

Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **19th October 2016**

Present:

Cllr. Burgess (Chairman);

Cllr. Link (Vice-Chairman);

Cllrs. Apps, Mrs Blanford, Clarkson, Clokie, Dehnel, Galpin, Heyes, Hicks, Krause, Murphy, Ovenden, Sims, Waters, Wedgbury.

In accordance with Procedure Rule 1.2 (iii) Cllrs Hicks and Sims attended as Substitute Members for Cllrs Bennett and Bradford respectively.

Apologies:

Cllrs. Bennett, Bradford, Chilton, Powell.

Also Present:

Cllr Mrs Bell.

Director of Development; Head of Development, Strategic Sites and Design; Joint Development Control Manager; Principal Strategic Sites Planner & Urban Designer; Local Transport and Development Planner (Kent Highway Services); Senior Solicitor (Strategic Development); Environmental Protection & Licensing Team Leader; Member Services and Ombudsman Complaints Officer.

169 Declarations of Interest

| Councillor | Interest | Minute No. |
|--------------|--|-------------------------------------|
| Mrs Blanford | Made a Voluntary Announcement as she was a member of the Weald of Kent Protection Society and the Campaign to Protect Rural England. | 172 – 14/01000/AS 16/00458/AS |
| Clarkson | Made a Voluntary Announcement as he was a member of the Weald of Kent Protection Society. | 172 – 14/01000/AS 16/00458/AS |
| Clokie | Made a Voluntary Announcement as he was a member of the Weald of Kent Protection Society. | 172 – 14/01000/AS 16/00458/AS |
| Wedgbury | Made a Voluntary Announcement as he had shares in the company making the application. | 172 – 16/01167/AS |

170 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 14th September 2016 be approved and confirmed as a correct record.

171 Requests for Deferral/Withdrawal

16/01013/AS - Howletts Farm, Knockwood Lane, Molash, Canterbury, Kent, CT4 8HW - Variation to conditions 5 & 7 on planning permission 14/01326/AS to allow 40 HGV movements to and from the site per week and additional external lighting

The Head of Development, Strategic Sites and Design advised that officers wished to withdraw this item from the agenda following representations from the Ward Member to enable a discussion to take place between officers, the applicant and the Parish Council. The item would be considered at a future committee.

Resolved:

That this application be withdrawn at the request of officers.

172 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 | 16/01157/AS | |
| Location | Former Pledges Mill and South Kent College Site and land south of junction of Beaver Road and, Victoria Road, Ashford, Kent | |
| Grid Reference | 00992/42245 | |
| Parish Council | None | |
| Ward | Victoria | |
| Application Description | Full planning application for development of a brewery, with shop, bar and restaurant (Use Classes B2/A1/A3/A4), three commercial units (Use Classes A1/A2/B1) and 216 residential units with associated parking, substations, landscaping and access works. | |
| Applicant | HDD Ashford | |
| Agent | Nathaniel Lichfield & Partners | |
| Site Area | 1.67 | |
| (a) 200/10R, 2S, 2X | (b) - | (c) NE x, PROW X, SGN X, HM X, EH(EP) X, KHS X, PM X, POL X, SE X, Stagecoach X, SACF X, VBRAG R, KCC (Flooding) R, PO (Drainage) R, EA X, KCC (Eco) X, KWT X, Network Rail X, CSCF X |

The Principal Strategic Sites Planner & Urban Designer drew Members attention to the Update Report, which included details of a further representation received from a local resident, a deleted recommendation, details of brewery opening hours and the addition of Table 1, which was missing from the original report.

In accordance with Procedure Rule 9.3, Mr Hawkins, a local resident, spoke in objection to the application. He said he was speaking on behalf of many of the residents of Victoria Crescent and Victoria Road, who would be directly affected by these proposals. Residents fully accepted the need for development on this site, but there were concerns over the proposals as well as the lack of direct consultation. Written responses from local residents raised a number of concerns, but the main areas were in relation to height, scale and type of buildings planned and the effect on the lives of those living there, including traffic concerns, site access and parking. Existing buildings were mainly 2-storey houses and the proposed residential block was 5-storeys, rising to 6/7 storeys along the River Stour. This would be out of

