

## Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **15<sup>th</sup> June 2016**.

### Present:

Cllr. Burgess (Chairman);

Cllr. Link (Vice-Chairman);

Cllrs. Apps, Bennett, Mrs Blanford, Bradford, Clarkson (ex officio), Clokie, Galpin, Heyes, Krause, Murphy, Ovenden, Powell, Waters, Wedgbury.

### Apologies:

Cllr. Dehnel.

### Also Present:

Cllr. Mrs Dyer.

Head of Development, Strategic Sites and Design, Joint Development Control Manager, Senior Planning Officer & Urban Designer, Director of Development, Head of Development Delivery, Building Control Manager, Local Transport and Development Planner (Kent Highway Services), Principal Solicitor (Strategic Development), Member Services Officer.

## 39 Declarations of Interest

Councillor	Interest	Minute No.
Mrs Blanford	Made a Voluntary Announcement as she was a member of the Weald of Kent Protection Society and the Campaign to Protect Rural England, neither of whom had commented on any item on the agenda.	
Bennett	Made a Voluntary Announcement as he was a member of the Weald of Kent Protection Society who had not commented on any item on the agenda.	
Burgess	Made a Voluntary Announcement as he was a member of the Weald of Kent Protection Society who had not commented on any item on the agenda.	

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Clarkson	Made a Voluntary Announcement as he was a member of the Weald of Kent Protection Society who had not commented on any item on the agenda.	
Clokie	Made a Voluntary Announcement as he was a member of the Weald of Kent Protection Society who had not commented on any item on the agenda.	
Galpin	Made a Voluntary Announcement as his house was one of the listed buildings within 400m of the application site, although he had no Disclosable Pecuniary Interests, and	41 - 15/01671/AS
	Declared an Other Significant Interest as the planning application related directly to his Portfolio. He would leave the Chamber for the debate and vote (and he did so).	41 - 16/00569/AS
Wedgbury	Made a Voluntary Announcement as he was at the meeting of the Design Panel when they gave their views and recommendations to the applicant.	41 - 15/01671/AS

## 40 Minutes

The Chairman advised that the Minutes of the Planning Committee meeting held on 18<sup>th</sup> May 2016 were not yet available due to the quantity of amendments and additional conditions that had been added at that meeting. The Minutes would be agreed at the next meeting.

## 41 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: -**

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<b>Application Number</b>	15/01671/AS
<b>Location</b>	Former Powergen Site, Victoria Road, Ashford
<b>Grid Reference</b>	00488/42404
<b>Ward</b>	Victoria
<b>Application Description</b>	<p>Hybrid application for five plots comprising:</p> <p>(1) Full and detailed application for plots 1 and 2 comprising: erection of 400 dwellings, a retail kiosk/cafe unit (Use class A1/A3) and associated parking, public surface car park, plant and storage; together with landscaping and access works.</p> <p>(2) Outline application with appearance and landscaping reserved for plots 3, 4 and 5 comprising: demolition of existing buildings/structures and erection of 260 dwellings, associated parking, plant and storage together with landscaping and access works.</p>
<b>Applicant</b>	Development Securities (Ashford) Limited c/o Agent
<b>Agent</b>	Mr Matthew Pochin-Hawkes Nathaniel Lichfield & Partners 14 Regent's Wharf All Saints Street London N1 9RL
<b>Site Area</b>	3.87ha
(a) 402/15R (b) - (c)	KH&T X, KCC Arch X, KCC PROW X, KCC Drainage X, EA R, NE -, SE R, SW X SACF R, VRBRAG R, NR X, ABC Housing R, ABC (PO) Drainage X, ABC EHM X, Stagecoach X, KWT R, ACF R, CACF R

The Senior Planning Officer & Urban Designer drew Members' attention to the Update Report, which covered the Central Ashford Community Forum's and additional local residents' comments, additional conditions, amendments to conditions and additional proposed S106 Heads of Terms.

In accordance with Procedure Rule 9.3, Mr Quinn, on behalf of the applicant, spoke in support of the application. He said Quinn Estates and U&I had a strong track record of delivering quality schemes which regenerated contaminated brownfield sites, such as the former Powergen site. This land had been a 'white elephant' with an unimplemented permission that was allowed at appeal for over 1,000 units. The current scheme had Officers' support, and was viable, deliverable and would bring a myriad of benefits to Ashford. This was a complex and difficult site to bring forward and all parties had worked together so that if planning permission was granted this evening, the scheme could be delivered immediately. Quinn Estates strived for exceptional design in all of their schemes and with the award-winning architect, Guy Hollaway, proposals had been submitted for a contemporary, well-thought out scheme which would enhance the setting and that of Victoria Park, whilst providing new public realm, public art and unique, progressive design. At its highest point, the scheme would be 8 storeys high which compared favourably with the heights proposed in the previously approved scheme. This application was the only way this brownfield site could be developed. The scheme would use high quality materials, so this scheme would be one that everyone could be proud of. There were some areas where the scheme did not accord with the Development Plan and Quinn Estates had sought to mitigate this with financial contributions to Victoria Park and the provision of extra car parking for the town centre. Quinn Estates had listened to concerns regarding parking and had adjusted the scheme to allow almost 1:1 parking provision. This scheme would bring new residents into the town who would spend money in local shops and help create local jobs. This would add to the vibrancy of the town centre and further strengthen Ashford's position as a growing dynamic town. The private rented element would lead to a diversification of Ashford's housing mix. It was important to have a sense of pride in the completed development. Mr Quinn urged Members to support the application to bring forward significant community benefits which would help Ashford to thrive.

