. The development shall only then be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of tree preservation and amenity.

32. Any existing hedges or hedgerows shall be retained, unless shown on the approved drawings or reserved matters approval as being removed. Any existing hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site. Any parts of hedges or hedgerows removed without the Local Planning Authority's prior consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practical completion of the approved development shall be

replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed with the Authority.

Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerows.

33. The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:
- (a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012, (Trees in relation to design, demolition and construction - recommendations) and in accordance with the approved arboricultural impact assessment, tree protection plan and method statement pursuant to condition 16. Such tree protection measures shall remain throughout the period of construction;
 - (b) No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;
 - (c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;
 - (d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation;
 - (e) Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority;
 - (f) No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

34. In this condition, "retained tree" means an existing tree that is to be retained in accordance with the approved plans and particulars and reserved matters approval and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the approved dwellings:
- a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned, thinned or reduced other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority;
 - b) if any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority; and,
 - c) the erection of fencing for the protection of any retained tree shall be undertaken in accordance with the recommendations of BS5837 (2005) and the approved plans and particulars before any equipment machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.

Reason: In order to protect and enhance the amenity of the area.

35. Prior to works commencing on site, details of the form and location of any proposed temporary works compounds shall have been submitted to and approved in writing by the Local Planning Authority and thereafter such compounds shall only be provided in accordance with the approved details.

Reason: To ensure that the location of any necessary compounds is appropriate in terms of their impact upon trees and protected species.

36. Before any construction commences on the site the following shall be submitted and approved in writing by the Local Planning Authority:
- Code of Construction Practice;
 - hours of working for construction;
 - the management and location of utility services within the development; and,

- the routing of construction vehicles and the provision of appropriate signage.

These matters approved shall then be implemented as approved.

Reason: To ensure the protection of amenity during and following development.

37. Each dwelling shall be constructed so that carbon emissions are reduced by 10% through Low and Zero Carbon (“LCZ”) technologies once energy efficiencies have been applied.

Unless otherwise agreed in writing by the Local Planning Authority, no work on each dwelling shall commence until the following details for that dwelling has been submitted to and approved in writing by the Local Planning Authority:

- a) Standard Assessment Procedure (“SAP”) calculations from a competent person stating the estimated amount of carbon emissions from energy demand with and without LZC technologies installed
- b) Details of the LZC technologies to be used to achieve the 10% reduction in carbon emissions

The development shall be carried out in accordance with the approved details.

The approved LZC technologies shall thereafter be retained in working order unless otherwise agreed in writing by the Local Planning Authority.

Unless otherwise agreed in writing by the Local Planning Authority, no dwelling shall be occupied until SAP calculations from a competent person have been submitted to and approved in writing by the Local Planning Authority for that dwelling stating (i) the actual amount of carbon emissions from energy demand with the LZC technologies that have been installed and what the emissions would have been without them and (ii) the actual amount of residual carbon emissions.

Reason: In order to (i) achieve zero carbon growth and ensure the construction of sustainable buildings and a reduction in the consumption of natural resources, (ii) seek to achieve a carbon neutral development through sustainable design features and on-site low and/or zero carbon technologies and (iii) confirm the sustainability of the development and a reduction in the consumption of natural resources and to calculate any amount payable into the Ashford Carbon Fund, thereby making the development carbon neutral, all pursuant to Core Strategy policy CS10, the Sustainable Design and Construction SPD and advice in the NPPF.

38. Each dwelling shall be constructed and fitted out so that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day as measured in accordance with a methodology approved by the Secretary of State.

No dwelling shall be occupied unless the notice for that dwelling of the potential consumption of wholesome water per person per day required by the Building Regulations 2010 (as amended) has been given to the Local Planning Authority.

Reason: In order to set a higher limit on the consumption of water by occupiers as allowed by regulation 36 of the Building Regulations 2010 and increase the sustainability of the development and minimise the use of natural resources pursuant to Core Strategy policies CS1 and CS9 and guidance in the NPPF.

Notes to Applicant

1. This development is also the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990 which affects the way in which the property may be used.
2. The applicant's attention is drawn to the advice and guidance contained in the Environment Agency's letter dated 2nd October 2014.
3. The applicant is advised that formal agreement with Southern Water is required to provide the necessary sewerage infrastructure required to service the development.
4. Working with the applicant

In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance:

- the applicant/agent was updated of any issues after the initial site visit;
 - was provided with pre-application advice;
 - the applicant/ agent responded by submitting amended plans and additional information, which were found to be acceptable and permission was granted; and,
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
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Queries concerning these Minutes? Please contact Rosie Reid:

Telephone: 01233 330565 Email: rosie.reid@ashford.gov.uk.

Agendas, Reports and Minutes are available on: www.ashford.gov.uk/committees