keeping with the area. A significant scaling down in height and size was necessary to keep this development in line with the existing community. The number of small apartments would saturate the local market, especially as there were also 600 planned for the Powergen site. It would be beneficial to encourage more high quality houses near to the river, thus enhancing the area. There were already pressures on the local road system. Development plans had been approved for the Powergen site and this would only add to the problem. There were also plans for 59 flats on the former Travis Perkins site, with a superstore and hotel in the pipeline. Plans for another 216 residential units, a brewery and commercial buildings would contribute to the local road system being overloaded and gridlocked. Although road surveys suggested that the effects would be modest, the effects of so many developments could not be accurately estimated and were likely to be significant. It would be more beneficial to provide access from Beaver Road instead of George Street. There were concerns about parking since the on-site parking provision was insufficient. It was likely that local residents would have two cars and there would not be enough space for them and their visitors. This may impact on the nearby parking spaces provided for local residents. There were also concerns regarding the impacts of the construction phase regarding construction traffic, noise and dirt. There was a lack of medical and dental practices in the area and the proposed development would exacerbate the shortfall in these facilities. Mr Hawkins asked the Committee to consider the concerns of local residents.

In accordance with Procedure Rule 9.3, Ms van Bosch, on behalf of the applicant, spoke in support of the application. The applicant noted concerns on the type of residential offering and building heights. The applicant had given consideration to the logistics of the development, both pre and post construction and had engaged the services of a specialist transport consultant to mitigate the impact to existing businesses and residents. Parking provisions had been increased from 0.7 to 0.9 spaces per apartment. Visitor parking was also catered for. The application site was allocated for residential and mixed use development and had been vacant for many years. The applicant had undertaken extensive consultation in Ashford with the Council, the County Council, the Design Review panel, local community groups and members of the public. A four day consultation was held in Ashford over two locations to seek the views of as many people as possible. The applicant understood the importance of delivering high quality and appropriate design for the town centre, and this had been enriched by the consultation process. The proposal would provide a high quality extensive public realm along the river side and Victoria Road as well as the landmark building. The applicant believed that the brewery would have a positive impact on the town. Five-star hospitality would also be provided through the new restaurant and tasting room. Connectivity with the wine area in Tenterden would help the overall attraction to Ashford and surrounding areas, including the town centre evening economy. Build to rent accommodation in this area would improve the mix of housing by filling the gap for high quality rental accommodation, and assist the retention of local people whilst attracting a younger demographic. It was anticipated that this development would create around 40 new jobs locally. Ms van Bosch asked the Committee to take into consideration the Officer's recommendation for approval.

Resolved:

- (a) Subject to the receipt of further information from the applicant in respect of the proposed approach to surface water drainage (including indicative drainage layout, quantum of on-site storage including the identified green roofs to buildings, ability to achieve acceptable discharge rates with existing pipe diameters and the ability to outfall by a controlled rate to the River Stour) that, following consultation with KCC Flooding, the Council's Project Office Delivery Engineer and the Environment Agency, are considered acceptable, and**
- (b) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations related to**
- a. Carbon off-setting in relation to the x 3 small commercial units and brewery**
 - b. contribution to primary and secondary education**
 - c. contribution towards public open space enhancements at Victoria Park**
 - d. securing sufficient public pedestrian and cycle access through the riverside parking court to connect the southern end of George Street with the combined public footway/cycleway beyond the southern boundary of the application site**
 - e. notice of commencement of development on the southern side of Victoria Road being served on the Council**
 - f. completion (to available for occupation standard) of the development south of Victoria Road within 5 years of commencement**
- 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 planning conditions/obligations or deleting planning conditions/obligations as necessary), as she sees fit**
- (c) Permit**

Subject to the following conditions and Notes;

Land North of Victoria Road (brewery/shop/bar/restaurant – B2/A1/A3/A4)

Implementation period

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.

Compliance with approved plans

3. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents approved by this decision and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

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

4. 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.

5. Prior to any above ground construction commencing a programme for community consultation/communication setting out how the developers intend

to liaise with and keep members of the public informed about the development for the duration of the construction period shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the details shall be implemented and maintained for the duration of the construction otherwise agreed in writing by the Local Planning Authority.

Reason: To secure a coordinated, comprehensive form of development that delivers the envisaged form of place making and in the interest of public engagement.

Contamination

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

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

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

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

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

7. If, during development, contamination not previously identified is found to be present at the site then no further development within the affected plot (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy for the relevant plot

detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: To ensure the protection of controlled waters.