### 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.

**Table 1**

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
1.	Primary Schools		

<b>Planning Obligation</b>			
	<b>Detail</b>	<b>Amount(s)</b>	<b>Trigger Point(s)</b>
	Towards Repton Park Primary School	£137,500	Apportioned payments upon first occupation of each plot as follows:  Plot 1 £53,000 Plot 2 £30,000 Plot 3 £26,000 Plot 4 £5,000 Plot 5 £23,000
2.	<b>Secondary Schools</b>  Towards Highworth School	£137,500	Apportioned payments upon first occupation of each plot as follows:  Plot 1 £53,000 Plot 2 £30,000 Plot 3 £26,000 Plot 4 £5,000 Plot 5 £23,000
3.	<b>Open Space</b>  Enhancements of Victoria Park to provide for the needs of the occupants of the development	£270,000	Apportioned payments upon first occupation of each plot as follows:  Plot 1 £105,000 Plot 2 £59,000 Plot 3 £51,000 Plot 4 £10,000 Plot 5 £45,000
4.	<b>On-street Parking measures</b>  Contributions towards the consultation of a CPZ or towards measures to enforce parking breaches	£5,000	
5.	<b>Provision of public car park</b>  Provision of functional public surface carpark, services to the		On first occupation

<b>Planning Obligation</b>			
	<b>Detail</b>	<b>Amount(s)</b>	<b>Trigger Point(s)</b>
	boundary and transfer of the car park to the Council		
6.	<p><b><u>Quality Monitoring Fee</u></b></p> <p>Contribution towards the Council's costs of monitoring the quality of the built development</p>	Sum to be agreed per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years
7.	<p><b><u>Monitoring Fee</u></b></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking</p>	<b>£250</b> per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years
<p>(a) Notices would 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 <a href="#">council web site</a> 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>(b) The Council to covenant to allow the new bridge over the River Stour to land/connect into Victoria Park, on terms to be agreed.</p> <p>(c) 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/Grant Outline Planning Permission

Subject to the following conditions and notes:

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## Phasing

1. Prior to the commencement of the development a phasing plan setting out the phasing and programming of the approved development shall be submitted to and approved in writing by the Local Planning Authority.

No changes to the phasing and programming of the development shall take place until such time as details of the revised phasing and programming are submitted to, and approved in writing by, the Local Planning Authority.

Thereafter, the development shall be completed in accordance with the most recently approved phasing plan and programme.

**Reason:** In the interests of the proper planning of the development.

## Implementation Period

### Full Planning Permission Plots 1 & 2

2. The development to which this permission relates must be begun on Plots 1 and 2 not later than the expiration of **two** years beginning with the date on which the permission is granted.

**Reason:** In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

3. All development on Plots 1 and 2 must be completed and available for occupation within 5 years of being commenced.

**Reason:** In order to ensure the economic benefits of the scheme are realised given the viability issues that have been raised.

### Outline Planning Permission - Plots 3,4 & 5

4. Approval of the details of the landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development on Plots 3, 4 and 5 commences (excluding demolition or remediation works) and the development shall be carried out as approved.

**Reason:** To comply with the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

5. Application for approval of all of the Reserved Matters for each phase shall be made to the Local Planning Authority not later than the expiration of **3** years from the date of this permission.

The development hereby permitted shall be begun 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 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Conditions applicable to the Full Planning Permission and the outline Planning Permission

**Archaeology**

6. i) Prior to the commencement of development in any phase the applicant, or their agents or successors in title, will secure and implement archaeological field evaluation works in accordance with a Written Scheme of Investigation for that phase which has been submitted to and approved by the Local Planning Authority.
- ii) The building(s) within the relevant phase shall not be occupied until the site investigation and post investigation assessment for that phase has been completed in accordance with the approved Written Scheme of Investigation and a post investigative report setting out the findings of the site investigation has been submitted to and approved in writing by the Local Planning Authority.

