

Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **18th May 2016**.

Present:

Cllr. Burgess (Chairman);

Cllr. Wedgbury (Vice-Chairman);

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

In accordance with Procedure Rule 1.2 (iii) Cllr Krause attended as Substitute Member for Cllr Dehnel.

Apologies:

Cllr. Dehnel.

Also Present:

Cllrs. Bartlett, Smith.

Joint Development Control Manager, Strategic Applications Team Leader, Head of Planning and Development, Chilmington and Design Team Leader, Head of Development Delivery, Graduate Planner, Local Transport and Development Planner (Kent Highway Services), Principal Solicitor (Strategic Development), Member Services and Scrutiny Support Officer.

437 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Made a Voluntary Announcement as he lived in Sevington, at 'Imber' in Cheesemans Green Lane. He had attended a meeting with officers to discuss the application, and attended a number of meetings regarding Junction 10a,	439 – 14/00906/AS
	And	
	Made a Voluntary Announcement as he was a Governor of the East Kent University Hospitals Foundation NHS Trust, which operated the William Harvey Hospital, which was referenced in the report.	439 – 14/00906/AS

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- 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.
- Mrs Blanford Made a Voluntary Announcement as she was a member of the Weald of Kent Protection Society who had not commented on any item on the agenda
- And
- Made a Voluntary Announcement as she was a member of the Campaign to Protect Rural England 439 – 14/00906/AS
- Bradford Made an Announcement of lack of objectivity as he worked with the Boy Scouts. He would leave the Chamber for the discussion and vote (and he did so). 439 – 16/00231/AS
- 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.
- 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,
- And
- Declared an Other Significant Interest and he was one of two next-door-neighbours to the application site. He would speak on the item and leave the Chamber for the discussion and vote (and he did so). 439 – 16/00231/AS
- 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 he was a Member of the Economic Development Group of the Kent Invicta Chamber of Commerce, who had responded to the application, but he had no personal interest, 439 – 14/00906/AS

And

	Made a Voluntary Announcement as his son was employed by Kent Invicta Chamber of Commerce.	439 – 14/00906/AS
Ovenden	Declared a Disclosable Pecuniary Interest as he was the applicant and the site belonged to him. He would leave the Chamber for the discussion and vote (and he did so).	439 – 16/00306/AS
Powell	Made a Voluntary Announcement as he worked for a direct competitor of the applicant company, AXA Real Estate.	439 – 14/00906/AS
Wedgbury	Made a Voluntary Announcement as he was a member of Kingsnorth Parish Council which was an adjoining Parish Council.	439 – 14/00906/AS

438 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 20th April 2016 be approved and confirmed as a correct record.

439 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	15/01677/AS
Location	Hillside Lime Works, Pilgrims Way, Brabourne, Kent
Grid Reference	610325 /142327
Parish Council	Brabourne
Ward	Saxon Shore
Application Description	Demolition of existing agricultural buildings and erection of new single storey building to comprise new dwelling with associated garden and parking
Applicant	Mr R Wood c/o agent
Agent	Mrs J Scott, Hobbs Parker Property Consultants, Romney House, Monument Way, Orbital Park, Ashford TN24 0HB
Site Area	00.10ha
(a) 3/ 1R 1+	(b) Brabourne X (c) ESM X, KCC Ecology X

A Site Visit had been held earlier in the day.

The Joint Development Control Manager drew Members' attention to the Update Report, and advised Members on the additional information in relation to the current policy position. She explained in detail why her Recommendation remained unchanged in this case notwithstanding a recent Appeal decision in Tenterden.

In accordance with Procedure Rule 9.3, Ms Scott, the agent, spoke in support of the application. The application site comprised a pair of closely-related agricultural buildings within an established line of existing residential dwellings which would benefit from permitted development rights for a business or retail use under the prior notification system. However the adjoining property, Longwood, had a right of access over the existing farm access track which also served the buildings, and given the relationship between these buildings, a business or retail use was considered less appropriate than a residential use. Replacement was sought with a single-storey, modest residential dwelling reflecting the character and scale of the existing buildings and constructed on the same footprint, with the exception of a small glazed link between the two buildings. This glazed link retained the appearance of a gap. These proposals differed considerably from the 2011 appeal proposals on this site as there were clear plans of a modest replacement building, the grazed field was retained between the buildings and the road, and a private hedged rear garden was provided ensuring all domestic use was to the rear and

hidden behind the new dwelling. The Council could attach a condition removing permitted development rights and ensuring continued control for the future. The NPPF introduced a more positive approach to rural development, recognising a need for more housing in rural areas and encouraging agricultural building conversions for a variety of uses, even within areas of outstanding natural beauty. This modest replacement scheme was supported by both Brabourne Parish Council and the Ward Member.

Resolved

(A) Permit

(B) Subject to such conditions and notes as the Head of Development, Strategic Sites and Design or the Joint Development Control Manager consider appropriate.

Application Number	14/00906/AS
Location	Land on the north side of Highfield Lane, Sevington
Grid Reference	04000/41000
Parish Council	Mersham with Sevington
Ward	Weald East
Application Description	Development to provide an employment led mixed use scheme, to include site clearance, the alteration of highways, engineering works and construction of new buildings and structures of up to 157,616 sq m comprising: up to 140,000 sq m Class B8 (storage and distribution) use; up to 23,500 sq m of B1a/B1c Business (of which a maximum of 20,000 sq m of B1a); up to 15,000 sq m of B2 (general industry); up to 250 sq m of A1 (retail shops) and 5,500 sq m of sui generis to accommodate Kent Wool Growers together with ancillary and associated development including utilities and transport infrastructure, car parking and landscaping.
Applicant	Friends Life Limited
Agent	Mr Will Edmonds, Montagu Evans LLP, 5 Bolton Street, London, UK, W1J8BA
Site Area	47.75 ha

Application as deposited 2014

- | | | |
|---------------|-------|---|
| (a) 548/ 105R | (b) R | (c) River Stour IDB X, HE +, KH&T +, SGN X, NR X, HS1 X, English Heritage R, KCC (Heritage) R, NE X, KWT X, EHM (Env. Protection) X, SW X, EA X, Willesborough Community Forum R, Village Alliance R, CCE & Crest Nicholson X, KICC X |
|---------------|-------|---|

Application as amended 2015

- | | | |
|--------------------|-------|---|
| (a) 548 /113 R 1 S | (b) R | (c) NPCU X, HE +, KH&T X, Stagecoach X, SGN X, NR X, Historic England X, Canterbury Diocese X, KCC (Heritage) R, KCC (PROW) X, NE X, KWT X, KCC Ecology X, Kent Downs AONB Unit R, CPRE R, EHM (Env. Protection) X, SW X, EA X, KCC Flooding X, PO (Drainage) X, Willesborough Community Forum R, Village Alliance R, CCE & Crest Nicholson R |
|--------------------|-------|---|

The Chairman read out a short statement explaining the procedure for speakers for this particular item only. He would allow up to three speakers in objection and three speakers in support, as well as an opportunity for the Parish Council to make comments either way. He considered that a greater degree of public participation was desirable for an application of this size. He and the Portfolio Holder believed that there was a need to review the Committee's procedures for public speaking, particularly in relation to major sites, and he had asked officers to provide him with possible options. The order of speakers would be objectors, supporters and Parish Council. All speakers would be permitted three minutes. He said that there had been much speculation regarding the identity of the occupiers of the new development. However, no details were set out in the application, apart from the fact that Kent Woolgrowers would be situated there. As the identity of the future occupiers was not a planning matter, the Chairman asked speakers to concentrate on planning matters alone.

The Strategic Applications Team Leader drew Members' attention to the Update Report. He asked Members to note the amended Master Plan and he read out further representations which had been received. He also read out an additional

condition, as well as amendments to existing conditions, and finally read out a further objection received by email from Philip and Sharon Swandale.

In accordance with Procedure Rule 9.3, Mr Herlihy, a local resident, spoke in objection to the application. He said this was an important site – a gateway to Ashford for visitors from Europe. It was a high area which was visible from the AONB. It included Sevington Church, which was a Grade I listed building. This should ensure the highest level of protection for the building and its setting. This was not the right place to build a huge warehouse development which would be as tall as the spire of the church. The land was scheduled for employment uses, and a high quality development, such as that at Kings Hill, would be appropriate. The huge warehouses proposed would generate a few low paid jobs and employees would be transported from elsewhere, so there would be no multiplier effect. This would be an eyesore which would destroy the view of Sevington Church and dominate the main gateway into Ashford. There would be headlights, noise and diesel fumes. If a lorry driver missed his delivery slot he wouldn't get paid, so he would be sure to arrive early. As it was not possible to wait on site, where would he wait instead? In the lanes around Ashford. KCC's Conservation Architect and Historic England's experts said that this development threatened serious harm to the church's setting. This was a speculative application and the biggest development the applicant felt he could squeeze onto the site. There was no regard for scale, context and negative visual impact. The proposed screening was too small and should be sited on the development site and not on grade 1 agricultural farmland. This was a deliberately premature application as the future capacity of J10a was not yet clear. The applicants were aware that this development would generate huge traffic volumes and wanted to get planning permission before other developments soaked up the capacity from J10a. If Members were to refuse the application, the applicant would have to produce an amended scheme, more in keeping with the site and the quality of development this Borough deserved.

