

Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **14th September 2016**

Present:

Cllr. Burgess (Chairman);

Cllr. Link (Vice-Chairman);

Cllrs. Apps, Bennett, Mrs Blanford, Bradford, Chilton, Clokie, Dehnel, Galpin, Heyes, Krause, Murphy, Ovenden, Powell, Waters, Wedgbury.

Apologies:

Cllr. Clarkson.

Also Present:

Cllr. Shorter.

Joint Development Control Manager, Principal Strategic Sites Planner & Urban Designer, Chilmington and Design Team Leader, Senior Planning Officer, Local Transport and Development Planner (Kent Highway Services), Senior Development Control Engineer (Kent Highway Services), Principal Solicitor (Strategic Development), Member Services and Ombudsman Complaints Officer.

139 Chairman's Announcement

The Chairman advised that the meeting was being recorded by the press.

140 Declarations of Interest

| Councillor | Interest | Minute No. |
|--------------|---|----------------------|
| Bennett | Made a Voluntary Announcement as he was a member of the Weald of Kent Protection Society and Tenterden & District Residents' Association. | 142 - 16/00795/AS |
| 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. | 142 - 16/00795/AS |
| Burgess | Made a Voluntary Announcement as he was a member of the Weald of Kent Protection Society. | 142 - 16/00795/AS |

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| Clokie | Made a Voluntary Announcement as he was a member of the Weald of Kent Protection Society and Tenterden & District Residents' Association. | 142 - 16/00795/AS |
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141 Minutes

Resolved:

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

142 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 | 16/00887/AS | |
| Location | Eureka Leisure Park, Rutherford Road, Ashford, TN25 4BN | |
| Grid Reference | 00922/44093 | |
| Ward | Bockhanger (Ashford) | |
| Application Description | Construction of an extension to the existing cinema, construction of two new restaurants and associated works. | |
| Applicant | Mr M Lomax, Leisure II (Ashford) Limited | |
| Agent | Mr B Frodsham, Indigo Planning, Swan Court, Worple Road, London, SW19 4JS | |
| Site Area | 2.2 Hectares | |
| (a) 30/3R, 1S | (b) - | (c) EHM - X, SW - X, SGN - X, KHS - X, ABC (drainage) - X, KCC (heritage) - X, EA - X, ES (refuse) - X, KCOC - X, KCF - X, PBA - X, Stagecoach - X |

The Senior Planning Officer drew Members' attention to the Update Report which contained five updates for this application.

In accordance with Procedure Rule 9.3, Mr Wilson, a local resident, spoke in objection to the application. He said the Council had recently published its 2030 Town Plan for comment and the Plan followed the National Planning Policy Framework. The Council appeared to be making a strong commitment to the reinstatement of the Town Centre, and trying to design and implement a Town Centre that embraced an all-day culture. This was based on a combination of work-place environment, shops, restaurants and comprehensive leisure facilities. The aim was to attract residents and visitors from Kent as a whole. Plans were underway to revitalise Victoria Way and Elwick Road areas, including a boutique cinema, a hotel and other developments, possibly including Vicarage Lane and the station area. Given these intended developments, it seemed strange to encourage development in Eureka Park, which was already a busy area. Eureka Park was in the green area around Ashford, and provided access to The Warren, Godinton Park and the North Downs and beyond. Mr Wilson did not consider the development of the IMAX cinema was necessarily a bad thing, but he did question whether it was best placed on Eureka Park. He also questioned whether the proposed design needed to be as unattractive and out of scale with the existing units on the site. The Park was easily accessed by people coming from outside Ashford, but was more difficult to reach for

Ashford residents. Bus links were underutilised and infrequent and local people had to travel across Drovers Roundabout and Junction 9 or use Junction 10 of the M20 and turn the motorway into a bypass. Mr Wilson considered that IMAX would be an asset to the town but questioned whether Eureka Park was the right venue. If it was, the cinema building needed to be integrated better with improved landscaping and planting at least. There were no natural areas for the Park to expand onto, if additional units or parking were required.

In accordance with Procedure Rule 9.3, Mr Pepler, the agent, spoke in support of the application. He welcomed the Officer's recommendation to permit the application and considered the proposal provided a good opportunity for Ashford as a whole. The nearest IMAX screens were in Bluewater and London. Mr Pepler believed the cinema would complement the plans for the Town Centre and Elwick Place. Current permissions and proposed obligations would ensure that development took place in the necessary sequence. Both proposals involved the same cinema provider, who considered there was commercial benefit in developing both these sites in tandem. The proposals would create and maintain jobs in the Borough. Various surveys had been undertaken regarding parking, which showed that even at peak times occupancy did not exceed 70%. Attention to distribution and circulation would help prevent problems with parking, and the application provided additional signs, changes to the layout and better parking management. The cinema was designed to accommodate an IMAX screen as near to the roof of the building as possible so no excess space had been built into the design. There were also further conditions on design and landscaping. The development would result in a substantial investment in the Borough, and improve the attractiveness and competitiveness of Ashford as a leisure destination. Mr Pepler asked the Committee to endorse the Officer's report.

Resolved:

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

a. Development monitoring fee

b. Carbon off-setting

c. No development at Eureka Leisure Park being begun until a main contract has been let for that part of the development consisting of the cinema and associated restaurants granted at Elwick Place and the works are substantially underway pursuant to that contract or, in the event that there is no contract signed, that a draft main contract together with a letter of intent to sign that contract is in place and the works are substantially underway pursuant to that contract.

d. The additional A3 units at Eureka Leisure Park not being occupied until a main contract has been let for the additional 3 cinema screens at Eureka Leisure Park and works are substantially underway pursuant to that contract or, in the event that there is no contract signed, that a draft main contract

together with a letter of intent to sign that contract is in place and the works are substantially underway pursuant to that contract.

e. The additional A3 units not being occupied by any of concerns on a list to be agreed with the Council (see annex 2 to Table 1) unless otherwise previously agreed in writing by the Council until all of the A3 units in the Elwick Road scheme have been fully let to occupiers who have leases of a period of no less than 3 years each.