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

**Construction**

7. Prior to the commencement of each phase a Code of Construction Practice for the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The construction of each phase shall then be carried out in accordance with the approved Code of Construction Practice for the relevant phase 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 of Construction Practice shall include,



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- (a) Measures to minimise the production of dust on the phase
  - (b) 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) The measures shall include but not be limited to a BS5228 assessment to protect Victoria road primary school from construction noise and vibration as recommend by para 8.1.2 of the mere brook environmental noise assessment December 2015.
  - (c) Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the phase
  - (d) Location of construction compound and design and provision of site hoardings
  - (e) Management of traffic visiting the phase including temporary parking or holding areas
  - (f) Provision of off road parking for all site operatives
  - (g) Measures to prevent the transfer of mud and extraneous material onto the public highway
  - (h) Measures to manage the production of waste and to maximise the re-use of materials
  - (i) Measures to minimise the potential for pollution of groundwater and surface water
  - (j) The location and design of site office(s) and storage compounds
  - (k) The location of temporary vehicle access points to the phase during the construction works (including loading and turning of construction vehicles)
  - (l) Lorry routing to the site from the M20
  - (m) A detailed Site Waste Management plan for reducing construction waste during the building process
  - (n) The arrangements for public liaison during the construction works

**Reason:** To protect the amenity of local residents.

8. 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 unless otherwise agreed in writing by the Local Planning Authority.

### **Compliance with approved plans**

9. 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 and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

**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.

10. 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.

11. Prior to first occupation of any residential unit the retail kiosk/cafe unit (Use class A1/A3) and associated parking hereby approved shall be implemented.

**Reason:** To ensure that the requirements of Policy TC10 are met and to ensure a vibrant and active environment.

### **Contamination**

12. Prior to the commencement of development in each phase, a detailed remediation scheme for the relevant phase to ensure that that part of 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) shall 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.

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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 development within the relevant phase shall thereafter be carried out in accordance with the approved remediation scheme, unless otherwise agreed in writing by the Local Planning Authority.

Following completion of the remediation scheme for each phase and prior to occupation of any building within that phase, a verification report for the relevant phase, 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.

13. If, during development, contamination not previously identified is found to be present at the site then no further development within the affected phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy for the relevant phase detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

**Reason:** To ensure the protection of controlled waters.

### **CCTV**

14. Prior to the occupation of Plot 1 of the development hereby approved details of a CCTV scheme to provide coverage of the surface car park together with any signage shall be submitted to and approved by the Local Planning Authority in writing and shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of public safety and crime prevention.

### **Foundations**

15. 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 only be carried out in accordance with the approved details.

**Reason:** To ensure no unacceptable risk to groundwater.

### **Ecology**

16. Prior to the commencement of the development hereby approved the following addition surveys shall be undertaken to establish the presence or otherwise of protected species:

- (a) A river bank survey to establish the presence or otherwise of Otters,
- (b) A river bank survey to establish the presence or otherwise of Water voles,
- (c) A badger survey to establish the presence or otherwise of any badger setts within the site or within 50m of the site.

The results of the surveys together with any necessary mitigation shall be submitted to and approved by the Local Planning Authority in writing and thereafter the mitigation shall be implemented in accordance with the approved details.

**Reason:** To ensure that protected and important species are adequately provided for as part of the proposed development mitigation and in the interests of biodiversity and habitat protection and enhancement.in the interests

17. Prior to the commencement of the development hereby approved details of an ecology mitigation and biodiversity enhancement strategy in accordance with the Ecological Appraisal at sections 6.6 & 7.1 shall be submitted to and approved by the Local Planning Authority in writing and thereafter implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The details shall include:

- Measures to safeguard retained habitats including boundary trees and watercourses;
- Mitigation strategies in respect of protected species including reptiles and Water Vole;
- Details of habitat provision and enhancement measures to be incorporated under the proposals including native and wildlife friendly planting,

grassland seeding and faunal habitat features (including bat and bird box provision);

- Sensitive lighting design to minimise impacts to bats;
- Prescriptions for management of wildlife habitat areas to maximise their value to wildlife in the long-term.

**Reason:** To ensure that protected and important species are adequately provided for as part of the proposed development mitigation and in the interests of biodiversity and habitat protection and enhancement.

18. No vegetation (including trees and shrubs) shall be removed between September and February inclusive except if (i) no more 24 hours before any removal an ecologist has inspected the vegetation to be removed and certified that no occupied bird nests are present or (ii) a buffer zone of at least 5m is created around all occupied bird nests and no vegetation is removed within that zone until the young have fledged.

**Reason:** To protect breeding birds and their chicks and ensure that protected and important species are adequately provided for as part of the proposed development mitigation and in the interests of biodiversity and habitat protection.

### **Fine detailing**

19. Prior to any construction above ground level unless specified to the contrary below the details set out below shall be submitted to and approved in writing by the Local Planning Authority and, thereafter, the development shall only be carried out in accordance with the approved details unless agreed otherwise by the Local Planning Authority in writing. Where relevant, the following details should be provided on drawings at an appropriate scale of 1:50 (where detail needs to be considered contextually related to a façade) and at 1:20 in other cases:-
- (a) full details of glazing and external doors, including all external joinery and framing methods and external colour (1:20),
  - (b) 1:20 horizontal and vertical cross sections through typical sections of each of the facades sufficient to show the relationship between the façade and those elements of detail to be embedded within the façade as well projecting from it (such as the extent of recessing of glazing and doors in openings created in the façade, the consequential treatment of window reveals, the details of cills and the extent of projecting elements from the façade),