In accordance with Procedure Rule 9.3, Mrs Drury spoke in objection to the application on behalf of the Campaign to Protect Rural England. She noted that a great deal had been done to mitigate and manage this sensitive site. This site was featured in the existing Local Plan and the question was how to achieve a development which would work but also protect the village of Mersham. The development line should be moved back to the west side of Highfield Lane, as on the site U19 plan, and the field in between should be used as a strategic gap in perpetuity. The proposals to close off Highfield Lane and Kingsnorth Street were helpful but not sufficient. The building line should be moved further west so a buffer of trees could be planted very soon as they would take a while to mature. The setting of the AONB was very important. Three planning appeals had already rejected development at Junction 8 of the A20 due to harm to the setting of the AONB. Mrs Drury was pleased to see that the original proposal to have a great deal as reserved matters had been changed and there would now be planning applications on substantive detail. This was a raised site which was highly visible from the AONB. Sevington church was part of a line of beacons and was in a line of

sight. Mrs Drury asked where the traffic plan was for HGVs and LGVs which would service this site. This must be part of the total plan.

In accordance with Procedure Rule 9.3, Mrs Arthur spoke in objection to the application on behalf of The Village Alliance. She recognised that U19 would be developed in some form. The current proposal catered for large scale warehousing and it was the Council's responsibility to decide on the best type of development to benefit the people of Ashford. The demands of developers could not be the primary consideration. A major warehouse development on the proposed scale at U19 was inappropriate. It provided for warehouses 16m high being built on raised land which would dominate the skyline and destroy the setting of the Grade I listed Sevington church. There was a legal duty to follow the NPPF which required special regard to be given to listed buildings. Because of this the KCC Conservation Architect had recommended refusal. The development would provide mainly low skilled jobs which were not needed and would contribute little to the local economy. It was likely that most employees would be imported from other areas, thus further exacerbating traffic problems. The uncertainty of the future capacity of J10a, together with increased traffic from U19 and other developments in Ashford, made this a high risk proposal. Moving the red line of the proposed development to the east of Highfield Lane was unacceptable and contrary to U19 site policy. It would create unnecessary encroachment towards Mersham and would break the Mersham wall. The farmland was not zoned for development. All landscaping should be within the site. The Council's Cabinet had said it sought to bring about a more structured approach to Ashford's gateways in order to project a positive message, but Mrs Arthur questioned whether several large warehouses at the south-eastern gateway to Ashford would achieve this. The application must be rejected to allow re-evaluation of the type of development. Ashford needed buildings sympathetic to the surroundings, businesses providing quality employment, attracting highly skilled people to Ashford and generating valuable growth for the local economy. The Village Alliance was totally opposed to the current proposal, where the developers were the only significant beneficiaries.

In accordance with Procedure Rule 9.3, Mr Owen, of AXA Real Estate, spoke in support of the application on behalf of the applicant. The applicant had committed approximately £20m to this project since 2007. Following the allocation in the Development Plan, the applicant had worked very closely with key stakeholders, including Highways England, Kent County Council, Ashford Borough Council, development consultants and Kent Woolgrowers. The applicant had a record of delivering very high quality developments. They remained very committed to Ashford and this application had their full support and backing. They hoped to work closely with local and regional occupiers and had received considerable market interest, even prior to any marketing. They would start with Kent Woolgrowers. The applicant had the experience, the financial capability and the expertise to deliver a high quality scheme for the benefit of Ashford and as allocated in the Development Plan.

In accordance with Procedure Rule 9.3, Mr Edmonds, the agent, spoke in support of the application. This site had long been allocated as one of the Council's key strategic employment sites. The applicant had invested a considerable amount of time and effort in developing proposals for the site that would ensure that the objectives of policy U19 were met. The scheme successfully met those objectives, striking the right balance between suitable controls over the nature and form of the development and having regard to the site's acknowledged sensitivities, and flexibility to respond to the market's identified needs. It would allow the establishment of a new and urgently needed facility for Kent Woolgrowers to come forward as a first phase of development. This in turn would allow redevelopment of an important town centre site. The scheme would deliver over 1600 full-time equivalent jobs within the local economy, in addition to over 150 construction jobs per annum. Since submission of the application in 2014, there had been a number of key challenges, which had been resolved in collaboration with Council officers, key stakeholders and local residents. The agent had worked closely with Historic England and the Canterbury Diocese to ensure the scheme did not give rise to any unacceptable impacts on the Grade I listed St Mary's church. Views of the church were protected by a significant landscape corridor running along the site. A contribution of over £185K would also be provided to the Diocese to deliver an agreed scope of upgrade works to the church and surroundings. The applicant would also provide other improvement works, such as new car parking for the church, bringing the total contribution to over £250K. The highway configuration had been changed to address local residents' concerns about rat running and to limit the impact of traffic on local networks. Significant landscaping was provided along the boundary to minimise visual impacts. The mix of employment uses had been amended to limit the amount of B1 office provision on site to respond to concerns about potential impacts on the town centre. The construction programme for this site now appeared to be aligned with Highways England's delivery programme for J10a. Mr Edmonds asked Members to support the Officer's Recommendation and approve the application.

In accordance with Procedure Rule 9.3, Mr Fletcher, on behalf of Mersham and Sevington Parish Council, spoke in objection to the application. He noted the Council's achievements throughout the Borough and thanked officers for their hard work on this application. He recognised that the applicants had, in some small way, responded to local objections and agreed, in principle, the closure of Highfield Lane/Kingsford Street. However, it was disappointing that the outline plan showed the two largest sheds 16m high astride one of the highest vantage points on the main approach to Ashford. There was insufficient land within the site to carry out landscaping, although no amount of landscaping would hide this bulk from the North Downs AONB. If the site was not big enough to accommodate proper landscaping within its boundary, it was not suitable for this application. The development was intended to bring 2,400 jobs into the Borough but was only providing 1,600 car parking spaces. There was already enough of a problem with parking around Ashford, and the lorry waiting issues hadn't even been addressed. The Section 106 agreement proposed that the church should receive £186K as compensation to the

community of Sevington. Mr Fletcher questioned what guarantees there were that the Diocese would use this money to provide facilities for the local people. This application did nothing to reduce the access problems of residents and businesses in Barrey Road. More new businesses were opening in the Barrey Road estate and this situation was not sustainable. This proposal did not reflect the high quality development Ashford deserved. It failed to offer the qualities of opportunity for jobs, building design and environmental issues. Mr Fletcher urged Members of the Committee to reject the application.

The Ward Member attended and requested amendments to the recommended conditions and the addition of various new conditions.

Resolved:

- (A) Subject to the receipt of an amended master plan (being a combination of the amended illustrative master plan, the amended illustrative master plan alternatives and the parameter plans informing such amended master plans) showing the reservation of land for a potential public highway connection across the Ashford to Folkestone and HS1 railways, submitted by the applicant pursuant to the requirement of Policy U19 of the Urban Sites and Infrastructure DPD 2012, and**
- (B) Subject to the development remaining in accordance with the amended master plan pursuant to the requirement of Policy U19 of the Urban Sites and Infrastructure DPD 2012, and**
- (C) Subject to the receipt of the final written views of Highways England raising no objection to the proposals, and**
- (D) Subject to the receipt of any necessary updated plans, including phasing plan, dealing with matters relating to (B) above and to accord with the approach at (E) below, and**
- (E) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations related to**
 - a. Contribution for funding carbon savings (excluding infrastructure)**
 - b. Bus strategy**
 - c. Framework Travel Plan (including public transport strategy)**
 - d. The funding of improvements to facilitate improved pedestrian and cycle improvements between the site and Kingfisher Close, Willesborough**
 - e. The upgrading of public footpath AE639 and public footpath AE363 between Highfield Lane and Blind Lane to public bridleway**

status to a standard to be agreed with KCC in consultation with the local planning authority

- f. Via an obligation to enter into a s.278 agreement with Highways England pursuant to the Highways Act 1980 to make a SPG6 contribution towards increasing strategic highway capacity to accommodate the traffic movements arising from the development of the site through the provision of J10A to the M20 motorway
- g. The funding by the applicant of the promotion and implementation by the local highway authority of road closures via Traffic Regulation Orders (TROs) to (A) prevent through traffic moving between Highfield Lane and Kingsford Street as shown on Drawing No. 22233105-32, and (B) prevent through vehicular traffic at the southern end of Church Road (using lockable bollards or similar measures to maintain an access for emergency vehicles only)
- h. The associated implementation a refuse freighter sized turning facility (with associated landscaping) to a specification and in accordance with agreed long term maintenance (including potential adoption by the local highway authority) to be agreed with the local highway authority in consultation with the local planning authority
- i. The funding of £186, 875 by the applicant to the Diocese, via the Council, to cover the costs of the Diocese carrying out the agreed internal upgrade works necessary to St. Mary's Church to enable it to meet the needs of the emerging community (including in particular workers in the development) arising through the development of Site U19, and subject to a report from the Diocese to be approved by the Council itemising the nature and timing of the works and, in conjunction with Mersham and Sevington Parish Council, the retention of the upgraded building to meet the needs of the existing and emerging community
- j. The carrying out by the applicant within a timescale to be agreed of a 30 space car park (to an agreed specification) to serve St. Mary's Church together with access alterations and footpath connections also to be agreed
- k. Reservation of land through the site - from the principal access connection with the J10A link road on the northern side to the southern boundary broadly in the position shown on the master plan to enable a potential highway connection over the railway to the south - as public highway

- l. Implementation and development completion notices to be served on ABC**
- m. Monitoring fee A: travel plan (index linked £1,000 p.a. for 5 years)**
- n. Monitoring fee B: (index linked £5,000 p.a. for the duration of the build)**

as detailed in table 1, in terms agreeable to the Head of Development Strategic Sites and Design in consultation with the Corporate Director (Law & Governance), with delegated authority to the Head of Development Strategic Sites and Design to make or approve changes to the planning obligations and planning conditions (including adding additional conditions or deleting conditions as necessary), as she sees fit.