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. | Development monitoring fee Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking | Index linked £1000 per annum until the completion of the development | Upon commencement of development. |
| 2. | Carbon Offsetting Carbon off-setting of the development towards funding carbon savings (excluding infrastructure) based on the residual carbon emissions of new builds set out in the approved energy performance certificate and quantified over 10 years. | To be calculated using the shadow price of carbon set out in the Sustainable Design and Construction SPD. | Payable on practical completion |

| | | | |
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| 3. | No development pursuant to this Planning Permission shall be begun at Eureka Leisure Park until a main contract has been let for that part of the development consisting of the cinema and associated restaurants granted at Elwick Place (15/01195/AS) and the works are substantially underway pursuant to that contract or, in the event that there is no contract signed, that a draft main contract together with a letter of intent to sign that contract is in place and the works are substantially underway pursuant to that contract. | NA | Upon commencement of development |
| 4. | The additional 2 A3 units at Eureka Leisure Park shall not be occupied until a main contract has been let for the additional 3 cinema screens at Eureka Leisure Park and works are substantially underway pursuant to that contract or, in the event that there is no contract signed, that a draft main contract together with a letter of intent to sign that contract is in place and the works are | NA | Upon commencement of development |

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|----|--|----|----------------------------------|
| | substantially underway pursuant to that contract | | |
| 5. | The additional 2 A3 units shall not be occupied by any of the concerns listed on the attached schedule unless otherwise previously agreed in writing by the Council until all of the A3 units in the Elwick Road scheme have been fully let to occupiers who have leases of a period of no less than 3 years each. | NA | Upon commencement of development |

ANNEX

PROHIBITED FOOD AND DRINK BRANDS

Be at 1
 Brew Dog
 Byron
 Carluccios
 Chicago Rock Café
 Coal
 Cosmo
 East Restaurants
 Five Guys
 Cau
 GBK
 Giggling Squid
 Giraffe
 Glendola
 Gondala (ASK / Zizzi)
 Gourmet Burger Kitchen
 Green King (Hungry Horse)
 Handmade Burger Co.
 Itsu
 JD Wetherspoons
 JRC Global Buffet
 La Tasca / La Vina

Las Iguanas
Loungers
Intertain
Mitchells and Butlers
Nandos
Prezzo PLC (Prezzo / Chimichanga)
Real China
Richoux Group PLC (Deans Diner, Villagio, Richoux, Zippers)
Ruby Tuesdays
Spur Steakhouse
Stonegate PLC
Tasty PLC — Dim T (excluding Wildwood)
TGI Fridays
The Real Greek
Tragus (Café Rouge / Strada / Bella Italia)
TRG (Frankie & Benny's / Chiquitos / Garfunkel's / Filling Station / Brunning & Price
/
Home Counties)
Turtle Bay
Youngs

(B) Permit

Subject to the following conditions and notes;

Time limit for implementation

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.

Materials

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

Reason: In the interests of visual amenity.

Highways/parking/public transport

3. The area shown on the drawing number 0404-ST-P04 D as vehicle parking 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 reserved parking space.

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

4. Prior to the first occupation of the A3 floorspace hereby approved or the first opening of any of the three new cinema screens (whichever is sooner) a travel information and monitoring plan shall have been submitted to and approved by the Local Planning Authority in writing containing the following elements:
 - (a) *a review of the effectiveness of existing information/signage directing car borne customers to available car parking resources (including any specially designed spaces) close to the cinema and associated eateries,*
 - (b) *arising from (a) above, details of any additional measures to be implemented in respect of information and signage to ensure that car borne customers have good quality information on available car parking resources and their capacity with timescales for the implementation of such additional measures at the site, and*
 - (c) *proposed future monitoring arrangements of the effectiveness of customer car parking information/signage serving the cinema and associated eateries, including a timescale for the submission of an update report to the Local Planning Authority and any additional measures proposed to be put in place arising from monitoring.*
 - (d) *Details and locations of additional directional signage relating to the new bus stop.*

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

Reason: In order to ensure that car borne customers are provided with good quality information and signage as to available car parking areas and their capacity close to the approved development in order to help limit unnecessary queuing and associated vehicle emissions.

5. Before the development is occupied or brought into use the new bus turning facility and stop/shelter shall be provided in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority and the turning area shall be permanently retained available for this purpose.

Reason: In the interests of improving bus connections and movement throughout the site.

Odours/plant

6. Prior to the commencement of the development details of the equipment to be installed for the suppression and dispersal of fumes/and or smells produced by cooking and food preparation (including a maintenance schedule) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

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

7. No plant/antennas or aerials shall be installed on the roof of the cinema extension hereby approved without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity

Landscaping

8. No development shall take place until full details of landscape works have been submitted to and approved in writing by the Local Planning Authority, and these works shall be carried out as approved. Details shall include species of trees and shrubs, their sizes and positions. The approved landscaping scheme shall be completed within the first available planting season following the commencement of the development or as otherwise agreed in writing by the Local Planning Authority. If, within a period of five years from the date of planting, and tree or plant is removed, uprooted, destroyed or dies, another of the same species and size shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

Heritage/Archaeology

9. No development shall take place until the developer following on from the approved archaeological evaluation works in the archaeological watching brief received 11 August 2008 has secured the implementation of the safeguarding measures identified in the evaluation, to ensure preservation in situ of important archaeological remains and/or further archaeological investigation in accordance with the approved timetable.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

Drainage

10. 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 has been submitted and approved by Ashford Borough Council.

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

Areas of the new development that are currently considered greenfield (permeable) should have a total peak runoff rate of no greater than 2l/s for all storm events and durations up to the 1:100+40% CC.

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

Surface water runoff should be dealt with within the application boundary via suitable methods approved by Ashford Borough Council. Surface water network calculations is to be submitted to ensure that on site flooding does not occur on site as a result of the proposed development before the critical 1:100+40% CC storm event. Should elements of the existing surface water infrastructure be used an assessment is to be undertaken to ensure that any surface water being conveyed through the system does not cause for the capacity of the existing infrastructure to be exceeded.