- (c) 1:100 elevation detailing the locations of all expansion joints in facades.
- (d) prior to installation - Details of any plant or machinery proposed on the roof and associated screens,
- (e) prior to installation - Details of any satellite dishes or antenna,
- (f) prior to installation - Details of rainwater goods, eaves, fascia and entrance canopies (including materials and finish, details of any supporting posts and related brick plinths and roofing materials),
- (g) prior to installation - details of vents, louvres, extractor vents, external pipes, meters etc.
- (h) prior to installation - Details of screens and windbreaks,
- (i) prior to installation - 1:50 scale details of the parapet capping,
- (j) prior to installation - Details of external entrance steps, handrails and balustrades
- (k) Details of the acoustic fences to be provided between the buildings on Plot 1 as recommended by Para 8.2.1 of the Merebrook Environmental Noise Assessment 2015

**Reason:** Further details are required to ensure that the external appearance and fine detailing are of an appropriate high quality.

### **Flood protection**

20. Prior to the commencement of any development within any of Plots 3, 4 and 5 (excluding remediation and demolition) precise design details of the proposed swale its operation and timescales for its implementation shall be submitted to and approved by the Local Planning Authority in writing in consultation with the Environment Agency. Thereafter the swale shall be implemented in accordance with the approved details and timescales.

**Reason:** Insufficient details have been provided for the design of the swale on the site and the mechanism of how water from the Great Stour will flow into and out of the site. Full design details of this feature should be submitted during the detailed planning submission for Plots 3, 4 and 5. To ensure the swale feature functions in such a way that it will not create or exacerbate flood risk

21. With the exception of Plot 1, the area beneath the podium of Plot 2 and the areas below first floor level of Plots 3, 4 and 5 shall be kept free from future

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development including any structures or permanent storage which could impede flood flows

**Reason:** This area is located within the fluvial floodplain and needs to be kept clear to allow for floodplain storage and the movement of flood flows across the site.

22. The minimum finished floor level of the Plot 2 podium and the minimum finished floor level of Plots 3, 4 and 5 shall be above 40m ODN in accordance with the updated FRA (Revision C May 2016).

**Reason:** To reduce the risk of flooding to the proposed development and future occupants. This level provides sufficient freeboard above the maximum undefended 100 year cc (at 45% increase in flows) flood level for the site.

23. Prior to the commencement of development of any of Plots 2, 3, 4 and/or 5 (excluding remediation and demolition) a scheme to provide appropriate flood storage compensation for the relevant Plot shall be submitted to and approved in writing by the local planning authority in consultation with the Environment Agency. Compensatory flood storage shall be provided in accordance with the volumes specified in 2015S3203-U-N006-1 Level for level floodplain volume assessment V1 (JBA May 2016) unless agreed otherwise by the local planning authority in writing. The approved flood storage compensation shall be implemented as approved prior to occupation of the relevant phase.

**Reason:** To prevent flooding elsewhere by ensuring a satisfactory scheme for flood storage compensation is provided.

24. Prior to the commencement of development within each of Plots 2, 3, 4 and 5 details of the intended mesh/bars and boundary walls shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the test results from the hydraulic model to determine that the configuration of the mesh/bars and boundary walls will not increase flood risk (e.g. water levels/extents) beyond that of the pre-development case

**Reason:** To ensure the proposed mesh/bars do not exacerbate flood risk.

25. Prior to the commencement of development within Plots 2, 3, 4 and/or 5 a scheme for the provision and management of an 8 metre wide (measured from the top of the bank) buffer zone alongside the River Great Stour shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme for the relevant Plot and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme

shall be free from built development including lighting, domestic gardens and formal landscaping.

The scheme for each Plot shall include:

- plans showing the extent and layout of the buffer zone
- details of any proposed planting scheme (planting must be native species)
- details demonstrating how the buffer zone will be protected during development
- details of any other proposed built development

**Reason:** Development adjacent to rivers presents risks and opportunities to the river's ecological value. National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

26. Prior to the commencement of Plot 1 a detailed method statement for removing or the long-term management / control of Monbretia within Plot 1 shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Monbretia during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

**Reasons:** This condition is necessary to prevent the spread of Monbretia which is an invasive species. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in the National Planning Policy Framework paragraph 109, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

27. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of and in accordance with details approved in writing by the Local Planning Authority in consultation with the Environment Agency.



**Reason:** To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

28. Any works hereby permitted that have the potential to affect or disturb the banks of the River Stour the bed of the River Stour or the water quality of the River Stour should not take place during the period between 1<sup>st</sup> December to 1st March in any year.

**Reason:** To protect brown trout, a salmonid species present in the river, during the spawning season including the period when fry and eggs remain in the gravel.