Fine detail

8. Prior to any construction above ground level, unless specified to the contrary, the details set out below shall be submitted to and approved in writing by the Local Planning Authority and, thereafter, development shall only be carried out in accordance with the approved details unless agreed otherwise by the Local Planning Authority in writing. Where relevant, the following details should be provided on drawings at an appropriate scale of 1:50 (where detail needs to be considered contextually related to a façade) and at 1:20 in other cases:-
- (a) full details of glazing and external doors, including all external joinery and framing methods and external colour (1:20),
 - (b) rainwater goods

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

Parking/Highways

9. During construction provision shall be made on the site, to the satisfaction of the Local Planning Authority, to accommodate operatives' and construction vehicles loading, off-loading or turning on the site.

Reasons: To ensure that vehicles can be parked or manoeuvred off the highway in the interests of highway safety.

10. Prior to the works commencing on site details of parking for site personnel / operatives /visitors shall be submitted to and approved by the Local Planning Authority and thereafter shall be provided and retained throughout the construction of the development. The approved parking shall be provided prior to the commencement of the development.

Reasons: To ensure provision of adequate off-street parking for vehicles in the interests of highway safety and to protect the amenities of local residents.

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11. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reasons: In the interests of highway safety and convenience.

12. The access details shown on the approved plans, including off-site footway works to replace the redundant vehicle access, shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any buildings hereby approved, the use of the site being commenced, and the access shall thereafter be maintained.

Reasons: In the interests of highway safety.

13. The area shown on the submitted layout as vehicle parking or turning space shall be provided, surfaced and drained to the satisfaction of 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 premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (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 and be detrimental to highway safety and amenity.

14. No building shall be occupied or the approved use commenced until space has been laid out within the site in accordance with the details shown on the application plans for cycles to be parked.

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

15. The pedestrian visibility splays shown on the approved drawings shall be provided prior to the commencement of any other development in this application and shall be subsequently maintained with no obstruction over 0.6 m above the access footway level.

Reason: In the interests of highway safety.

Use

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

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

17. the brewery shall not be open to the public outside the hours of
- Monday–Thursday (09:00-23:00)
 - Friday-Saturday (09:00-24:00)
 - Sunday (09:00-23:00)

Unless the Local Planning Authority has previously agreed in writing.

18. Servicing & acoustic fence

Landscaping

19. No development shall commence until full details of the soft landscape works have been submitted to and approved in writing by the Local Planning Authority.
- a) The full details of the soft landscape works to be submitted to the Local Planning Authority for its approval shall include the planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); details of the planting that is designed to create year round colour; schedules of plants noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation and planting programme/timetable to ensure that all soft landscaping and planting is completed within 6 months of the completion of the development.
 - b) The soft landscaping works shall be implemented in full in accordance with the details and timetable approved by the Local Planning Authority.

Reason: To ensure that adequate details of the proposals are submitted in the interests of the protection and enhancement of the area. Also, to ensure that ecological functionality and protected species population are not

impacted by the proposed development and foraging and dispersal routes remain open and connected throughout construction and occupation.

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

Reason: In the interests of the amenity of the area

21. Prior to the commencement of the development, a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for the landscape areas and the timing of provision of management and maintenance of such areas shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the landscape management plan shall be carried out in accordance with the details approved by the Local Planning Authority unless previously agreed otherwise in writing by the Local Planning Authority.

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

Sustainable construction

22. 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:-

'Excellent' standard in respect of energy credits,

'Maximum standard in respect of water credits,

'Excellent standard in respect of materials credits, and

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.

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:-

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),

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,

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

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.

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 approved in writing, parts 0 and 0 below by the Local Planning Authority for that building:

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.

Environmental Health

23. Full details of all measures to be taken to deal with the emission of dust, odours or vapours arising from the site (including to both the brewery and restaurant uses?) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first use of the premises. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first use of the premises and shall be operated and retained in compliance with the approved scheme.

Reason: To prevent transmission of dust, vapours and odours into neighbouring premises to protect amenity.

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

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

25. Any facilities used for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume of the tanks.

Reason: To prevent pollution of the water environment.

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

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

The submitted system shall be designed to

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

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

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

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

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

Code of construction practice

27. Prior to the commencement of the development a Code of Construction Practice shall be submitted to and approval in writing by the Local Planning Authority. The construction of the development shall then be carried out in accordance with the approved Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites and the Control

of dust from construction sites (BRE DTi Feb 2003), unless previously agreed in writing by the Local Planning Authority.

The code shall include,

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

Reason: To protect the amenity of local residents in accordance with Policy EN1 of the Local Plan.

28. No construction activities shall take place, other than between 0730 to 1800 hours (Monday to Friday) and 0730 to 1300 hours (Saturday) with no working

activities on Sunday or Bank Holiday unless otherwise agreed in writing by the Local Planning Authority.