The submitted system shall be designed to (i) avoid any increase in flood risk, (ii) avoid any adverse impact on water quality, (iii) achieve a reduction in the run-off rate in accordance with the Ashford Borough Council Sustainable Drainage SPD document, adopted October 2010. (iv) promote biodiversity, (v)

enhance the landscape, (vi) improve public amenities, (vii) return the water to the natural drainage system as near to the source as possible and (viii) operate both during construction of the development and post-completion.

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

The approved system shall be provided in accordance with the approved timetable. The approved system shall be maintained in accordance with the approved details and shall be retained in working order until such time as the development ceases to be in use. A plan indicating the routes flood waters will take should the site experience a rainfall event that exceeds the design capacity of the surface water drainage system, or in light of systems failure (Designing for exceedance), including any appropriate mitigation measures.

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

11. All surface water drainage from parking areas and hardstanding's shall be passed through an petrol/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. Thereafter the interceptor shall be retained and maintained.

Reason: To prevent pollution of the water environment.

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

Reason: To ensure the adequate disposal of waste and surface water.

Use

13. The premises/site shall be used for the use hereby approved 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 1995 or any Order revoking or re-enacting that Order.

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

14. The IMAX theatre hereby approved shall be fitted with an IMAX screen in accordance with the details set out within this application and shall be retained as this quality or greater unless variations have otherwise been agreed in writing by the Local Planning Authority.

Reason: To ensure the delivery of a high quality development.

Sustainable design and construction

15. (A) The development hereby approved shall be constructed to achieve a target Building Research Establishment BREEAM (or subsequent equivalent quality assured scheme) overall 'Very Good' 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 20% reduction in carbon emissions.

(B) Unless otherwise agreed in writing by the Local Planning Authority, the following shall be submitted to and approved in writing by the Local Planning Authority within 3 months of work commencing on a given phase:-

- 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. Simplified Building Energy Model ("SBEM") 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.

Thereafter, the development 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.

(C) Unless otherwise agreed in writing by the Local Planning Authority, within three months of occupation of the new buildings hereby approved the applicant shall have submitted to and received written approval from the Local Planning Authority the matters detailed below for that building:

- i. SBEM 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 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 NPPF.

Development in accordance with approved plans

16. 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.

Exercise of this permission

17. This permission shall not be exercised in addition to the extant permission 10/01456/AS granted by the Local Planning Authority 01/10/2013 but shall be an alternative to that permission. Should one of the permissions be implemented then the other permission shall not be implemented.

Reason: To ensure compliance with adopted planning policy and central government guidance.

Monitoring and enforcement

18. 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.

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/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- add a brief statement as to how the applicant/ agent responded to our initial contact, and if appropriate, how we dealt with the case thereafter? ie. "...the applicant/ agent responded by submitting amended plans, which were found to be acceptable and permission was granted/ the amended plans did not address all the outstanding issues, and permission was refused..."

- The applicant was provided the opportunity to submit additional information 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.

2. Informatives

Legal agreement

The development is also the subject of an obligation under section 106 of the Town and Country Planning Act 1990.

Southern Water

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

SGN – Southern Gas Networks

SGN's consultation response to the Local Planning Authority (contained within the email of the 07 July 2016) contains an extract from the mains records of the proposed work area. This plan only shows the pipes owned by SGN in their role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or ones owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If any other pipes in the area are known they will be noted on the plans as a shaded area and/or a series of x's.

The accuracy of the information shown on this plan cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but you should look out for them in your area. Please read the information and disclaimer on these plans carefully. The information included on the plan is only valid for 28 days from the date of issue.

On the mains record you can see a low/medium/intermediate pressure gas main near the site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to plant and potential direct or consequential costs to your organisation.

Safe digging practices, in accordance with HSE publication HSG47 “Avoiding Danger from Underground Services” must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas plant.

Damage to our pipes can be extremely dangerous for both your employees and the general public. The cost to repair our pipelines following direct or consequential damage will be charged to your organisation.

Please ensure that SGN are able to gain access to their pipeline throughout the duration of your operations.

If you require any further information please contact the Plant Location Team on 0800 912 1722.

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|--------------------------------|---|
| Application Number | 16/00795/AS |
| Location | Land North West of Smallhythe House, Longfield, Tenterden |
| Grid Reference | 88290 / 32919 |
| Parish Council | Tenterden Town Council |
| Ward | Rolvenden and Tenterden West (part); Tenterden South (part) |
| Application Description | Erection of 36 retirement living apartments with associated communal facilities, access, parking and landscaping. |
| Applicant | McCarthy & Stone Retirement Lifestyles Ltd, 2 Genesis Business Park, Albert Drive, Woking, GU21 5RW |
| Agent | The Planning Bureau Ltd, 2 Genesis Business Park, Albert Drive, Woking, GU21 5RW |
| Site Area | 0.4217ha |

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| (a) 35/9S | (b) Tenterden Town Council S Rolvenden Parish Council - | (c) KH&T X, PO(Drainage) X, OS X, SW X, KWT -, KCC (Bio) X, EHM X, KCC (Drainage) X, EA X, NHS X, KSS – TDRA X, WKPS X |
|-----------|--|--|

The Joint Development Control Manager drew Members' attention to the Update Report. There were two further consultation items and an amendment to the parking standards assessment criteria. There were also two further conditions to be added.

In accordance with Procedure Rule 9.3, Mr Hann, the agent, spoke in support of the application. He explained that the proposal was for 36 retirement living apartments for older people, set around a communal court, with a residents' lounge, landscape gardens and other communal facilities. The apartments would be sold on a leasehold basis to the over 60s, providing comfort and security whilst allowing occupiers to remain independent in the community. All apartments would have level access and care line facilities, whilst being managed by a house manager. McCarthy & Stone would retain the freehold and responsibility for maintenance of the site. There was an identified national need for elderly persons housing which the NPPF referred to as critical. The Council had forecast a significant increase in the 65+ population resulting in the need for 1795 sheltered accommodation apartments in the Borough, which this development would count towards. The proposal would make efficient use of previously developed land and would be close to the Town Centre, allowing access to the services residents would require. The proposed development would provide a host of benefits for the local area including the freeing up of under-occupied properties. The additional spending of new residents would support the town centre. Specially designed housing of this type provided a range of social benefits, such as improved health and less nights spent in hospital. The building was sympathetically designed and the scale and mass of the building fitted well onto the site. Traditional detailing and materials were drawn from the local vernacular. High quality landscaping would provide an appropriate setting for the building as well as excellent amenity space for residents. There would be no detrimental impact on the amenity of neighbouring properties. 25 car parking spaces were provided, which was an appropriate level for this sustainable location. There were no highway capacity or safety issues resulting from the proposals. Mr Hann asked Members to follow the recommendation of Officers and approve the scheme, subject to a Section 106 Agreement.