29. Prior to the first occupation of first of Plots 2,3, 4 and 5, a Flood Evacuation Plan (FEP) for the plots shall have been submitted to and (following consultation with the Environment Agency) approved by the Local Planning Authority in writing. The FEP shall include;-

(i) details of evacuation and access prevention measures to be put in place in advance of and during a flooding event (including barriers and signage),

(ii) a methodology for residents to be kept apprised of such measures, including agreed signage on surrounding highways to direct traffic to alternative facilities, and

(iii) a mechanism for periodic review of the FEP (involving consultation with the Environment Agency in respect of any proposed changes to the FEP) and submission of further iterations to the Local Planning Authority.

Thereafter, the approved FEP and the associated measures therein shall be implemented in full and retained in perpetuity unless the Local Planning Authority has agreed in writing to any subsequent variation or iteration of the FEP.

**Reason:** The new dwellings are located within land forming part of Flood Zone 3 (functional flood plain). Following a sustained period of inclement weather, the vehicular access may not be suitable for residential egress. Prompt advance action by the applicant through the implementation of an agreed FEP will help prevent and manage risk to life and property and impacts on emergency services and the local economy during such an event

### Highways

30. No more than 100 dwellings shall be occupied until the improvements to the Beaver Road/Victoria Way junction and Elwick Road/Station Road junction as set out on Drg 4300472/0100/01 P01.1 or similar as agreed by Kent Highways and Transportation as the responsible Highway Authority.

**Reason:** To ensure that there is sufficient capacity available within the highway network.

31. (a) Before the first occupation of each phase of development hereby permitted the following works between each building in the relevant phase and the nearest carriageway shall be completed as follows:
- (i) Footways and/or footpaths shall be completed, with the exception of the wearing course;
  - (ii) Carriageways shall be completed, with the exception of the wearing course, including the provision of a turning facility beyond the dwelling together with related:  
  
highway drainage, including off-site works,  
junction visibility splays,  
street lighting, street nameplates and highway structures if any.
- (b) Non-adopted private roads required for refuse purposes (as set out in drawing 15130-TR003) should be capable of being used by a refuse vehicle in accordance with paragraphs 9.1 and 9.1.1 of Ashford Borough Council's document "Land adoption and public service provision in Ashford – a guide for developers".

**Reason:** In the interests of highway safety.

32. The final wearing course in respect of footways and/or footpaths and carriageway that is not intended adopted highway shall be applied within one year of the final dwelling in that phase being occupied. Where the carriageway serves more than one phase, the wearing course shall be applied within one year of the final dwelling being occupied in the later phase.

**Reason:** In the interests of highway safety.

33. (a) 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, no street name signage shall be installed within any public highway land unless otherwise agreed to in writing by the Local Planning Authority.
- (b) No dwelling within the relevant phase hereby permitted shall be occupied until a scheme for the provision of all street name signs (whether they are within public highway land or not) for that phase has been submitted to and agreed by the Local Planning Authority in writing (in consultation with Kent Highway Services).

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Such scheme shall comprise of the following:-

- (i) Details of the location of all street name signs for the streets within and servicing the relevant phase
  - (ii) Details of the precise positioning of street name signs to be attached to the elevations of buildings through submission of a 1:100 scale drawing within the relevant phase;
  - (iii) Details of vandal proof fixings for street name signs shown as being affixed to perimeter railings within the relevant phase;
  - (iv) Copies of the easements to be granted to the Local Planning Authority in relation to the locations within the relevant phase where street name signs are to be affixed to railings to facilitate the initial installation and periodic maintenance of such signs by the local authority.
- (c) The scheme for the provision of street name signage within the relevant phase shall be implemented (including the grant of easements as referred to in b) iv) above) as approved by the Local Planning Authority prior to the occupation of any dwelling within the relevant phase unless otherwise approved by the Local Planning Authority in writing. Thereafter such street name signage shall be retained unless otherwise agreed by the Local Planning Authority in writing.

**Reason:** In order to de-clutter and improve the visual appearance of the public realm and to help limit damage to street name signs generally with attendant implications for long term maintenance at public expense.

34. Prior to the occupation of the first dwelling hereby permitted details of the location of two bus stops, bus stop precise design, bus stop clearways and landmark shelters including a timetable for their provision as approved by the Highways Authority in consultation with the operator of bus services to the development shall be submitted to and approved by the Local Planning Authority in writing. Thereafter such bus stops, bus stop clearways and landmark shelters shall be provided in accordance with the approved plans/details including the timetable for their provision as approved by the Local Planning Authority in writing unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of sustainable transport.

35. Not to occupy 600 dwellings until (i) the bridge and riverside route indicatively shown on drawing MHS164.515-G01 have been provided in accordance with details previously approved in writing by the local planning authority and

dedicated as a highway for use by pedestrians and cyclists only and (ii) details of the future maintenance of the bridge and riverside route have been approved. To maintain the bridge and riverside route in accordance with the approved details.

**Reason:** To ensure the bridge and riverside route are provided pursuant to Town Centre AAP policy TC13 and subsequently maintained in the interests of users

### **Restrictions on Permitted development**

36. 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 in Plot 4 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.