Table 1

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
1.	Contribution for funding carbon savings (excluding infrastructure) based on the residual carbon emissions of the buildings set out in the approved energy performance certificates 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 substantial completion of each individual building
2.	Bus strategy. Agreement of a strategy to ensure a bus service for the site – whether a service provided directly by the applicant OR by a commercial operator OR a combination of the two approaches calling at the site at a	To be agreed	To be agreed

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	<p>location or locations to be agreed and at an acceptable frequency – connecting the development with the urban area and ultimately the town centre and railway stations, commencing 6 months after the completion of the link between the main site access and Church Road to a frequency to be agreed and funding for that service for a minimum period of 5 years.</p>		
3.	<p>Framework Travel Plan (including public transport strategy and other green transport measures to serve the site)</p>	Not applicable	<p>Framework Travel Plan to be approved at a trigger to be agreed in relation to occupation of new floorspace and the agreed Travel Plan to be implemented within 3 months of that event. Time period of review to be agreed.</p>
4.	<p>The funding of improvements to facilitate improved pedestrian and cycle connection between the site and Kingfisher Close, Willesborough</p>	£30,000	To be agreed
5.	<p>The upgrading of public footpath AE639 and public footpath AE363</p>	To be agreed	To be agreed

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	between Highfield Lane and Blind Lane to public bridleway status (both physically and legally) to a standard to enable all-weather usage by pedestrians and cyclists to be agreed with KCC in consultation with the local planning authority		
6.	Obligation to enter into a s.278 agreement with Highways England pursuant to the Highways Act 1980 to (a) make a SPG6 contribution towards increasing strategic highway capacity to accommodate the traffic movements arising from the development of the site through the provision of J10A to the M20 motorway and (b) safeguard the land necessary for Highways England to deliver the J10A scheme (including the link road and allied routes for non-motorised traffic, landscaping, drainage and other rights over land) when required	SPG6 based sum to be calculated	Obligation to enter s.278 agreement prior to first occupation of new floorspace

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
7.	<p>The funding by the applicant of the promotion and implementation by the local highway authority of road closures via Traffic Regulation Orders (TROs) to (A) prevent through vehicular traffic moving between Highfield Lane and Kingsford Street and retain a local public highway for cyclists and pedestrians and equine users only (using lockable bollards or similar measures to maintain an access for emergency vehicles only) as shown on Drawing No. 22233105-32</p> <p>and</p> <p>(B) prevent through vehicular traffic at the southern end of Church Road (using lockable bollards or similar measures to maintain an access for emergency vehicles only)</p>	To be agreed with the local highway authority.	To be agreed with the local planning authority in consultation with the local highway authority.
8.	To fund and provide land for the	To be agreed with the local highway	To be agreed with the local planning authority in

Planning Obligation		
Detail	Amount(s)	Trigger Point(s)
<p>associated implementation of a refuse freighter-sized turning facility to enable a turn and return in an easterly direction along Kingsford Street (with associated landscaping) to a specification and in accordance with agreed long term maintenance (including potential adoption by the local highway authority) to be agreed with the local highway authority in consultation with the local planning authority</p>	<p>authority.</p>	<p>consultation with the local highway authority with the land as is necessary to construct the facility to be provided by the applicant at nil consideration.</p>
<p>9. (A) The funding by the applicant to the Diocese, via the Council, to cover the costs of the Diocese carrying out the agreed internal upgrade works necessary to St. Mary's Church to enable it to meet the needs of the emerging community (including in particular workers in the development) arising through the</p>	<p>£186, 875</p>	<p>To be agreed in consultation with the Diocese.</p>

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	<p>development of Site U19</p> <p>(B) The subsequent provision of a report from the Diocese to the Council itemising the works to be carried, when the works will be carried out and, following prior consultation with the existing local community and in conjunction with Mersham with Sevington Parish Council, the way in which the upgraded building will be retained available to help meet the needs of that local community alongside meeting the needs of the emerging community (including in particular workers in the development) arising through the development of Site U19.</p>		Timescale to be agreed.
10.	<p>The construction by the applicant within a timescale to be agreed of a suitably surfaced, all-weather, 30 space off-street car park (to an agreed specification)</p>	To be agreed	To be agreed

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	to serve St. Mary's Church together with access alterations and footpath connections also to be agreed		
11.	<p>Reservation of land through the site - from the principal access connection with the J10A link road on the northern side to the southern boundary broadly in the position shown on the master plan to enable a potential 2-lane vehicular highway connection over the railway to the south - to be provided and adopted as public highway.</p> <p>Development of the site shall deliver the new link road to the southern boundary if and when a scheme for the delivery of a railway crossing and matching road on the southern side of the railways to serve future growth has been secured</p>	Not applicable	To be agreed
12.	Implementation notice	Not applicable	On commencement of development through the making of a material

Planning Obligation		
Detail	Amount(s)	Trigger Point(s)
		operation as defined in the Town and Country Planning Act 1990 (as amended)
13. Monitoring fee A: travel plan	Index linked £1,000 p.a. (including part thereof) for 5 years	£1,000 to be paid to the Council upon submission of the draft Travel Plan and £1,000 on the anniversary thereof for a period of 4 years.
14. Monitoring fee B: other	Index linked £5,000 p.a. (including part thereof) for the duration of the build	Upon commencement of the development authorised by the permission.
15.	<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> 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>	

- (F) **Subject to the application being advertised as it does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated in terms of the requirements of Policy ET3 of the Ashford Borough Local Plan 2000, and subsequently notification to the Secretary of State in terms of the quantum of office floorspace proposed and to his having indicated that he is content for the Council to determine the application, or not responded,**
- (G) **With authority delegated to the HDSSD or JDCM to approve the amended masterplan under para. (A) above, to determine whether the development remains in accordance with it under para. (B) above, to approve the updated plans under para. (D) above, and to consider any responses to the advertisement under para. (F) above and to Grant Outline Planning Permission unless any new material matters are raised that are not already substantially before the Committee when taking its**

decision (but if such are raised, the application to be reported back to a future Planning Committee)

(H) Grant outline planning permission

Subject to the following conditions and notes:

Time periods

1. (A) Approval of the phase 1 works involving the siting, design, appearance and landscaping of the estate roads, the sustainable drainage system embedded within open space and the landscaping and layout of that open space (including measures specifically designed for ecological/biodiversity enhancement purposes within that open space) shall be obtained from the local planning authority prior to the approval of the first new building to be constructed within the site and thereafter the phase 1 works shall be carried out in accordance with such approval unless the Local Planning Authority has agreed to any variation in writing.

(B) Approval of the siting design and external appearance of each of the buildings, the means of access thereto within the site interior, and the landscaping of each individual building plot to be constructed, hereinafter called "the reserved matters" shall be obtained from the local planning authority in writing before the development of the site or any individual plot within the site is commenced.

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) and in order to ensure that phase 1 works are considered in advance of the approach to individual areas of the site containing development plots coming forward for approval.

2. (A) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of 7 years from the date of this permission.

(B) The development hereby permitted shall be first begun no later than 2 years from the date of this permission and any development permitted pursuant to reserved matters approvals shall be begun either not later than the expiration of 7 years from the date of this permission, or before the expiration of 2 years from the date of approval of the reserved matters, whichever is the later.

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)

Content of applications for approval of reserved matters

3. All proposals submitted pursuant to condition 1(B) of this permission shall be accompanied by a statement demonstrating how the proposals;-
- (i) conform generally with the layout and building design principles set out in the Design and Access Statement, the Development Specification and the illustrative master plan with any proposed departures being justified,
 - (ii) conform specifically with the Design Code subject of condition 6 of this permission,
 - (iii) conform specifically with the Local Ecological Management Plan subject of condition 48 of this permission, and
 - (iv) conform specifically with the Lighting Strategy subject of conditions 8 and 9 of this permission.

Reason: To ensure that the fine detail of the site's development is appropriate in order to mitigate its visual, landscape, amenity and ecological impacts.

4. Details of the final finished level to ground floors of any proposed building shall be submitted to and approved in writing by the Local Planning Authority at the same time as the details submitted pursuant to condition 1(B) and the development shall be carried out to the approved level.

Reason: In the interests of visual amenity.

5. Written details and sample boards of all external cladding materials shall be submitted to and approved by the Local Planning Authority in writing at the same time as the details required by condition 1(B) of this permission and the development shall only be carried out using the approved external cladding materials.

Reason: In the interests of visual amenity.

Design Code

6. (A) Prior to the approval of any floorspace proposed pursuant to this permission, a Design Code shall have been submitted to and (following critical review by independent consultants to be commissioned to assist the Local Planning Authority and the making of any necessary amendments) approved in writing by the Local Planning Authority containing the following minimum elements to inform detailed building, plot and site design;-

- (i) plot configuration (including the position of buildings, yards and car parks and surfacing materials),
- (ii) plot boundary demarcation (including differing approaches according to context and innovative ways of softening visual impact thereof)
- (ii) general building form (including shape, configuration, and heights),
- (iii) roof and eaves profiles (including materials, types including green roofs, eaves treatments to soften the impact of concealed rain water goods),
- (iv) approach to office elements (including both separate pod and integral arrangements, entrances, materials, adaptability, articulation, site-wide and on-plot legibility),
- (v) building appearance, aesthetic and creation of a strong sense of place (cladding and materials, wall / eave / roof colours, green walls, doors and openings, signage, façade illumination),
- (vi) materials (car parks, yards, roads, paths), and
- (vii) street furniture (including bus shelters, approach to way-finding and public art, street and open space furniture.