Resolved:

- (A) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations related to the matters detailed in Table 1, in terms agreeable to the Head of Development Strategic Sites and Design or the Development Control Managers in consultation with the Corporate Director (Law & Governance), with delegated authority to either the Head of Development Strategic Sites and Design or the Development Control Managers to make or approve minor changes to the planning obligations and planning conditions, as they see fit.

Table 1

| Planning Obligation | | |
|--|--|--|
| Detail | Amount(s) | Trigger Point(s) |
| <p><u>Affordable Housing</u> Contribution towards provision of affordable housing elsewhere in the borough.</p> | £237,500.00 | Upon commencement of development. |
| <p><u>Libraries</u> Contribution for improving library book stock in the borough.</p> <p>Project: The County Council will have to provide additional library books to meet the additional demand to borrow library books generated by the people who reside in the new additional Dwellings</p> | £1728.57 | Upon occupation of the first dwelling. |
| <p><u>Occupation</u> The flats shall only be occupied by people aged 60 years or over (and their partners aged 55 and over)</p> | | |
| <p><u>Monitoring Fee</u> Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking</p> | £1000 per annum until development is completed | |
| <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> | | |

| Planning Obligation | | |
|---|------------------|-------------------------|
| Detail | Amount(s) | Trigger Point(s) |
| If an acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused. | | |

(B) Subject to EITHER:

(i) the prior receipt of and consultation on an amended site plan incorporating the proposed visibility splays and access within the site, and to no matters of major significance not already covered in this report and the Update report being raised in response to such consultation, with delegated authority to the Head of Development Strategic Sites and Design or the Development Control Managers to amend and/or add any further planning conditions or obligations necessary in their opinion to secure the visibility splays and barrier-free access and deal with any matters arising from such consultation

OR (ii) the owner of the unadopted land upon which the splays and access are sited first entering into a section 106 agreement/undertaking in respect of planning obligations related to the provision of the visibility splays and barrier-free access prior to the first occupation of the apartments, and thereafter maintenance of the visibility splays and barrier-free access all the while the development remains in operation, in terms agreeable to the Head of Development Strategic Sites and Design or the Development Control Managers in consultation with the Corporate Director (Law & Governance), with delegated authority to either the Head of Development Strategic Sites and Design or the Development Control Managers to make or approve minor changes to the planning obligations and planning conditions, as they see fit.

(C) **Permit**

Subject to the following conditions and notes:

Standard 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 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.

Design

3. No development shall be carried out on the land until samples and written details including source/manufacturer of the materials to be used in the construction of the external surfaces of the development hereby permitted (including details of any hardsurfacing) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity.

4. Prior to the commencement of the development hereby permitted the following details shall be submitted to and approved by the Local Planning Authority in writing:
 - (a) 1:20 sectional details and vertical and horizontal sections through windows and entrances;
 - (b) 1:50 scale drawings of architectural features to include feature towers and balconies;
 - (c) Details of rainwater goods;

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

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

5. No development shall take place until details of the existing ground levels of the site, and the proposed finished levels of the ground, the ground floor slab level of each building, and the finished levels of any access road and driveway showing their relationship with the existing levels of the immediately adjoining land and buildings have been submitted to and approved, in writing, by the Planning Authority and the development shall be carried out in accordance with the approved levels.

Reason: To protect the visual amenities of the surrounding area.

Highways

6. No site clearance, preparation or construction works shall take place until completion of the access has been carried out in accordance with the approved plans. The access shall be maintained thereafter.

Reason: In the interest of highway safety.

7. Prior to the first occupation of the apartments, the visibility splays identified on drawing number 047-0057-001 Rev A within the application site or within the adopted highway shall be provided at the access and shall be maintained with no obstructions over 0.6 metres above carriageway level within these splays and shall be permanently maintained as such thereafter.

Reason: In the interest of highway safety.

8. No gates or barriers shall be erected across the access.

Reason: In the interests of highway safety.

9. The vehicle parking spaces, vehicle loading/unloading and turning facilities, mobility storage and refuse storage shall be provided, in accordance with details approved on drawing number SE-2274-03-AC-104 and SE-2274-03-AC-101 before the first occupation of the apartments, and shall thereafter be retained for the use of the occupiers of, and visitors to, the development. 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 access to the reserved parking, vehicle loading/unloading and turning facilities, mobility storage and refuse storage.

Reason: To ensure adequate provision for vehicle parking, storage for bicycles and refuse in order to prevent the displacement of car parking, in the interest of highway safety, and in the interest of visual amenity.

10. Prior to the commencement of the development details of covered cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with the approved details, prior to the first occupation of the apartments and shall be maintained available for use thereafter.

Reason: To ensure the permanent retention of cycle parking in the interest of promoting sustainable modes of transport.

Construction

11. The development shall not commence until details of the routing of construction and delivery vehicles to / from the site within the surrounding road network and details of temporary traffic management / signage have been submitted to, and approved in writing by, the Local Planning Authority. The routes and temporary traffic management/signage shall be adhered to/retained throughout the construction period in accordance with the approved details.

Reason: In the interests of road safety and the amenities of the area.

12. Parking and turning areas for construction and delivery vehicles and site personnel, areas for loading/unloading, areas for storage of materials and scaffolding and temporary contractors buildings (site office/welfare/canteen and container) shall all be provided prior to any works commencing on site in accordance with the approved details contained on drawing number SE-2274-03-AC-501. The facilities shall be retained throughout the duration of construction works.

Reason: To ensure, adequate provision for parking loading/unloading and storage in the interests of highway safety and to protect the amenities of local residents.

13. No site clearance, preparation or construction works shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no working activities on Sunday, Public and Bank Holiday.