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

Archaeology

29. Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:
- i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
 - ii) further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

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

Other

30. Prior to commencement of development the applicant shall provide written evidence to the Local Planning Authority that a formal process of approvals between the applicant and Network Rail/HS1 has been entered into and commenced. The approvals process shall accord with the processes set out in the Network Rail (High Speed) Outside Parties Development Handbook Document Reference C/05/OP/32/3002.

Reason: The planning application does not contain the detail needed to identify potential effects upon the integrity, safety, security, operation, maintenance and liabilities of HS1 and HS1 Property.

Land south of Victoria Road (216 residential units & 3 commercial units)

Implementation period

31. The development to which this permission relates on the land south of Victoria Road must be begun not later than the expiration of two years beginning with the date on which the permission is granted. The development shall thereafter be constructed and ready for occupation within 5 years from commencement unless otherwise agreed in writing by the Local Planning Authority.

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

32. 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.

Compliance with approved plans

33. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents approved by this decision and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

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

34. 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.

35. Prior to any above ground construction commencing a programme for community consultation/communication setting out how the developers intend to liaise with and keep members of the public informed about the development for the duration of the construction period shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the details shall be implemented and maintained for the duration of the construction otherwise agreed in writing by the Local Planning Authority.

Reason: To secure a coordinated, comprehensive form of development that

delivers the envisaged form of place making and in the interest of public engagement.

Contamination

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

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

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

Following completion of the remediation scheme for each plot and prior to occupation of any building within that plot, a verification report for the relevant plot, that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

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

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

Reason: To ensure the protection of controlled waters

Fine details

38. Prior to any construction above ground level, unless specified to the contrary, the details set out below shall be submitted to and approved in writing by the Local Planning Authority and, thereafter, development shall only be carried out in accordance with the approved details unless agreed otherwise by the Local Planning Authority in writing. Where relevant, the following details should be provided on drawings at an appropriate scale of 1:50 (where detail needs to be considered contextually related to a façade) and at 1:20 in other cases:-
- a) full details of glazing and external doors, including all external joinery and framing methods and external colour (1:20),
 - b) 1:20 horizontal and vertical cross sections through typical sections of each of the facades sufficient to show the relationship between the façade and those elements of detail to be embedded within the façade as well projecting from it (such as the extent of recessing of glazing and doors in openings created in the façade, the consequential treatment of window reveals, the details of cills and the extent of projecting elements from the façade),
 - c) 1:100 elevation detailing the locations of all expansion joints in facades.
 - d) prior to installation - Details of any plant or machinery proposed on the roof and associated screens,
 - e) prior to installation - Details of any satellite dishes or antenna,
 - f) prior to installation - Details of rainwater goods, eaves, fascia and entrance canopies (including materials and finish, details of any supporting posts and related brick plinths and roofing materials),
 - g) prior to installation - details of vents, louvres, extractor vents, external pipes, meters etc.
 - h) prior to installation - Details of screens and windbreaks,
 - i) prior to installation - 1:50 scale details of the parapet capping,
 - j) prior to installation - Details of external entrance steps, handrails and balustrades

Reason: Further details are required to ensure that the external appearance

and fine detailing are of an appropriate high quality.

Parking/Highways

39. During construction provision shall be made on the site, to the satisfaction of the Local Planning Authority, to accommodate operatives' and construction vehicles loading, off-loading or turning on the site.

Reason: To ensure that vehicles can be parked or manoeuvred off the highway in the interests of highway safety.

40. Prior to the works commencing on site details of parking for site personnel / operatives /visitors shall be submitted to and approved by the Local Planning Authority and thereafter shall be provided and retained throughout the construction of the development. The approved parking shall be provided prior to the commencement of the development.

Reason: To ensure provision of adequate off-street parking for vehicles in the interests of highway safety and to protect the amenities of local residents.

41. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and convenience.

42. The access details shown on the approved plans, including off-site footway works to replace the redundant vehicle access, shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any buildings hereby approved, the use of the site being commenced, and the access shall thereafter be maintained.

Reasons: In the interests of highway safety.

43. The area shown on the submitted layout as vehicle parking or turning space shall be provided, surfaced and drained to the satisfaction of 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 premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (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 and be detrimental to highway safety and amenity.

44. No building shall be occupied or the approved use commenced until space has been laid out within the site in accordance with the details shown on the application plans for cycles to be parked.