The Design Code shall include a time period for its future review.

(B) All applications submitted pursuant to Condition 1(B) of this permission shall include a written statement identifying how the detailed design that is proposal complies with the provisions of the Code.

Reason: To help ensure that the principles of development set out in the application are translated by subsequent designers to help mitigate the impact of the development on its surroundings.

Sustainable design & construction

7. (A) Each and every building at the development hereby approved shall be carbon neutral and shall be constructed to achieve a target Building Research Establishment BREEAM (or subsequent equivalent quality assured scheme) overall 'Excellent' standard comprising the following minimum credit requirements:-
- (i) 'Excellent' standard in respect of energy credits,
 - (ii) 'Maximum standard in respect of water credits,
 - (iii) 'Excellent standard in respect of materials credits, and

(iv) under criterion Ene4 (Low and Zero Carbon Technologies) (or subsequent equivalent criterion) 1 credit for a feasibility study and 2 credits for a 30% reduction in carbon emissions.

(B) Unless otherwise agreed in writing by the Local Planning Authority, no work on any building floorspace hereby permitted shall commence until the following for that new building floorspace has been submitted to and approved in writing by the Local Planning Authority:-

(i) A feasibility study to establish the most appropriate local low and zero carbon ("LZC") technologies to install and which shall be in accordance with the feasibility study requirements set out within BREEAM 2011 New Construction (or subsequent equivalent requirements),

(ii) 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,

(iii) A BREEAM 'Design Stage' report and related certification produced by a registered assessor, and

(iv) Details of the measures, LZC and other technologies to be used to achieve the BREEAM standard and credit requirements specified above.

(C) Thereafter, each approved new building shall be carried out in accordance with the approved report and details and the approved measures and LZC and other technologies for achieving the BREEAM standard and credit requirements specified above shall thereafter be retained in working order in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

(D) Unless otherwise agreed in writing by the Local Planning Authority, each approved new building shall not be occupied until (i) and (ii) below have been submitted to and approved in writing by the Local Planning Authority for that building:

(i) 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, and

(ii) a BREEAM 'Post Construction Stage' report and related certification produced by a registered assessor confirming the BREEAM standard that has been achieved and the credits awarded under Ene4.

Reason: In order to (a) achieve zero carbon growth and ensure the construction of sustainable buildings and a reduction in the consumption of

natural resources, (b) seek to achieve a carbon neutral development through sustainable design features and on-site low and/or zero carbon technologies and (c) 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 NPFF.

Street, amenity/open space and development plot lighting

8. All proposals submitted pursuant to conditions 1(A) and 1(B) of this permission shall be accompanied by a statement demonstrating how the proposals conform with the Lighting Design Specification as set out in Appendix D of the Development Specification October 2015, with particular attention being paid to ensuring that the proposals minimise the impact on wildlife and reduce unnecessary light spillage in areas that need to be lit. The statement shall include confirmation from a qualified ecologist that the proposals would minimise the impact on wildlife.

Reason: To ensure that the approach to site lighting is appropriate and reduces the impact of the development.

9. The following details shall be submitted to the Local Planning Authority at the same time as the details required by conditions 1(A) and 1(B) and (following consultation with the Kent Wildlife Trust and KCC Ecology) be approved by the Local Planning Authority in writing;-

(a) 1:50 scale elevations of lighting (and any other) columns to be installed and details of final colour finish,

(b) a 1:500 scale layout plan showing the location of lighting (and any other columns), and

(c) full details of levels of luminance for columnar lighting and measures and specifications employed to limit light spillage and minimise impact on bats within the locality.

Only the approved details shall thereafter be implemented and shall be subsequently retained in perpetuity unless the Local Planning Authority has subsequently agreed otherwise in writing.

Reason: No such fine details have yet been supplied and in order to ensure, generally, that the approach to lighting and any other columns is contextually appropriate for the urban edge location taking into account the relationship with the undeveloped surrounding land and residential uses and, specifically, takes into account the need to minimise impact on bats present in the locality.

Bat roosting, bird nesting and hibernacula

10. Prior to any approved floorspace being made available for use, the following details shall have been submitted to and approved by the Local Planning Authority in writing;-

(a) full details of proposed bat roosting and bird nesting boxes to be provided on the plot including number, location, method and height of fixings, visual appearance and external colour finish, and

(b) full details of proposed hibernacula to be provided including number, location and appearance. Unless any subsequent variation is agreed in writing by the Local Planning Authority, the approved details shall be installed prior to the car park being available for use and shall thereafter be retained.

Reason: No such fine detail has been submitted. 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.

Site access arrangements and quantum of development so served

11. Prior to the occupation of any development on the site, Church Road shall be upgraded in accordance with the details shown on the application drawings and the works opened to traffic

Reason: In the interests of highway safety.

12. No more development than is equal to 1 DU of traffic impact (in accordance with the provisions of SPG6: Providing for transport needs arising from the South of Ashford Transport Study) shall be occupied on the site prior to the granting of a Development Consent Order (DCO) for the works to form J10A of the M20 motorway and the link road from J10A to the A2070.

Reason: The traffic impact of development at the site (in excess of 1DU of traffic already catered for to serve development of the site via J10 as upgraded) can only be accommodated by enhanced capacity of the strategic highway network achieved through the granting of a DCO consenting the construction of J10A and the link road from J10A to the A2070.

13. No more development than is equal to 1 DU of traffic impact (in accordance with the provisions of SPG6: Providing for transport needs arising from the South of Ashford Transport Study) shall be occupied on the site unless either (A) the works to form J10A of the M20 motorway have formally commenced or (B) the Church Road/A2070 junction has been signalised and is open to traffic

in accordance with a scheme that shall previously have been agreed by the Local Planning Authority in consultation with Highways England.

Reason: The traffic impact of development at the site (in excess of 1DU of traffic already catered for to serve development of the site via J10 as upgraded) can only be accommodated by enhanced capacity of the strategic highway network to be achieved through the implementation of a DCO consenting the construction of J10A and the link road from J10A to the A2070 OR the signalisation of Church Road/A2070 whilst the works subject of DCO are under construction but not yet open to traffic.

14. No more development than is equal to 2.75 DU of traffic impact (in accordance with the provisions of SPG6: Providing for transport needs arising from the South of Ashford Transport Study) shall be occupied on the site unless the works for J10A and the link road to the A2070 and the principal/main access into the site from the link road have all been opened to traffic.

Reason: Until strategic highway capacity is enhanced in this manner, the traffic impacts of development at the site in excess of 2.75DU cannot be satisfactorily accommodated.

15. Within 6 months of the principal/main access into the site being opened to traffic, the access into the development site from Church Road shall have been downgraded by means of traffic management measures (including weight, height and width restrictions but not limited thereto) to be carried out within the site (in accordance with a scheme previously agreed with the Local Planning Authority in writing following consultation with the highway authorities) with such measures within the site to thereafter be retained in order that priority is given to use of the principal/main site access by all traffic generated by the development.

Reason: The quantum of traffic generated by the development site should be served primarily by the principal/main access from the new road to J10A with the Church Road/A2070 junction having only a limited role in meeting the needs of the development.

Visibility splays and access

16. Any pedestrian and vehicular visibility splays approved pursuant to the details within the reserved matters shall be provided prior to commencement of work for that part of the development and shall be subsequently maintained clear of any obstruction over 0.6 metres above footway level.

Reason: In the interests of highway safety.

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17. No building shall be occupied until the means of vehicular and pedestrian access for that part of the site has been constructed in accordance with the approved plans.

Reason: In the interests of highway, pedestrian and cycle safety.

Construction phase(site set up and operation): construction traffic routeing, construction compounds, hours of operation, wheel washing to be agreed

18. Prior to any development commencing at the site, details shall be submitted to and approved in writing by the Local Planning Authority which show;-

(i) the location of any proposed site compound in addition to those that may be required in connection with the development of specific development plots,

(ii) routing of large goods vehicles to and from the site via the M20 and associated measures to be put in place to ensure compliance with that routing,

(iii) hours of site access for long goods vehicles.

Thereafter, unless any variation is agreed in writing by the Local Planning Authority, the approved site compound and lorry routing shall be implemented in accordance with the approved details and shall be retained as such for the duration of the works hereby approved.

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

19. Prior to works commencing on site, the following details shall be submitted to and (following consultation with the local highway authority as appropriate) shall be approved by the Local Planning Authority in writing;-

(i) details of parking for site personnel and visitors during construction,

(ii) details of access points, loading / unloading and turning areas for all construction related traffic,

(iii) details of proposed dust suppression, odour suppression and vapour suppression methods,

(iv) details of proposed surrounding fencing / hoardings to any compounds,

(v) details of proposed structures to be located within compounds and any proposed lighting (including measures to limit light spillage to the public highway and to nearby residents), and

(vi) details of any plant, equipment and machinery to be installed as part of the compound including details of hours of operation and noise during operation.

Thereafter the approved details shall be provided prior to the commencement of works and retained for the duration of the construction of the permitted development unless the Local Planning Authority has agreed otherwise in writing.

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.