Reason: To protect the amenity of local residents.

14. Wheel washing shall be undertaken in accordance with the details contained in the Construction Method Statement dated 25 July 2016. The wheel washing facilities and process of cleaning shall be maintained in an effective working condition for the duration of the proposed works.

Reason: To ensure that no mud or other material is taken from the site onto the neighbouring highway in the interest of highway safety.

15. For the duration of the proposed works the works shall be undertaken in accordance with the details contained in the Construction Method Statement dated 25 July 2016.

Reason: To protect the amenity of local residents.

16. Deliveries to the site shall be made in accordance with the details contained in the Construction Method Statement dated 25 July 2016 throughout the entire duration of the works on site.

Reason: In the interests of road safety and the amenities of the area.

Contamination

17. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons: To prevent pollution of controlled waters and comply with the National Planning Policy Framework. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and

existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented

18. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To prevent pollution of controlled waters and comply with the NPPF.

19. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To prevent pollution of controlled waters and comply with the NPPF.

Drainage

20. Prior to the occupation of apartments hereby approved the works for the disposal of sewage shall be provided on the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and maintained in accordance with the approved details.

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

21. Development shall not begin until a detailed sustainable surface water drainage scheme for the site, as per the Foul and Surface Water Drainage Strategy undertaken by WSP Parsons Brinckerhoff dated May 2016, 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 through the methods detailed in the submitted Foul and Surface Water Drainage Strategy undertaken by WSP Parsons Brinckerhoff dated May 2016.

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 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 and to ensure ongoing efficacy of the drainage provisions.

22. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority; 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.

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

Landscaping

23. Prior to the first occupation of the apartments, details shall be submitted to and approved in writing by the Local Planning Authority of the proposed means of boundary treatment. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the apartments.

Reason: To ensure a satisfactory appearance upon completion.

24. Throughout the duration of the approved development including during any site clearance, preparation works and during construction, the development

shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:

- (a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012, (Trees in relation to design, demolition and construction - recommendations) and in accordance with the approved Tree Protection Plan Drawing No. 9038/02 and the approved Arboricultural Report reference JTK/9038/WDC 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.

25. Works to trees shall be undertaken in accordance with the approved Tree Protection Plan Drawing No. 9038/02 and the approved Arboricultural Report reference JTK/9038/WDC. No pruning or other works shall be carried out until

details of the proposed works have been submitted to and approved in writing by the Local Planning Authority.

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

26. 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 first occupation of building hereby permitted.

(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 trees 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.

27. All planting, seeding or turfing shall be carried out in accordance with the approved landscaping scheme detailed on drawing number SE-2274-02-LA-005. The landscaping scheme shall be implemented in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; 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 order to protect and enhance the amenity of the area.

28. Prior to the commencement of the development a Landscape Management plan relating to both hard and soft landscaping, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be managed in accordance with the approved plan unless otherwise previously agreed in writing by the Local Planning Authority.

Reason: To ensure that the landscaping is maintained in the interest of the future occupiers and visual amenity.

Ecology

29. Prior to the occupation of any of the apartments the ecological enhancements set out in the approved Biodiversity Plan received 3 August 2016 by Innovation Group Environmental Services shall be provided and maintained thereafter.

Reason: To ensure that the proposed development will not have a harmful impact on protected species and habitats and wider biodiversity, and will enhance the natural environment.

30. Prior to the commencement of the development the reptile population on site shall be translocated to the receptor site identified in the Reptile Survey Report dated July 2016 written by Greenspace Ecological Solutions. The translocation shall be undertaken in accordance with the methods and details set out in the approved Reptile Report and Reptile Method Statement written by Innovation Group Environmental Services and upon completion of the translocation the site shall be kept clear of any suitable habitat for reptiles throughout the entire duration of the construction works.

Reason: To ensure that the proposed development will not have a harmful impact on protected species and habitats and wider biodiversity.

Use

31. The apartments hereby approved shall only be used for a residential use falling within Use Class C3 and for no other purpose within the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any replacement for that Order, the premises shall only be used for Class C3 use as defined in the Town and Country Planning (Use Classes) Order 1987 and for no other purpose.

Reason: In order than any other proposal for the use of the site is the subject of a separate application to be determined on its merits, having regard to interests of the amenity of the area and residents amenity.

Other

32. 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.

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

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

34. Prior to the first occupation of the development hereby permitted glazing shall be installed in accordance with the recommendations contained in the approved Noise Assessment Technical Report: R6297-1 Rev 0 dated 28th April 2016. The glazing shall thereafter be maintained.

Reason: To protect the amenities of future occupiers.

Sustainable Design & Construction

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

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

- a) Standard Assessment Procedure (“SAP”) calculations from a competent person stating the estimated amount of carbon emissions from energy demand with and without LZC technologies installed

- b) Details of the LZC technologies to be used to achieve the 10% reduction in carbon emissions

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

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

Unless otherwise agreed in writing by the Local Planning Authority, no apartment 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 apartment stating (i) the actual amount of carbon emissions from energy demand with the LZC technologies that have been installed and what the emissions would have been without them and (ii) the actual amount of residual carbon emissions.

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

36. The development shall be constructed and each apartment fitted out so that the potential consumption of wholesome water by persons occupying the apartment will not exceed 110 litres per person per day as measured in accordance with a methodology approved by the Secretary of State. No apartment shall be occupied unless the notice for that dwelling of the potential consumption of wholesome water per person per day required by the Building Regulations 2010 (as amended) has been given to the Local Planning Authority.

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

Notes to Applicant

1. 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

- was provided with pre-application advice,
 - the applicant/agent was updated of any issues after the initial site visit,
 - The applicant was provided the opportunity to submit further information to the scheme to address outstanding 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.
2. Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.
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.

"A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 03303030119) or www.southernwater.co.uk".

4. In respect of condition 15 above, the applicant is advised the submitted Desk Study report is sufficient to satisfy part 1 of this condition.
5. Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:
 - Duty of Care Regulations 1991
 - Hazardous Waste (England and Wales) Regulations 2005
 - Environmental Permitting (England and Wales) Regulations 2010
 - The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, we should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the

developer will need to register with us as a hazardous waste producer. Refer to our website at <https://www.gov.uk/government/organisations/environment-agency> for more information.