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

45. The pedestrian visibility splays shown on the approved drawings shall be provided prior to the commencement of any other development in this application and shall be subsequently maintained with no obstruction over 0.6 m above the access footway level.

Reason: In the interests of highway safety.

46. Before the first occupation of each plot the following works between that plot and the nearest highway to be adopted by the highways authority shall be completed,

- (a) Footways and/or footpaths, with the exception of the wearing course;
- (b) Carriageways with the exception of the wearing course, including the provision of a turning facility beyond the dwelling, together with related:
 - i) highway drainage, including off-site works,
 - ii) junction visibility splays,
 - iii) street lighting, street nameplates and highway structures if any.

Reason: In the interests of highway safety, and the convenience and amenity of occupiers of the development.

47. Before the first occupation any apartment a timetable for the construction of the final wearing course of new footpaths and/or footways and carriageways shall have been submitted to and approved by the Local Planning Authority in writing. The final wearing course of such footpaths and/or footways and carriageways shall be constructed in accordance with the timetable as approved by the Local Planning Authority.

Reason: In the interests of highway safety, and the convenience and amenity of occupiers of the development.

Use

48. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, the dwellings hereby approved shall only be occupied as single dwelling houses as described by Use Class C3 of the Town and Country Planning Use Classes Order 1987 as amended.

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

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

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

50. Opening hours commercial units

51. Within 3 months of the commencement of development details of the following strategies shall be submitted to and approved in writing by the Local Planning Authority

- a detailed riverside landscaping scheme to benefit bat foraging activity
- a riverside lighting scheme recognising the presence of bats
- an ecological mitigation strategy (including reptiles and invertebrates)
- an ecological management plan

And the approved schemes shall be implemented prior to the occupation of any dwelling and thereafter maintained.

Notes to the 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 applicant was provided with the opportunity to submit amendments to the scheme in order to address issues that I and others raised
- the applicant/ agent responded to issues and feedback through clarification, further survey work and the submission of amended plans
- 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.

Highways

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents 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. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at

<http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>

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.

Network rail

The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

The developer should comply with the following comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land.

As the site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts Asset Protection Kent AssetProtectionKent@networkrail.co.uk prior to any works commencing on site. Network Rail strongly recommends the developer agrees an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website at www.networkrail.co.uk/aspx/1538.aspx.

Application Number 16/01167/AS

Location Former Pledges Mill and South Kent College site, Victoria Road, Ashford, Kent.

Grid Reference 00992/42245

| | | |
|--------------------------------|---|---|
| Parish Council | None | |
| Ward | Victoria | |
| Application Description | Full planning application for a superstore (Use Class A1) with associated parking, substation, landscaping and access works | |
| Applicant | HDD Ashford | |
| Agent | Nathaniel Lichfield & Partners | |
| Site Area | 0.6ha | |
| (a) 200/10R, 2S, 2X | (b) - | (c) SGN X, KHS X, PROW X, EA X, Stagecoach X, POL X, Network Rail X, KCC (Heritage) X, SW X, KCC (Flooding) X, PO (Drainage) X, SACF X, KCC (Eco) X, EH(EP) X, VBRAG R, |

The Principal Strategic Sites Planner & Urban Designer drew Members' attention to the Update Report, with a deleted recommendation (a) and the addition of Table 1.

In accordance with Procedure Rule 9.3, Ms van Bosch, on behalf of the applicant, spoke in support of the application. She noted that a scheme had been approved on this site in 2008 which included around 1,700 square metres of retail use classes A1 to A5. This proposal was for a 1,750 square metres Aldi foodstore, which was in line with the original consent. Consultations had generated positive feedback to both supermarket use and Aldi as the operator. High quality design had been a key focus and the benefits of delivering an Aldi supermarket in this location were that it was expected to create 60 new jobs, improve customer choice, and bring a prominent and vacant town centre site into beneficial use. All parking needs were met onsite with 93 spaces provided. KCC agreed that planned highway improvements to junctions would have capacity to accommodate the proposed development and the parking levels were acceptable. Ms van Bosch asked the Committee to take into account the officer's recommendation for approval.

Resolved:

- (a) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations related to**
- a. Carbon off-setting in relation to the superstore**

b. contribution towards nearby outbound bus shelters

c. commuted sum contribution of £245,000 towards off-site car parking provision

d. monitoring fee of £500

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 planning conditions/obligations or deleting planning conditions/obligations as necessary), as she sees fit

(b) 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.

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.

Compliance with approved plans

3. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents approved by this decision and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

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

-
4. 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.