37. The public surface car park as shown on plan MHS164.515-G01 shall be surfaced and landscaped as approved prior to the occupation of the first residential unit within the development.

**Reason:** In accordance with Policy TC13 of the Ashford Town Centre Area Action Plan to provide town centre and visitor parking provision.

### **Other**

38. Prior to the occupation of the 200th dwelling on the site, a recycling storage area together with storage bins shall have been provided in accordance with details (including future management) which shall have previously been submitted to and approved in writing by the Local Planning Authority and the facility shall subsequently be retained and operated in accordance with the approved details.

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

39. Prior to the occupation of any phase a details of the resident management and maintenance strategy for that phase shall be submitted to and approved by the Local Planning Authority in writing.

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

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40. Prior to the first occupation of Plot 2 hereby approved full details of a landscaping scheme for the landscaped triangle shown on plan MHS164.515-G01 together with a programme/mechanism for its implementation and future maintenance shall be submitted to and approved by the Local Planning in writing unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the visual amenity and proper planning of area.

41. Prior to the first occupation of Plot 3 hereby approved full details of a landscaping scheme for the highway verge shown on plan MHS164.515-G01 together with a programme/mechanism for its implementation and future maintenance shall be submitted to and approved by the Local Planning in writing unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the visual amenity of the area and to comply with Policy TC10 of the Ashford Town Centre Area Action Plan 2010.

42. Prior to the first occupation of Plot 4 & 5 the new pedestrian bridge over the River Stour details of which shall have first been approved by Condition 04 shall be constructed and opened.

**Reason:** In the interests of complying with Policy TC13 of the Ashford Town Centre Area Action Plan 2010

### **Parking**

43. The areas shown on the approved plans as residential parking areas shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the occupation of the dwelling/s to which they relate, 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/or amending and/or re-enacting that Order), shall be carried out on those areas of land so shown or in such a position as to preclude vehicular access to those residential parking space/s.

**Reason:** Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users.

44. The approved bicycle storage facilities shall be provided prior to the occupation of the relevant phase of development and shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

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

## **Landscaping**

### Hard Landscaping

45. (a) No development shall commence above ground floor podium within Plots 1 & 2 hereby permitted until full details of the soft landscape works for each such phase have been submitted to and approved in writing by the Local Planning Authority.
- (b) The full details of the hard landscape works for Plots 1 & 2 shall be submitted to the Local Planning Authority for its approval shall include detailed information including but not limited to 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, benches, bollards, gates, footbridges, tree guards, tree grills, kerbs, boat jetty terraces, fishing platforms, play equipment, refuse or other storage units, signs, lighting etc.); and a programme/timescale for implementing and completion of all such works in full for that phase within 6 months following the final occupation of any part of each phase.
- (c) The hard landscaping within each phase shall be implemented in full in accordance with the details and programme approved by the Local Planning Authority.

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

### Soft Landscaping

46. (a) No development shall commence within Plots 1 & 2 above the ground floor podium level hereby permitted until full details of the soft landscape works for each such phase have been submitted to and approved in writing by the Local Planning Authority.
- (b) The full details of the soft landscape works for each phase to be submitted to the Local Planning Authority for its approval shall include the planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); details of the planting that is designed to create year round colour; schedules of plants noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation and planting programme/timetable to ensure that all soft landscaping and planting is completed at least prior to the final occupation of any part of each phase.

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- (c) All species of plants/shrubs within 500m of any boundary of the Local Wildlife site within the site shall comprise of indigenous species.
  - (d) The soft landscaping works within each phase shall be implemented in full in accordance with the details and timetable approved by the Local Planning Authority relating to the relevant phase.

**Reason:** To ensure that adequate details of the proposals are submitted in the interests of the protection and enhancement of the area. Also, to ensure that ecological functionality and protected species population are not impacted by the proposed development and foraging and dispersal routes remain open and connected throughout construction and occupation.

47. No fences or barriers shall be erected around or adjacent to any open water on the site, including all open drains ditches, ponds and streams unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the visual amenity of the landscape.

48. If any trees and/or plants whether new or retained which form part of the soft landscape works approved by the Local Planning Authority in accordance with Condition 46 die are removed or become seriously damaged or diseased prior to the completion of the construction works or within a period of 5 years from the completion of construction of the relevant phase such trees and/or plants shall be replaced in the next available planting season with others of a similar size and species, unless the Local Planning Authority gives written consent otherwise.

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

49. Prior to the occupation of each approved phase a landscape management plan for the relevant phase, including long term design objectives, management responsibilities and maintenance schedules for the landscape areas, other than, privately owned domestic gardens and the timing of provision of management and maintenance of such areas within each phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the landscape management plan for each phase shall be carried out in accordance with the details approved by the Local Planning Authority 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.

Existing Trees

50. The development hereby permitted shall be carried out in such a manner as to avoid damage to existing trees that are identified for retention in the approved drawings 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, and in accordance with the approved Tree Protection Plan and any approved Arboricultural Method Statement, to the satisfaction of the Local Planning Authority. 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.