6. Any works that have the potential to affect existing watercourse or ditch's ability to convey water will require the formal written consent of KCC; the applicant is advised to contact flood@kent.gov.uk for further information; prior to undertaking any works that may affect any watercourse/ditch/stream or any other feature which has a drainage or water conveyance function.

The applicant is advised that KCC require to see evidence that the riparian owner of the receiving watercourse has agreed to all works and a specification for the responsibilities of each party for the implementation of the drainage measures, a timetable for implementation and a management and maintenance plan for the lifetime of the development.

7. The applicants attention is drawn to comments received from KCC Development Contributions which seek to secure the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (minimal internal speed of 100mb) connections to multi point destinations and all buildings including residential, commercial and community.

The applicants attention is drawn to comments received from KCC Development Contributions which advise that the BT GPON system is currently being rolled out in Kent by BDUK. This is a laid fibre optical network offering a single optical fibre to multi point destinations i.e. fibre direct to premises

8. In respect of condition 34 above, the applicants is advised that the external lighting scheme should be designed in accordance with the Bat Conservation Trust's Bats and Lighting in the UK guidance a summary of which is set out in KCC Ecology's comments dated 17 August 2016.
9. The applicant is advised that the removal of mature trees should be carried out outside of the bird nesting season (March – September inclusive). If this is not possible than areas for removal should first be inspected by a suitably qualified ecologist to identify that any nests present have had eggs hatched and that young birds have fledged.

In accordance with Procedure Rule 15.5, Cllr Wedgbury requested that the minutes record that he voted against the proposal to approve the application.

| | |
|--------------------------------|---|
| Application Number | 16/00629/AS |
| Location | Units 1 to 3, Paddocks Farm, Bethersden Road, Hothfield, Ashford, Kent, TN26 1EN |
| Grid Reference | 96374/44140 |
| Parish Council | Hothfield |
| Ward | Downs West |
| Application Description | Application to remove/vary conditions on planning approval 06/00665/AS - Removal of condition 5 (external storage); Variation of condition 6 to allow for the hours for the operation of machinery and processes to take place between 0700 and 1800hrs Monday-Friday and Saturday 0700 and 1200hrs; Variation of condition 9 to allow for external lighting installed on units 1-3 (in retrospect) to be retained. |
| Applicant | MJ Allen Holdings Ltd; Units 1 to 3, Paddocks Farm, Bethersden Road, Hothfield, Ashford, Kent, TN26 1EN |
| Agent | N/A |
| Site Area | N/A |
| (a) 7/4R | (b) Hothfield R (c) ESM - |

Re-consultation

(a) 7/- (b) - (c) ESM X

The Joint Development Control Manager drew Members' attention to the Update Report and the amendment to the wording of condition 6.

In accordance with Procedure Rule 9.3, Mr Patten, a neighbour, spoke in objection to the application. He said the complex of Paddocks Farm was made up of four residential properties with a further six properties within 200m and a light industrial unit, class B2. The character of the complex was mainly residential. This was supported under planning application 06/00665/AS where approval was granted for the continued use of units 1 – 3 Paddocks Farm for class B2 steel fabrication. In the Officer's summary of the main reasons for approval, it was emphasised that any potentially significant impact on nearby dwellings could be satisfactorily mitigated by conditions. There were twelve conditions in the approval notification. It would appear that most of the conditions were not being adhered to by M J Allen Holdings, in particular conditions 5, 6, 7, 9 and 10. Mr Patten went on to describe in detail how

the bulk of those conditions had been ignored, in spite of the fact that the Planning Department had been at pains to protect the nearby dwellings. Mr Patten said he hoped the Committee would support the previous views of the Planning Department in protecting the amenities of the adjoining and nearby dwellings by rejecting this application.

In accordance with Procedure Rule 9.3, Mr Allen, on behalf of the applicant, spoke in support of the application. The site had been purchased from the previous owners in June 2013, and the current owners continued to employ many of the staff already working there. Mr Allen became a director of the company in December 2015 and had been running the company for around 6 months prior to that. On investigation, it became apparent to him that this site had been non-compliant for a considerable amount of time. Mr Allen had been working with a Planning Officer to rectify the shortcomings of the previous owners and ensure the site was compliant as soon as possible. This started with the modernisation of the site and the amalgamation of outside storage through a previous permitted application. He then commenced integrating the different working hours into one set of working hours and ensuring the correct permissions were in place for the portacabins and lighting. Since removing his request for a 5am start time, no further objections had been received. Environmental Health Services had raised no objection to allowing a 7am start, subject to conditions regarding noise levels, which the applicant fully accepted. These hours were in line with the hours permitted on the new building. This would bring the entire site into a single set of working hours and prevent confusion with different starting times. The lighting had been put in place by the previous owners and was essential for safety reasons. The lights were based on a timer device and were movement activated, which might mean some activation occurred at locking up time at the end of the day.

Resolved:

Permit

Subject to the following conditions and notes:

1. The area allocated as vehicle parking, loading, off-loading and turning space, shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting those Orders), shall be carried out on that area of land or in such a position as to preclude its use.

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

2. The premises/site shall not be used for any purpose other than that specifically applied for, whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987 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

3. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times 07.00 to 18.00 hours Monday - Friday, 07.00 to 12.00 hours Saturday, nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interest of residential amenity

4. Industrial processing shall only take place in the building(s) identified on the approved plans.

Reason: In order to preserve the visual character of the property and the amenity of the surrounding area.

5. No external lighting other than that shown on the approved lighting plan shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and the amenity of adjoining residents

6. Within 3 months of the date of this decision, the external lights hereby approved shall be fitted with a timer control system to ensure that the lights are switched off between the hours of 6pm and 7am Monday to Friday; 12pm and 7am Saturdays and at all times on Sundays and Bank Holidays.

Reason: In the interests of visual amenity and the amenity of adjoining residents.

7. All doors, windows and openings on the building shall be kept shut whilst industrial processes are taking place.

Reason: In the interest of residential amenity

8. The rating level of the noise emitted from the site shall not exceed the existing background noise level expressed as LA90 (10 mins) by 3dB at any time when measured at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS4142:2014 or any superseding standard.