20. (A) Prior to the commencement of development, a Site Waste Management Plan (SWMP) shall have been submitted to and approved by the Local Planning Authority in writing. The SWMP shall include a detailed management plan for reducing construction waste during the construction phases of development in the form of site management, waste management and project design and planning. The approved SWMP shall be implemented throughout the period of demolition and construction work within the application site.

(B) Before any construction commences a Scheme of Minimum Environmental Requirements for Construction (SMERFC) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, construction shall be implemented in accordance with the SMERFC.

The matters to be addressed in the SMERFC shall include the following;-

(i) design, implementation and protection of landscaping to relevant British Standards,

(ii) Considerate Contractors / Code of Construction Practice,

(iii) methodology of protecting existing and new trees to the relevant British Standard during construction, and

(iv) a method statement for any piling or other noisy construction activities, or the installation and removal of any large static construction equipment such as cranes.

Reason: To ensure that the impacts of construction on adjoining areas are minimised for the benefit of the local environment and the amenities of nearby residents.

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21. No site clearance or 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 any Sunday or Bank or Public Holiday unless first agreed in writing by the Local Planning Authority.

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

22. Prior to the commencement of any works on site, 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. Unless any subsequent change has been agreed 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 works.

Reason: To ensure that no mud, spoil, surface water 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.

Construction (and operational) phase: remediation, environmental and waste management plans/strategies to be agreed

23. Prior to the commencement of works, a detailed Remediation Strategy (RS) 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 shall have been submitted to and approved by the Local Planning Authority in writing. The RS must describe all the relevant works to be undertaken during construction and post-completion operation stages and include the following:-

(i) proposed remediation objectives,

(ii) performance criteria,

(iii) a schedule of works, and

(iv) site management protocols.

The RS is required to 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 RS shall only be carried out in accordance with the approved details unless any subsequent change has

been agreed in writing by the Local Planning Authority.

The Local Planning Authority must be notified in writing at least two weeks prior to commencement of the approved RS works.

Reason: To ensure that risks from land contamination to the future users of the site 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.

24. Within 3 months of the completion of the approved RS measures applicable to the demolition and construction stages, a verification report that demonstrates the effectiveness of the remediation carried out by must be submitted to and approved in writing by the Local Planning Authority.

Reason: To verify the effectiveness of the approved RS and to ensure that risks from land contamination to future users of the site and neighbouring land are minimised, together with those to controlled waters, property and ecological systems.

25. Prior to the commencement of development, a Construction and Environmental Management Plan (CEMP) shall have been submitted to and approved by the Local Planning Authority in writing. The CEMP shall include:-

(i) Code of Construction Practice,

(ii) hours of working for noisy activities and details of the installation and removal of any large equipment such as cranes relating to those works,

(iii) details of all general measures to be put in place to ensure that during construction phases all works are managed so as to minimise their environmental impact in terms of noise, pollution and protection of natural resources including the use of petrol interceptors and on-site protection of temporary chemical and fuel stores,

(iv) details of specific measures that will be put in place in the event that on-site construction works identify contamination including the prevention of onward contamination, suppression of contamination, removal of contamination and the use of personal protective equipment for construction workers,

(v) details of specific measures that will be put in place to prevent damage to the riparian habitats in the locality from works taking place on site, and

(vi) details of all measures to be put in place and thereafter retained during

the operational phase of the development permitted, including the use of petrol interceptors.

Thereafter, the approved CEMP shall be implemented in full unless the Local Planning Authority has agreed in writing to any subsequent variation or iteration of the Plan.

Reason: To ensure appropriate environmental management systems are put in place during the construction and operational phases of the development in order to prevent adverse impacts on the environment and to ensure that the impacts of construction on adjoining areas are minimised for the benefit of the amenities of nearby residents.

Design to encourage and facilitate cycling

26. No building shall be occupied until space has been laid out within that site for bicycles to be parked under cover in accordance with details that shall have been submitted to and approved by the Local Planning Authority and such cycle parking facilities shall subsequently be retained available for use by staff and visitors to the premises.

Reason: In the interests of promoting alternative modes of transport generally and, specifically, to ensure that each development plot provides an acceptable number of good quality cycle parking facilities to help facilitate transport choice for staff and visitors, to reduce reliance on the private car and to accord with the approach to car parking on the site pursuant to the SPG6 South of Ashford Transport Study.

27. Unless otherwise agreed with the Local Planning Authority, no building shall be occupied until cycle changing/shower facilities/drying facilities/locker facilities have been provided for that building (whether in that building or in an adjoining one or in a centralised facility within the site) in accordance with details that shall have been submitted to and approved by the Local Planning Authority and these facilities shall subsequently be retained available for use by staff and visitors to the premises.

Reason: In the interests of promoting alternative modes of transport generally and, specifically, to ensure that the necessary facilities for cyclists, both staff and visitors, are provided in order to reduce reliance on the private car and to accord with the approach to car parking on the site pursuant to the SPG6 South of Ashford Transport Study.

Framework and Workplace Travel Plans

28. (A) Prior to the first occupation of any building at the site, a Framework Travel Plan (FTP) shall have been submitted to and approved in writing by the Local

Planning Authority. The FTP shall set the long term management arrangements for the FTP.

(B) The FTP shall include the overarching Travel Plan approach for the whole site and establish a threshold whereby occupiers of floorspace either are required to produce an individual Workplace Travel Plan taking forward the content of the FTP, or, due to small size, are required to adopt and work towards the targets and objectives of the FTP via a pro-forma/template (with said pro-forma/template to be agreed in writing by the Local Planning Authority as part of the FTP).

Reason: In order to help realise a sustainable pattern of development in the area, comply with the provisions of the NPPF and the principles of sustainable development, assist smaller scale occupants of the site work towards Travel Plan objectives and targets and assist all other occupiers in the formulation of individual Workplace Travel Plans.

29. Within 7 months of first occupation of a building or any part of a building of a size identified in the FTP as necessitating a Workplace Travel Plan (WTP), WTP for the occupier of that floorspace that accords with Best Practice and the principles of (i) encouraging sustainable movement and (ii) reducing the reliance on the private motor vehicle as set out in the NPPF and builds on baseline survey work carried out by the occupier within a maximum 6 months of first occupation shall have been submitted to and (following consultation with the local highway authority) be approved by the Local Planning Authority. WTPs shall contain:

(a) Details of measures designed to achieve and maintain an appropriate target modal split of travel to and from that building,

(b) The contact details of an individual who will be appointed as WTP Co-ordinator within his/her job description and who will act as the contact point for the Local Planning Authority and the measures set out within the WTP,

(c) A mechanism for information to be provided to the Local Planning Authority annually (or as agreed in writing) as to the implementation of the measures set out in the WTP, and

(d) Proposed measures to maintain the appropriate modal split for the site and to monitor the performance of the WTP and appropriate measures to cover against failure to meet the agreed targets.

The agreed WTP for each occupier shall subsequently be implemented in full within 3 months of written approval by the Local Planning Authority and thereafter shall be maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to realise a sustainable pattern of development in the area, to comply with the provisions of the NPPF and the principles of sustainable development and take forward the provisions of the FTP for the site.

Archaeology

30. No development shall take place until;-

(A) The applicant (or the applicant's agents or successors in title) has located the Royal Observer Corps underground post at the site and provided a report (detailing its precise location, its physical condition, and measures by which the underground post can be physically protected and/or referenced as appropriate as part of the overall site layout, with an associated timescale for the implementation of said measures) to the Local Planning Authority and the report has been approved by the Local Planning Authority in writing.

Thereafter, the measures so approved shall be implemented in accordance with the approved timescale.

(B) The applicant (or the applicant's agents or successors in title) has secured the implementation of a programme of archaeological work other than the matter identified in (A) above in accordance with a plan covering the site, a written specification and timetable which has previously been submitted to and approved by the Local Planning Authority in writing.

Reason: To ensure that features of archaeological interest – including the Royal Observer Corps underground post - are properly examined and recorded across the site.

31. Within 3 months of the completion of the approved archaeological works a report containing details of the final archaeological recording work and the archaeological work report from the appointed archaeological contractor shall be submitted to and approved by the Local Planning Authority in writing.

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

Fenestration

32. No building permitted pursuant to this permission shall be commenced until details of doors and fenestration, including cross sections of the elevation to show cills and reveals, eaves and parapets and jointing of any cladding or brickwork has been submitted to and approved in writing by the Local Planning Authority at a scale of 1:20. Thereafter the development of each building shall be undertaken in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure a satisfactory appearance of the building.

Surface water drainage

33. No development shall be commenced until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The detailed 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 without increase to on-site or off-site flood risk and shall ensure all surface water is directed to its natural catchment unless agreed in writing with the local planning authority following prior consultation with Kent County Council as the Lead Local Flooding Authority and the River Stour Inland Drainage Board.

Reasons: To ensure that the principles of sustainable drainage that are incorporated into the development are maintained in effective working condition and will protect vulnerable groundwater resources and ensure compliance with the provisions of the National Planning Policy Framework and Policies CS19 and CS20 of the adopted Core Strategy 2008.

34. Prior to commencement, the arrangements for the disposal of surface water and flows from excavation dewatering shall be approved by the local planning authority in writing. These details shall be included within a sediment and erosion control plan to ensure run-off is managed adequately without pollution to receiving waters or increase to flood risk during construction.

Reasons: To ensure that the principles of sustainable drainage that are incorporated into the development are maintained in effective working condition and will protect vulnerable groundwater resources and ensure compliance with the provisions of the National Planning Policy Framework and Policies CS19 and CS20 of the adopted Core Strategy 2008.