51. In this Condition a “retained tree or shrub” is an existing tree or shrub which is to be retained in accordance with the approved plans and particulars. Paragraphs (a) and (b) below shall have effect within each phase approved pursuant to Condition 1 immediately upon the commencement of the construction of the permitted building operations or the commencement of the



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permitted use (whichever is earliest) within each such phase until the expiration of 5 years from that date:-

- (a) No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998 Recommendations for Tree Work.
- (b) If any retained tree or shrub is cut down, uprooted, 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.

**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.

### **Lighting**

52. Prior to occupation of each phase details of external lighting for that phase shall be submitted to the local planning authority and agreed in writing. The details shall include:
- i) Details of the lighting fixtures and location
  - ii) Details of the colours of the light
  - iii) Hours of operation
  - iv) Any proposed colour phasing
  - v) Details of compliance with the Institute of Lighting Engineers guidance notes

for the reduction of light pollution

The approved lighting shall be installed prior to occupation of the relevant phase and no further external lighting shall be installed on the site without the prior written consent of the Local Planning Authority.

**Reason:** In the interests of the visual amenity of the area, comply with the Council's adopted Dark Skies SPD and to protect the flight path and foraging of bats and birds.

### **Noise and Vibration Protection**

53. Prior to the commencement of each phase (excluding demolition and/or remediation works), details of the mitigation measures required within that phase to protect the approved residential properties from railway and road traffic noise and vibration (in accordance with the strategy set out in Merebrook Report ENA- 19413-15-280 REV B dated December 2015), shall be submitted to and approved in 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.

54. Prior to the occupation of each phase, a scheme for the control of noise and vibration of plant within the relevant phase (including mechanical ventilation, refrigeration, air conditioning and air handling units) to protect occupants from noise and vibration to be used shall be submitted to and approved in writing by the Local Planning Authority. This shall then be so installed prior to the first use of the building(s) within that phase. The equipment shall be maintained and operated in compliance to the approved scheme whenever it is operation. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority.

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

### **Fumes/Odours**

55. Prior to the first occupation of each phase, a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from the CHP plant, shall be submitted to and approved in writing by the Local Planning Authority. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises in the relevant phase and these shall thereafter be operated and retained in compliance with the approved scheme.

**Reason:** To prevent the transmission of fumes and odours into neighbouring properties to protect amenity

### **Drainage – Foul and Surface Water**

56. Prior to the occupation of each phase of the development hereby approved the works for the disposal of sewage serving building(s) within that phase shall be provided on the site in accordance with details previously submitted

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to and approved in writing by the Local Planning Authority in consultation with Southern Water unless otherwise agreed in writing by the Local Planning Authority.

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

57. Prior to commencement of each phase, a detailed sustainable surface water drainage scheme shall be submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the strategy detailed within the BJB Flood Risk Assessment Report reference 2176/FR01 Rev. B and shown within drawing numbers 2176 – SK601 and SK602 (for plots 1 and 2) and 2176 - SK603 (for plots 3-5). The drainage scheme shall demonstrate that the surface water generated by this development for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of at rates agreed with the Lead Local Flood Authority, Ashford Borough Council and the Environment Agency.

**Reason:** To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficacy of the drainage provisions and to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

58. No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

i) a timetable for its phased implementation, and

ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

**Reason:** To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficacy of the drainage provisions and to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

### **Sustainable construction**

59. Prior to occupation of each phase the following details shall be submitted to and approved in writing by the Local Planning Authority for the relevant phase:

- a) In Plots 3, 4 and 5 details of how the development will reduce carbon dioxide emissions to a level 10% below the predicted total energy demand through the use of on-site sustainable energy technologies such as renewables and/or low carbon technologies.

Within three months of each building within any Plot being occupied within the relevant phase, the following in respect of that building shall be submitted to the Local Planning Authority for approval:

- a) SAP calculations from a competent person 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) limit the growth in carbon emissions and ensure the construction of sustainable buildings and a reduction in the consumption of natural resources, (ii) seek to achieve a development with reduced carbon emissions 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, all pursuant to Core Strategy policy CS10, the Sustainable Design and Construction SPD and advice in the NPPF.

60. 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.

### Visual amenity

61. Without the prior written consent of the Local Planning Authority:

- Notwithstanding the provisions of Parts 2 a - f, 7 a- e, 14 a – d , 16 a - c, of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), no development permitted by those parts shall be carried out
- No fixtures shall be attached to the exterior of the building
- No structures shall be placed or installed on the roof of the building

**Reason:** In the interests of protecting the character, appearance and visual amenity of the important entrance to Ashford.

62. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no development shall be carried out within Classes A (unless in accordance with condition 63 above), D, G, H, M, and T of Part 3 and Classes J – O of Part 14 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

### Materials

63. Prior to installation within the relevant phase precise 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 and the development shall be carried out only using the approved external materials.