Reason: To ensure against noise disturbance to the surrounding area of occupiers of adjoining properties

9. The sound insulation undertaken to the buildings as set out in the Agent's letter dated 13 April 2006 and which accompanied the planning application shall be maintained and retained in perpetuity.

Reason: In the interest of residential amenity

10. There shall be no external storage on the site other than within a building until the lawful implementation of planning application 15/01468/AS or any subsequent application when the external storage shall be strictly limited to that shown on the approved plans for that application.

Reason: In the interest of visual amenity

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

- was provided with pre-application advice,
- 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 | 16/00810/AS | |
| Location | Units 1 to 4, Paddocks Farm, Bethersden Road, Hothfield, Ashford, Kent, TN26 1EN | |
| Grid Reference | 96374/44140 | |
| Parish Council | Hothfield | |
| Ward | Downs West | |
| Application Description | Erection of 3no. portacabins for on-site offices and 1no. portaloos. (Retrospective) | |
| Applicant | MJ Allen Holdings Ltd, Units 1 to 4, Paddocks Farm, Bethersden Road, Hothfield, Ashford, Kent, TN26 1EN | |
| Agent | N/A | |
| Site Area | N/A | |
| (a) 7/- | (b) Hothfield S | (c) ESM X |

In accordance with Procedure Rule 9.3, Mr Wood, a neighbour, spoke in objection to the application. He said the applicants made a practice of flouting planning conditions and regulations over the past three years. They were now being rewarded with recommended planning permission. The original planning permission was totally within the curtilage of the buildings. The previous occupier was eventually allowed a small, fenced area where the offices were now sited, to store finished work, with a condition that there should be no external storage. There were many other breaches of planning which were beyond the scope of this application but Mr Wood wished to mention the 25ft gap which separated his sitting room from the applicants' boundary. Given past breaches, Mr Wood was concerned that once retrospective permission was granted there was a danger that further buildings would be erected. Mr Wood was unsure why the foundry building was not mentioned in this application when it was clearly built on an approved storage area. Mr Wood asked the Committee to consider carefully the history of this site and, if it were minded to permit the retrospective application, to place adequate restrictions on further development of this site.

In accordance with Procedure Rule 9.3, Mr Allen, on behalf of the applicant, spoke in support of the application. He said he became a company director in December 2015 and since then he had worked hard to ensure that the site could be regulated and was compliant. The new building, which had planning permission, was designed to ensure that all storage would now be inside the buildings, and some of the noisy

machinery would move inside it. Mr Allen said he had not ignored the site's non-compliance, but had only been a director of the company for a short time. He had received no objections about the portacabin and toilets until today, and they had the support of the Hothfield Parish Council. They were originally installed as temporary buildings when it was discovered that the indoor facilities were in breach of health and safety regulations. There were also insufficient toilets and hand basins for the number of staff and no separate male and female toilets. Therefore it was necessary to make the current portacabins permanent, and hence the retrospective application. No overriding harm was caused to the visual and residential amenity of the locality as a result of the portacabins. This was a family run business, providing local employment and keeping previous staff in employment. They had worked closely with Officers to find a way to make this business work and coexist with neighbours in a pleasant and compliant environment. This application would help achieve that aim.

Resolved:

Permit

Subject to the following conditions and notes

1. The offices shall only be used for Class B1a (Office) ancillary to the lawful B1 & B2 use of the site 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 1987 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

2. No external lighting other than that approved shall be installed on the building without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity of adjoining residents

3. 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

- was provided with pre-application advice,
- the application was acceptable as submitted and no further assistance was required.
- the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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|--------------------------------|---|
| Application Number | 16/00835/AS |
| Location | Little Court, Maytham Road, Rolvenden, Cranbrook, Kent, TN17 4ND |
| Grid Reference | 84751/ 31253 |
| Parish Council | Rolvenden |
| Ward | Rolvenden & Tenterden West |
| Application Description | Subdivision of plot and construction of new 3 bedroom detached property with new access from Maytham Road |

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|------------------|--|-------------------------------------|
| Applicant | Mr & Mrs G Oaten, Little Court, Maytham Road, Rolvenden TN17 4ND | |
| Agent | Offset Architects, Nepicar House, London Road, Wrotham Heath, Sevenoaks, TN15 7RS | |
| Site Area | 0.07ha | |
| (a) 6 / 2R | (b) PC - R | (c) HW AONB X; ESM - X; KH&T - X |

Amended scheme:

(a) 6 / 2R (b) PC - R

The Joint Development Control Manager drew Members' attention to the Update Report. A further representation had been received from Rolvenden Parish Council, three additional policies needed to be added to the report and there was an amendment to the assessment information.

In accordance with Procedure Rule 9.3, Mr Hamilton, a neighbour, spoke in objection to the application. The new access for this property would be on a bend just before the 30mph limit signs. A speed survey, conducted on the area of road after the bend, showed that most vehicles had slowed to 37mph as they entered the village. The standards for this type of access were in the Manual for Streets and the Planning Services Vehicular Access Standards. For this access close to a bend, both sets of standards required visibility splays at the entrance and forward visibility for cars coming round the bend. Based on the measured speed of 37mph, the visibility distance required would be 63.5m. The visibility splays were only 51m, and forward visibility was even less, at 44m. This access would create a hazard for cars coming round the bend. They would not be able to see a car stopped to turn right into the access until the very last minute. Kent Highways had said that the visibility distance could be relaxed to 50m, so 44m was well below the limit. Clause 1.3 of the standards stated that relaxations could only be accepted in order to secure important planning objectives. This proposal did not meet any Rolvenden planning objectives. It was a big house on a tight infill site, which would have a large adverse impact on the character of the area.