35. No building 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 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.

Reasons: To ensure that the principles of sustainable drainage that are incorporated into the development are maintained in effective working condition and will protect vulnerable groundwater resources and ensure compliance with the provisions of the National Planning Policy Framework and Policies CS19 and CS20 of the adopted Core Strategy 2008.

36. No infiltration of surface water drainage into the ground is permitted other than with the written approval of the local planning authority (following prior consultation with the Environment Agency); this may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reasons: To ensure that the principles of sustainable drainage that are incorporated into the development are maintained in effective working condition and will protect vulnerable groundwater resources and ensure compliance with the provisions of the National Planning Policy Framework and Policies CS19 and CS20 of the adopted Core Strategy 2008.

Preventing pollution of the water environment when premises are in use

37. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

38. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment.

Public rights of way

39. No development should take place over any public right of way until the confirmation of its diversion or extinguishment and certification of the new route has been provided by Kent County Council.

Reason: To ensure that public rights of way are properly safeguarded in the public interest.

Landscaping (including protection)

40. At the same time as the submission of details pursuant to condition 1, a survey of the development site as existing shall be submitted to the Local Planning Authority concurrently with the submission of the site layout drawings and shall include, as appropriate, the following information at a suitable scale:
- (a) Location, species, girth or stem diameter, accurately planned crown spread and reference number of all trees on and adjoining the site with a stem diameter of 75mm or greater at a point 1.5 metres above ground level.
 - (b) A numbered tree condition schedule with proposals for removal of trees and for surgery or other works, where applicable, to retained trees.
 - (c) Existing and proposed levels including, where appropriate, sufficient detail to allow proper consideration of existing tree protection.
 - (d) Location, spread and other relevant details of existing hedgerows, hedges and other significant areas of vegetation.
 - (e) Location and dimensions of existing watercourses, drainage channels and other aquatic features with water, invert and bank levels as appropriate.
 - (f) Existing boundary treatments and forms of enclosure.
 - (g) Existing structures, services and other artifacts, including hard surfaces.
 - (h) Indication of land use, roads or other means of access, structures and natural features on land adjoining the development site.
 - (i) Route of existing footpaths and public rights of way on and adjoining the site.
 - (j) North point and scale.

(k) Location map.

Reason: To allow the proper consideration of the impact of the proposed development on the amenity value of the existing site.

41. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 15 years from the date of the completion of the development.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(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.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with 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.

42. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All 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 ten 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.

43. All trees planted shall be protected against stock and rabbits when planted in accordance with details that shall have been previously agreed with the Local Planning Authority and such protection shall be maintained at all times.

Reason: In the interests of good forestry and amenity.

44. (A) The landscaping scheme approved in relation to the phase 1 works pursuant to Condition 1 (A) of this permission shall be carried out within a timescale that shall have been previously agreed in writing by the Local Planning Authority.

(B) The Local Planning Authority shall be notified in writing of the completion of those phase 1 works.

(C) Any tree or plants which, within a period of 15 years from the completion of those phase 1 works, 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 agreed otherwise by the Local Planning Authority in writing.

Reason: In order to mitigate the impact of the development through the implementation of agreed phase 1 works landscaping.

45. (A) The landscaping schemes approved in relation to individual development plots pursuant to Condition 1 (B) of this permission shall be carried out within 12 months of the building on the plot being substantially complete and available for occupation.

(B) The Local Planning Authority shall be notified in writing of the completion of the approved landscaping works.

(C) Any tree or plants which, within a period of 15 years from the completion of those works, 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 agreed otherwise by the Local Planning Authority in writing.

Reason: In order to mitigate the impact of the development through the implementation of agreed landscaping for individual plots.

Hard landscaping

46. Full details of hard landscape works shall be submitted to the Local Planning Authority at the same time as the details required by Condition 1(A) and Condition 1(B) of this permission and shall be approved in writing by the Local Planning Authority prior to commencement of hard landscaping works and the

works shall only thereafter be carried out as so approved.

The hard landscape details shall include proposed finished levels or land 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, art, refuse or other storage units (including litter and dog bins), signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables etc indicating lines, manholes, supports etc) together with full details of maintenance.

Reason: In order to ensure that hard landscaping works are appropriate to the context of the site.

Ecological Management Strategy, Landscape Environmental Management Plan and Structural Tree Screen Landscape Management Plan

47. (A) Prior to commencement of development, a Framework Ecological Management Strategy (FEMS), shall have been submitted to and approved by the Local Planning Authority in writing, The FEMS shall include;-

(i) a timescale for implementation of the measures identified, and

(ii) a time period for the active management of those ecological measures,

(iii) a timetable for regular reports to be made to the Local Planning Authority identifying the success of the measures identified in the FEMS as a result of on-going ecological surveys during the active management period and,

(iv) a methodology for any proposed variations to the FEMS (in order to deal with the findings of said ecological surveys) to be proposed to the Local Planning Authority.

(B) Thereafter, the approved FEMS (including any agreed revisions arising from (iv) above) shall be carried out in accordance with the details in (A) above unless the Local Planning Authority has agree to any other variation in writing.

Reason: In order to ensure an appropriate ecological management strategy is put in place to properly mitigate the ecological impacts of the development.

48. (A) Prior to commencement of development, a Landscape Environmental Management Plan (LEMP), shall have been submitted to and approved by the Local Planning Authority in writing. The LEMP shall include;-

(i) a timescale for implementation of the measures identified,

(ii) a time period for the active management of those landscape measures, and

(iii) a timetable for regular reports to be made to the Local Planning Authority identifying the success of the measures identified in the LEMP as a result of on-going landscape environmental surveys during the active management period and,

(iv) a methodology for any proposed variations to the LEMP (in order to deal with the findings of said landscape environmental surveys) to be proposed to the Local Planning Authority.

(B) Thereafter, the approved LEMP (including any agreed revisions arising from (iv) above) shall be carried out in accordance with the details in (A) above unless the Local Planning Authority has agreed to any other variation in writing.

Reason: In order to ensure an appropriate landscape environmental management plan is put in place to properly mitigate the landscape impacts of the development.

49. Prior to commencement of development, a Structural Tree Screen Landscape Management Plan (STSLMP), shall have been submitted to and approved by the Local Planning Authority in writing. The STSLMP shall include the following;-

(i) a timescale for first implementation of the measures identified in the Plan,

(ii) the location of the Structural Tree Screen belts to be planted and managed in accordance with the Plan,

(iii) a time period for the duration of the Plan being not less than 15 years from the first implementation of the Plan,

(iv) details of the proposed management measures to be carried out by the applicant – including frequency thereof – during Years 1-5, Years 5-10, Years 10-15 and beyond - to ensure that the trees forming the Structural Tree Screen belts are regularly monitored and action is taken as appropriate in accordance with best arboricultural practice to assist trees planted within the belts maturing and early action is taken in respect of any trees found to be diseased or dying.

Thereafter, the STSLMP shall be shall be carried out in accordance with the approved details unless the Local Planning Authority has agreed to any variation in writing.

Reason: In order to ensure appropriate management measures are put in place to ensure the success of structural tree screen planting.

Management of HGVs (as defined in the HGV Road User Levy Act 2013)

50. (A) All proposals submitted pursuant to condition 1(B) of this permission shall be accompanied by an Individual Occupier Operating Strategy (IOOS) for each proposed building and its associated plot which shall include the details listed below:-

(i) the provision of electrified arrival bays/parking points for Heavy Goods Vehicles (HGV) at the premises for use by owned fleet and others,

(ii) as far as possible, measures to be undertaken by the occupier to help minimise HGV emissions through use of owned fleet HGVs fitted with clean technologies helping to ensure low emissions when in use and when loading/unloading,

(iii) HGV operating practices including matters of waiting times, turnaround of deliveries, and docking and unloading, and

(iv) HGV traffic management operating practices to ensure against off-site HGV parking problems occurring as a result of HGVs arriving at the premises at inconvenient times and/or being unable to access loading and unloading facilities.

Each building shall not be occupied until the relevant IOOS has been approved in writing by the Local Planning Authority and the electrified points for HGVs provided as approved. Thereafter, those premises shall only be occupied and operated in accordance with the approved IOOS unless the Local Planning Authority has agreed to any variation in writing.

Reason: To help reduce HGV emissions and avoidable deterioration of air quality through adoption of best practice and clean technologies. To help minimise noise and disturbance to the local residential community from HGVs waiting to access premises and parking in residential streets as a consequence.

Use of the premises

51. The buildings permitted shall not be used for any purposes other than Class B1 business use (including a maximum of 20,000sq.m of Class B1a use), Class B2 general industrial use, Class B8 storage and distribution use, Class A1 shop use (to a maximum 250 sq.m) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 and the Kent Woolgrowers sui

generis use and no alternative use whether permitted by virtue of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting that Order shall occur without the prior written approval of the Local Planning Authority.

Reason: In order to preserve the amenity of the locality and ensure that the uses remain appropriate to the planning context of the site.

52. (A) The total building floorspace shall not exceed that which is applied for and which is detailed on the application form dated 30/10/2015.

(B) No new building floorspace shall be created within the 133m landscape corridor shown on the Land Use and Layout Parameter Plan Drawing No. PL10_160_J (or any subsequent iteration thereof) and, in any event, no individual building to be used for Class B8 storage and distribution uses shall be created exceeding 80,000 sq.m.