**Reason:** In the interests of visual amenity.

### Art Work

64. Details of the following artworks within the scheme as indicated on the approved plans and timetable for their implementation together with details of future maintenance shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development and shall be installed in accordance with the approved timetable and maintained in accordance with the approved details:

1. 2 x stags

2. Commemorative trees
3. artwork in relation to the kiosk

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

65. No vents or flues shall be located on any façade of the buildings hereby approved other than in accordance with details to be submitted to and approved in writing by the Local Planning Authority, or as per details already shown on the approved drawings.

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

66. Prior to the installation of the kiosk hereby approved details any external storage areas including location and type of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The storage areas shall be carried out in accordance with the approved details and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to protect the visual amenities of the locality.

67. Prior to the commencement of the development hereby approved details of a reptile translocation and management strategy shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the reptiles shall be translocated prior to any works including site clearance taking place.

**Reason:** In the interests of biodiversity and ecology.

68. Prior to the first occupation of any plot hereby approved, details of a residents' car club shall be submitted to and approved by the Local Planning Authority in writing and shall thereafter be implemented and provided in accordance with the approved details.

**Reason:** In the interests of encouraging sustainable transport methods and reducing the reliance on the private car.

69. Prior to the occupation of each plot hereby approved, details of electrical vehicle charging points for that plot shall be submitted to and approved by the Local Planning Authority in writing and shall thereafter be implemented and maintained in accordance with the approved details.

**Reason:** In the interests of sustainability and providing for the future needs of residents.

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## 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 is encouraged by the Council to consider imposing tenants' covenants on residents to prevent the external appearance of the buildings being harmed through unnecessary external storage and domestic paraphernalia including but not limited to laundry.
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 application was acceptable as submitted and no further assistance was required.
- 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.
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<b>Application Number</b>	16/00520/AS
<b>Location</b>	Sunny Bank, Rock Hill Road, Egerton, Ashford TN27 9EA
<b>Grid Reference</b>	90242/46794
<b>Parish Council</b>	Egerton
<b>Ward</b>	Weald North
<b>Application Description</b>	Partial rebuild of existing garage and alterations to existing roof to increase pitch
<b>Applicant</b>	Mrs Hooper, Sunny Bank, Rock Hill Road, Egerton, Ashford, TN27 9EA
<b>Agent</b>	N/A
<b>Site Area</b>	0.16ha

Consultation

(a) 3/- (b) Parish S (c) -

The Joint Development Control Manager drew Members' attention to the Update Report which covered an additional condition.

The Ward Member attended and spoke in support of the application.

**Resolved:**

**(A) 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.



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**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. The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied without the prior written permission of the Local Planning Authority.

**Reason:** In the interests of visual amenity.

3. 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.

4. The building hereby approved shall not be used for primary residential accommodation at any time.

**Reason:** Such a use would conflict with policy which restricts separate residential use.

5. 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.

6. Before the first use of the garage hereby permitted the two rooflights on the south west 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 dwelling.

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**Note to Applicant**

## 1. 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 was updated of any issues after the initial site visit,
- The applicant was provided the opportunity to submit amendments to the scheme issues.
- 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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<b>Application Number</b>	16/00569/AS
<b>Location</b>	Multi Storey Car Park, Edinburgh Road, Ashford, Kent
<b>Grid Reference</b>	01005/42936
<b>Parish Council</b>	Central Ashford
<b>Ward</b>	Victoria (Ashford)
<b>Application Description</b>	Erection of palisade fencing at a maximum height of 3m (retrospective)

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**Applicant** Ashford Borough Council – Health, Parking & Community Safety, Civic Centre, Tannery Lane, Ashford TN23 1PL

**Agent** N/A

**Site Area** 0.08ha

(a) 8/- (b) (c)

**Resolved:**

**Permit**

Subject to the following conditions and notes:

1. 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.

**Note to Applicant**

1. 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 application was acceptable as submitted and no further assistance was required.
  - the application was considered by the Planning Committee where the applicant had the opportunity to speak to the committee and promote the application.
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<b>Application Number</b>	16/00616/AS	
<b>Location</b>	Imber, Cheesemans Green Lane, Sevington, Ashford, Kent, TN24 0LJ	
<b>Grid Reference</b>	03760/40187	
<b>Parish Council</b>	Sevington	
<b>Ward</b>	Weald East	
<b>Application Description</b>	Erection of a flag pole	
<b>Applicant</b>	Mr P Bartlett, Imber, Cheeseman Green Lane, Sevington, Ashford, Kent, TN24 0LJ	
<b>Agent</b>	-	
<b>Site Area</b>	0.03ha	
(a) -	(b) -	(c) -

**Resolved:**

**Permit**

Subject to the following conditions

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

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**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. The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied without the prior written permission of the Local Planning Authority.

**Reason:** In the interests of visual amenity.

3. 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.

4. 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.

### **Note to Applicant**

1. 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 application was acceptable as submitted and no further assistance was required.
  - 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](mailto:rosie.reid@ashford.gov.uk).

Agendas, Reports and Minutes are available on: [www.ashford.gov.uk/committees](http://www.ashford.gov.uk/committees)