In accordance with Procedure Rule 9.3, Mr Oaten, the applicant, spoke in support of the application. He had approached his neighbours and the Parish Council to address any concerns, and had worked with Ashford Borough Council and KCC Highways to develop the design. He believed the proposal was safe in highways terms and would enhance the street view. There was no overlooking the neighbour's property, which was 19–20m away from the proposed new building, separated by an existing driveway and a 2m high brick wall. Regarding the wall, some objections stated that a large proportion would need to be removed but in fact only 4-5m out of

80m would need to be removed for vehicular access. Objections had also been raised regarding access. Highways had considered this and were satisfied that it was adequate. Little Court was the first property on the bend and the applicants had not experienced any problems, nor had the neighbours at Barton Lodge, whose entrance was adjacent to the proposed access. They had no objection to the proposal. Mr Oaten believed the proposed access would actually enhance the feeling of entering the village, causing drivers to reduce speed and pay more attention to their surroundings. Further objections had been received but Mr Oaten considered they were subjective and not relevant to planning policy. They also referred to the Neighbourhood Development Plan, which was neither complete nor adopted. Mr Oaten said this was a suitable windfall site for the proposed development and he asked Members to follow the Officer's recommendation to permit.

In accordance with Procedure Rule 9.3, Cllr Murray, on behalf of Rolvenden Parish Council, spoke in objection to the application. He praised the Officer's work to date as the revised design was a vast improvement on the original, but that did not mean that it was automatically acceptable. The main point of concern was regarding the suitability of a house on this site at all. Rolvenden was noted for its spacious approaches from all directions and it was widely believed that infill would alter these approaches to being a ribbon of housing. On that basis the Parish Council did not want to see infill in gardens just because it was possible. The proposed building would not overwhelm the nearby Lodge, but it would diminish it. The draft Rolvenden Neighbourhood Plan regarded this cluster of buildings as significant. It emphasised that it was an unmistakably different character area from the more densely populated areas around, sitting in relatively large landscaped gardens, overlooking ancient parkland. The tendency towards ribbon development and architecturally suburbanised form was a serious threat to the character of the village. It was important to maintain the space between different clusters and hamlets. There was concern that the special merits of this Wealden village were not properly recognised. It was an exceptional village, in having such wide approaches, and the Weald was noted for its scattering of hamlets and wide spaces. The Parish Council asked that this request for infilling should not be permitted as it would diminish the village.

Resolved:

Refuse

1. The proposal would be contrary to policies EN12 and HG3 of the Ashford Borough Local Plan 2000, policies CS1 and CS9 of the LDF Core Strategy 2008, Policy TRS1 of the Tenterden and Rural Sites DPD 2010, Policies HOU4 and HOU10 of the Ashford Local Plan 2030 (consultation draft) and to Government guidance contained in the NPPF and would therefore constitute development harmful to interests of acknowledged planning importance for the following reasons:
 - a. The new vehicular access proposed onto a C classified road would result in substandard visibility in an easterly direction for motorcar

users exiting the site to the detriment of other road users and highway safety.

- b. The proposal to erect a dwelling on the site would result in the erosion of an important undeveloped gap which makes a valuable contribution to the spacious character and appearance of this rural/village fringe. It would consolidate the built form of development and would detract from character and appearance of the area and be detrimental to visual amenity.

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/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- the agent responded by submitting amended plans,
- The applicant was provided the opportunity to submit amendments to address 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 | 16/01097/AS |
| Location | Land between Belmont Place and the KCC Reading and Advisory Centre, Alfred Road, Willesborough Ashford |
| Grid Reference | 01559/41464 |
| Ward | Aylesford Green |
| Application Description | Construction of a block of three 2 bedroom flats with parking, cycle store, bin store and erection of 1.8m metal rail fencing |
| Applicant | Mr Giles Holloway, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, TN23 1PL |
| Agent | Mr Craig Dobson, RDA Consulting Architects, Evegate Park Barn, Evegate, Smeeth, Ashford, Kent, TN25 6SX |
| Site Area | 0.21 Hectares |

(a) 37/2R (b) - (c) KH&T X; EHM (EP) X;
SW X

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 external materials and finishes to be used for the approved development shall be of the same size, colour, tone and texture as those of the existing building unless otherwise agreed in writing by the Local Planning Authority.

Reason: To assimilate the new development with the existing in the interests of visual amenity.

3. No development shall be commenced until:
- (a) a site investigation has been undertaken to determine the nature and extent of any contamination, and
 - (b) the results of the investigation, together with an assessment by a suitably qualified or otherwise competent person, and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority.

Prior to the first occupation of the development hereby permitted or, where the approved scheme provides for remediation and development to be phased, the occupation of the relevant phase of the development:

- (c) the approved remediation scheme shall be fully implemented (either in relation to the development as a whole or the relevant phase, as appropriate), and
- (d) a Certificate shall be provided to the Local Planning Authority by a suitably qualified or otherwise competent person stating that remediation has been completed and the site is suitable for the permitted end use.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: To prevent pollution of the water environment and to avoid risk to the public, buildings and the environment when the site is developed.

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

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

5. Prior to the commencement of development, details of facilities, by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances at the application site, shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall then be provided prior to the works commencing on site and thereafter shall be maintained in an effective working condition and

used before vehicles exit the site and enter onto the adopted highway for the duration of the construction works.

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

6. The area shown on the drawing number 16.132 - 05 as vehicle parking space, and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the premises are 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) (England) 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 reserved parking space.

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

7. Prior to the occupation of the development hereby approved the bicycle storage facilities shown on approved drawing Nos 16.132 - 05 and 16.132 - 10 shall have been completed and shall be retained thereafter for the use of the occupiers of the property.

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

8. Prior to the occupation of the development hereby approved the bin store shown on approved drawing Nos 16.132 - 05 and 16.132 - 10 shall be have been completed shall be retained thereafter for the use of the occupiers of the property.

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

9. Prior to the commencement of works details of the metal fencing/railings shall be submitted to and approved by the Local Planning Authority in writing and the works shall be carried out in accordance with the approved details prior to the occupation of the development and shall be retained thereafter.

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

10. Prior to the commencement of the development details of drainage works, designed in accordance with the principles of sustainable urban drainage,

shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out and maintained in accordance with these details.

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

11. 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.

12. 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

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

No development or new tree planting should be located within 3 metres either side of the centreline of the public foul and surface water sewers and all existing infrastructure should be protected during the course of construction works.

No new soakaways should be located within 5 metres of a public sewer.

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