(C) Site coverage of the total site area forming the DPD allocation as shown on Drawing 9031 SK160509_01 (Boundary Sketch Plan) shall through the aggregate of individual building footprints not exceed more than 40% of that total site area.

(D) Any proposal for B1 office development that is not ancillary to or allied to B1a/B2/B8 uses proposed or existing on the site, shall be required to demonstrate why that floorspace cannot be accommodated in the town centre. In any event no stand-alone B1 office building shall exceed 5, 000 sq m in gross floorspace.

Reason: In order to preserve the amenity of the locality and mitigate the impact of the development on the setting of St. Mary's church and as the impact of any additional floorspace has not been assessed by the local planning authority and in order to give priority to Ashford Town Centre for B1 employment purposes.

53. Prior to the principal/main access into the site from the J10A link road and J10A being opened to traffic and prior to the traffic management measures within the site being carried out in accordance with the provisions of Condition 15, no work shall be carried out from any new premises on the site already constructed and in use before 07:30 or after 22:00 on any day.

Reason: To ensure that vehicle movements arising from those uses in advance of the principal/main access becoming available have an acceptable impact on the amenities of nearby residential occupiers to the A2070 Church Road junction.

Services

54. Underground ducts shall be installed before each of the buildings hereby permitted are occupied, to enable telephone services, electricity services and communal television services to be connected to any premises within the application site without recourse to the erection of distribution poles and overhead lines and notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 1995 or any other Order or any subsequent Order revoking or re-enacting that Order no distribution pole or overhead line within the application site shall be erected without the express consent of the Local Planning Authority.

Reason: In the interests of visual amenity.

Availability for inspection

55. 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.

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. Public rights of way cross the site. The granting of planning permission confers on the developer no other permission or consent or right to close or divert any public right of way at any time without the express permission of Kent County Council as the highway authority. Additionally, no furniture may be erected on or across public rights of way without the express consent of Kent County Council as the highway authority, there must be no disturbance of the surface of the right of way or obstruction of its use either during construction of development or thereafter and no new hedging or shrubs should be planted within 1.5metres of the edge of the public path.
3. This permission requires the submission of a Design Code for approval by the local planning authority. Following approval, the Code will build on the detail submitted with the outline application and act as a framework to assist those

taking forward the fine detail of new development for various parts of the site. The local planning authority will expect the Code to require innovative, sensitive and responsive architectural solutions to help mitigate the visual impact of new development in the landscape at an importance entrance to the Ashford and to help create a coherent and clear sense of place within the site. The local planning authority will expect the Code to set a clear quality standard. Poor quality design will not be acceptable and will be refused.

4. A High Pressure Gas Main crosses the site and the applicant should comply with PADHI requirements and best practice at all times.
5. The quality of the screen landscaping identified on the parameter and illustrative master plans is critical to mitigate the visual impact of the development. The local planning authority expects high quality detailed landscaping to come forward pursuant to the requirements of this permission and wishes the applicant's landscaping designers to work with officers on preparing proposals prior to submission for approval. The local planning authority will monitor all screen landscaping and consider the making of Tree Preservation Orders to protect matured screen landscaping at the appropriate time.
6. The approach taken to the depth of landscaping on the northern boundary of the site will need to interface with the approach taken by Highways England and be adjusted as appropriate if further space is liberated through the detailed design proposed by Highways England for the A2070 link road. The local planning authority wished to see the land to the south of the link road being strongly tree planted to add to the screen landscaping shown on the parameter and illustrative master plans.
7. The permission is granted with conditions following the approach currently taken to car parking in adopted SPG6 (Providing for Transport Needs Arising from the South of Ashford Transport Study) to the Ashford Borough Local Plan 2000. Applicants bringing forward detailed proposals for plots will be expected to comply with prevailing adopted car parking standards at the time.
8. 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 provided with pre-application advice,
 - the applicant was provided with feedback on the deposited application
 - The applicant was provided the opportunity to submit amendments to the scheme in order to address issues.
 - The application as amended was moved forward 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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Application Number	15/00260/AS
Location	Land to the rear of Waltham Close, Willesborough, Ashford, Kent
Grid Reference	03027/42640
Parish Council	None
Ward	North Willesborough
Application Description	Erection of 16 no. dwellings, 4 no. affordable dwellings and 3 no. affordable apartments, car barns, vehicle access, parking and open space
Applicant	Mr and Mrs Lee and Mrs and Mrs Walters, c/o agent
Agent	TaD Planning, 51 Bayham Road, Tunbridge Wells, Kent, TN2 5HU
Site Area	1.2 Hectares

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- (a) 61/29R (b) - (c) KHS- R, Police – X, NE –X, ABC (SUD’s) – X, SW - X, EA – X, ABC SSOS – X, EHM – X, KWT – R, ABC HM – X, KCC (Arch) – X, NHS – X, KCC (ed) – X,

Second Consultation on Amendments

- (a) 61/15R (b) - (c) KHS - X, ABC HM – X

The Principal Strategic Sites Planner & Urban Designer drew Members’ attention to the Update Report. There were several amendments to the report, as well as three additional neighbour comments received, and some communications from Finalgood Property Management Ltd.

In accordance with Procedure Rule 9.3, Mr Drury, representing the landowners, spoke in support of the application. He commended Officers for engaging with the agent to address the concerns of local residents. The scheme had been modified and was now very different from the original version. Mr Drury had no hesitation in commending to the Committee the Officer’s report.

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.	Affordable Housing Provide not less than 30% of the units as affordable housing,	4 affordable rent units 3 shared ownership units	Affordable units to be constructed and transferred to a registered provider upon occupation of 75% of the open market

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	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		dwellings
2.	Allotments Contribution towards provision of 0.33 ha of allotments and ancillary facilities at Lower Vicarage Road Ashford and maintenance thereof	£258 per dwelling for capital costs £66 per dwelling for maintenance	Upon occupation of 75% of the dwellings
3.	Carbon Off-Setting Contribution Contribution for funding carbon savings (excluding infrastructure) based on	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

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	the residual carbon emissions of the dwellings set out in the approved energy performance certificates and quantified over 10 years		
4.	<p>Children's and Young People's Play Space</p> <p>Either: contribution towards provision of new local play area at Hythe Road Recreation Ground, or</p> <p>subject to an acceptable funding agreement being entered into by the owners and managing agents of the existing private children and young people's play space on nearby land at Abbey Way, providing for public access to that play space to be made permanently available, agreed enhancements to that play space.</p>	<p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings
5.	<p>Health Care</p> <p>Contribution towards improvements to Willesborough Health Centre</p>	<p>£0 for any affordable units</p> <p>£504 for each 1-bed Open Market Dwelling</p> <p>£720 for each 2-bed Open Market Dwelling</p> <p>£1,008 for each 3-bed</p>	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)
		Open Market Dwelling £1,260 for each 4-bed Open Market Dwelling £1,728 for each 5-bed Open Market Dwelling or larger	
6.	Monitoring Fee Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking	£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)
7.	Outdoor Sports Pitches Contribution towards provision of new all-weather MUGA at Hythe Road	£1,589 per dwelling for capital costs £326 per dwelling for maintenance	Upon occupation of 75% of the dwellings
8.	Primary Schools Contribution towards additional primary school places at Willesborough Primary School, Ashford to facilitate a new reception class.	£2360.96 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
9.	Secondary Schools Contribution towards the phase 2 extension at Highworth School, Ashford.	£2359.80 per dwelling	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)
10.	<p>Strategic Parks</p> <p>Contribution towards provision of controlled public access through ecologically sensitive area of park, connecting the new development with the Stour Valley walk.</p>	<p>£146 per dwelling for capital costs</p> <p>£47 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>
11.	<p>Libraries</p> <p>Contribution towards: bookstock at Ashford Library.</p>	<p>£48.02</p>	<p>Upon occupation of 75% of the dwellings</p>
12.	<p>Junction 10A</p> <p>Contribution towards construction of junction 10A of the M20</p> <p>To be paid through an agreement with Highways England under section 278 of the Highways Act 1980</p>	<p>£3487.12 per dwelling</p>	<p>Section 278 agreement to be completed before the grant of planning permission.</p> <p>Payment of the contribution as per the section 278 agreement</p>
<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>			

(B) Subject to the applicant entering into a section 278 agreement in relation to the SPG6 payments

(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, render, 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. No dwelling shall be commenced above ground level until the following details (at a scale of 1:20 or 1:50 as may be appropriate) have been submitted to and approved by the Local Planning Authority in writing and no further additions shall be made without subsequent further approval by the Local Planning Authority:-
 - a) windows and doors (including cill detail, depth of reveals within openings) and other external joinery.
 - b) dormer windows (including materials and details of materials for cheeks), bay windows
 - c) porch canopies (including materials and colour)
 - d) front door details (including glazed panels, colour and materials),
 - e) the form, colour and location of any necessary external meter boxes (including visual screening by landscaping),
 - f) rainwater goods down-pipes and final finish colour,

- g) any other external fittings to dwellings (including aerials, dishes and amenity lighting),
- h) balcony details (including guard and decorative railings and final colour finishes).
- i) details of proposed materials/cladding/finishing to the interior walls of the carbarns
- j) eaves details
- k) external extracts/vents / terminals (including any proposed venting to roofs) and details of final finish colour

Reason: Such fine details have not yet been submitted but are important in the interests of visual amenity and to ensure delivery of high quality development.

- 4. Details demonstrating the provision of level thresholds to all principal entrances of dwellings (and/or level thresholds accessed by shallow ramps where level thresholds cannot be provided linking the principal entrance of a dwelling to that which forms the public realm).

Reason: To ensure that dwellings will be accessible and are able to accommodate varying mobility needs over time.

- 5. Full details of walls and fences (including materials and colour) 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.

Highways and Parking

- 6. The area shown on the drawing number 2179-77 as vehicle parking space, carbarns and turning 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

7. 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 attached and detached 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 doors 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.

8. 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, no additional structural posts boundary fences or walls shall be created within the approved car barns without the prior permission of the Local Planning Authority in writing.

Reason: Additional structural posts have the capacity to obstruct the opening of vehicle doors and bring the minimum internal dimension below that forming Council SPD policy. Creation of fences and walls within car barn structures that serve more than one plot are similarly likely to reduce the usability of these covered allocated parking spaces leading to the displacement of car parking and subsequent inappropriate car parking. Fences and walls within such car barn structures may also adversely affect the external visual appearance of the car barn.

9. 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

10. 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.

Environmental Protection

- 11. Prior to the commencement of development, a scheme for protecting the dwellings hereby approved from noise from the M20 motorway shall be submitted to and approved in writing 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.

- 12. 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 subsequently be undertaken and submitted to the Local Planning Authority. Should remediation be required the following details shall be submitted and approved in writing by the Local Planning Authority:
 - a) 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). 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.

- b) 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)

13. 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

14. 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 in writing by the Local Planning Authority.

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

Drainage/SUDs

15. Prior to the first occupation of any house, a rainwater butt shall be provided to serve each dwelling (with the exception of the first floor flat) and connected to a rainwater down pipe. Rainwater butts shall thereafter be retained.

Reason: To allow residents to store rainwater on site for the watering of soft landscaping in ground level private amenity areas and thereby reduce the demand for mains water on site.

16. 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. This detail shall include the following:

The final drainage and sewerage plan for the scheme will be approved by Ashford Borough Council in consultation with Southern Water 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.

All discharging of surface water runoff will be dealt with within the application boundary via suitable methods approved by Ashford Borough Council where practicable. 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 into a suitably agreed point of discharge.

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. 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.

If the proposed surface water discharge point is to be the existing public sewer the applicant must provide written confirmation from Southern Water of their agreement to the proposals.

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.

17. No infiltration of surface water drainage into the ground at the site is 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 controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To prevent pollution of controlled waters and comply with the National Planning Policy Framework.

Sustainable design and construction

18. 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

Landscaping/Trees

19. No development shall take place until full details of both hard and soft landscape works including within the on-site open space/ecological meadow 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. 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

20. The details of soft landscape works required in condition 19 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.

21. 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

22. A landscape management plan for the ecological meadow, including long-term objectives, management responsibilities and maintenance schedules for this area, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of that phase of the development for its permitted use. The management plan shall be carried out as approved.

Reason: To ensure the ecological meadow is properly maintained in the interest of the amenity and biodiversity of the area.

23. 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; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the (occupation of the building/commencement of use of the approved development) for its permitted use.
- 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 LPA. All tree works shall be carried out in accordance with BS3998:2010 *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 LPA.

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.

24. 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 protected during any operation on site by temporary fencing 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.

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.

25. Prior to commencement of the development full details of all streetlight light fittings and any other external lighting to be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with these details prior to the occupation of the dwellings.

Reason: To protect against light spillage and pollution and to harm to bat flight corridors

Restrictions to development/ use

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 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.

Other

27. 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.

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. 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,
- 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.

3. 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.

4. Subject to the requirements of the above planning conditions, the applicant may wish to consider entering into combined management arrangements with those managing existing local play facilities, in respect of the new open space that would be provided in the development.

Application Number	16/00231/AS
Location	Scout Hut, Pett Lane, Charing, Ashford, Kent, TN27 0DL
Grid Reference	59578/14920
Parish Council	Charing
Ward	Charing
Application Description	Erection of a new single storey wooden building for use as a scout hut
Applicant	Mr Smith, 1 st Charing Scout Group, 2 Moat Park Houses, Ashford Road, Charing, Ashford, Kent TN27 0JL
Agent	N/A
Site Area	0.16ha

Original Consultation

(a) 4/- (b) Parish + (c) -

Reconsultation

(a) 4/35 S (b) Parish - (c) -

The Joint Development Control Manager drew Members' attention to the Update Report. She asked Members to note that 35 additional letters had been received with general and supportive comments, and she also pointed out revised conditions.

In accordance with Procedure Rule 9.3, Dr Lister, on behalf of the applicant, spoke in support of the application. Dr Lister wished to make three points: firstly, the building was 70 years old and in an irreparable state. There was no disabled access, toilet facilities or kitchen. Secondly, the application was originally proposed along the northern edge of the site. However, Charing Parish Council requested that a different site be used, along the hedge with the bowling club. It took up much more of the good quality, green field and was also on a gentle slope which made it more challenging for building. Dr Lister said that the applicant would accept the

Committee's decision on the preferred site of the new build. The third point was that 85 young people, boys and girls, between the ages of 6 – 15 used this facility every week. There were 13 leaders and 7 helpers. Sleepovers were supported by the local community, including the nearest neighbours. Officers had suggested restrictions which would prevent some activities taking place. The Club had operated without restrictions for many decades and there had been no complaints. Dr Lister requested the removal of any restrictions.

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.

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 shall not be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid pollution of the surrounding area.

5. The use of the building for purposes hereby permitted shall only be carried out between the hours of 9am – 11pm Monday to Sunday, except for overnight sleepovers for 6-15 year olds organised by a scouting organisation.

Reason: In the interests of residential amenity.

-
6. Within 1 month of the first use of the development hereby approved, the existing scout hut shown on drawing CSH/A1/01 RevA shall be removed / demolished and all arising materials shall be removed from the site

Reason: To enable the Local Planning Authority to regulate and control the development of the land; to preserve the residential and visual amenities of the locality.

7. The building shall be used for the purposes of scouting and supportive and associated purposes and not for any other purpose whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 2005 or any subsequent Order revoking or re-enacting that Order, or whether the alternative use is permitted by virtue of Article 3 and Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order.

Reason: In order to preserve the amenity of the locality.

8. 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 applicant was updated of any issues after the initial site visit,
- The applicant was provided the opportunity to submit amendments to the scheme.
- 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	16/00306/AS	
Location	Land north of The Bungalow, Green Lane, Challock, Kent	
Grid Reference	59960/50452	
Parish Council	Challock	
Ward	Downs West	
Application Description	Change of use of land to equestrian and proposed manège	
Applicant	Mr N Ovenden, 5 Pottery Cottages, Naccolt, Brook, Ashford, TN25 5NX	
Agent	N/A	
Site Area	0.34 hectares	
(a) 4/-	(b) S	(c) EHM(EP) X

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.

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 sand school hereby approved shall be used for private equestrian purposes only and not for any commercial riding, livery or other business use.

Reason: To enable the Local Planning Authority to regulate and control the development of the land and having regard to the visual and/or residential amenity of the locality

5. No external lighting shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity of adjoining residents.

6. 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 considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Application Number	16/00425/AS
Location	1 Caravan Site Chilmington Green, Chart Road, Great Chart, Ashford, Kent, TN23 3DT
Grid Reference	98353/41054
Parish Council	Great Chart with Singleton
Ward	Great Chart with Singleton North
Application Description	Replacement of fire damaged utility block
Applicant	Ashford Borough Council – Community & Housing, Civic Centre, Tannery Lane, Ashford TN23 1PL

Agent Mr A Cox, Harrisons Chartered Surveyors, 5 Kings Row,
Armstrong Road, Maidstone, ME15 6AQ

Site Area 0.00ha

(a) 4/1R (b) + (c) KCC Arch +

Resolved:

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. 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 of 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 considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **15th 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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150616

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 18th 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: -

Application Number	15/01671/AS
Location	Former Powergen Site, Victoria Road, Ashford
Grid Reference	00488/42404
Ward	Victoria
Application Description	<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>
Applicant	Development Securities (Ashford) Limited c/o Agent
Agent	Mr Matthew Pochin-Hawkes Nathaniel Lichfield & Partners 14 Regent's Wharf All Saints Street London N1 9RL
Site Area	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		

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	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.	Secondary Schools 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.	Open Space 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.	On-street Parking measures Contributions towards the consultation of a CPZ or towards measures to enforce parking breaches	£5,000	
5.	Provision of public car park Provision of functional public surface carpark, services to the		On first occupation

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	boundary and transfer of the car park to the Council		
6.	<p><u>Quality Monitoring Fee</u></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><u>Monitoring Fee</u></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking</p>	£250 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 <u>council web site</u> 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:

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,

-
- (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.

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

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 1st 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).

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

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

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.

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.

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.

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.

Application Number	16/00569/AS
Location	Multi Storey Car Park, Edinburgh Road, Ashford, Kent
Grid Reference	01005/42936
Parish Council	Central Ashford
Ward	Victoria (Ashford)
Application Description	Erection of palisade fencing at a maximum height of 3m (retrospective)

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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Application Number	16/00616/AS	
Location	Imber, Cheesemans Green Lane, Sevington, Ashford, Kent, TN24 0LJ	
Grid Reference	03760/40187	
Parish Council	Sevington	
Ward	Weald East	
Application Description	Erection of a flag pole	
Applicant	Mr P Bartlett, Imber, Cheeseman Green Lane, Sevington, Ashford, Kent, TN24 0LJ	
Agent	-	
Site Area	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.

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.
-

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