5. Prior to any above ground construction commencing a programme for community consultation/communication setting out how the developers intend to liaise with and keep members of the public informed about the development for the duration of the construction period shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the details shall be implemented and maintained for the duration of the construction otherwise agreed in writing by the Local Planning Authority.

Reason: To secure a coordinated, comprehensive form of development that delivers the envisaged form of place making and in the interest of public engagement.

Contamination

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

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

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

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

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

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

Reason: To ensure the protection of controlled waters.

Fine detail

8. Prior to any construction above ground level, unless specified to the contrary, the details set out below shall be submitted to and approved in writing by the Local Planning Authority and, thereafter, development shall only be carried out in accordance with the approved details unless agreed otherwise by the Local Planning Authority in writing. Where relevant, the following details should be provided on drawings at an appropriate scale of 1:50 (where detail needs to be considered contextually related to a façade) and at 1:20 in other cases:-

- (a) full details of glazing and external doors, including all external joinery and framing methods and external colour (1:20),
- (b) rainwater goods

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

Parking/Highways

9. During construction provision shall be made on the site, to the satisfaction of the Local Planning Authority, to accommodate operatives' and construction vehicles loading, off-loading or turning on the site.

Reasons: To ensure that vehicles can be parked or manoeuvred off the highway in the interests of highway safety.

-
10. Prior to the works commencing on site details of parking for site personnel / operatives /visitors shall be submitted to and approved by the Local Planning Authority and thereafter shall be provided and retained throughout the construction of the development. The approved parking shall be provided prior to the commencement of the development.

Reasons: To ensure provision of adequate off-street parking for vehicles in the interests of highway safety and to protect the amenities of local residents.

11. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reasons: In the interests of highway safety and convenience.

12. The access details shown on the approved plans, including off-site footway works to replace the redundant vehicle access, shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any buildings hereby approved, the use of the site being commenced, and the access shall thereafter be maintained.

Reasons: In the interests of highway safety.

13. The area shown on the submitted layout as vehicle parking or turning space shall be provided, surfaced and drained to the satisfaction of 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 premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (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 and be detrimental to highway safety and amenity.

14. No building shall be occupied or the approved use commenced until space has been laid out within the site in accordance with the details shown on the application plans for cycles to be parked.

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

15. The pedestrian visibility splays shown on the approved drawings shall be provided prior to the commencement of any other development in this application and shall be subsequently maintained with no obstruction over 0.6 m above the access footway level.

Reason: In the interests of highway safety.

Use

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

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

17. Opening hours
18. Servicing & necessity for acoustic fence

Landscaping

19. No development shall commence until full details of the soft landscape works have been submitted to and approved in writing by the Local Planning Authority.
- a) The full details of the soft landscape works to be submitted to the Local Planning Authority for its approval shall include the planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); details of the planting that is designed to create year round colour; schedules of plants noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation and planting programme/timetable to ensure that all soft landscaping and planting is completed within 6 months of the completion of the development.
- b) The soft landscaping works shall be implemented in full in accordance with the details and timetable approved by the Local Planning Authority.

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

that ecological functionality and protected species population are not impacted by the proposed development and foraging and dispersal routes remain open and connected throughout construction and occupation.

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

Reason: In the interests of the amenity of the area

21. Prior to the commencement of the development, a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for the landscape areas and the timing of provision of management and maintenance of such areas shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the landscape management plan shall be carried out in accordance with the details approved by the Local Planning Authority unless previously agreed otherwise in writing by the Local Planning Authority.

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

Sustainable construction

22. 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:-

'Excellent' standard in respect of energy credits,

'Maximum standard in respect of water credits,

'Excellent standard in respect of materials credits, and

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.

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:-

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),

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,

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

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.

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 approved in writing, parts 0 and 0 below by the Local Planning Authority for that building:

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.

Environmental Health

23. Full details of all measures to be taken to deal with the emission of dust, odours or vapours arising from the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first use of the premises. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first use of the premises and shall be operated and retained in compliance with the approved scheme.

Reason: To prevent transmission of dust, vapours and odours into neighbouring premises to protect amenity.

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

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

25. Any facilities used for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume of the tanks.

Reason: To prevent pollution of the water environment.

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

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

The submitted system shall be designed to

- (i) avoid any increase in flood risk,

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

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

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

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

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

Code of construction practice

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

The code shall include,

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

Reason: To protect the amenity of local residents in accordance with Policy EN1 of the Local Plan.

28. No construction activities shall take place, other than between 0730 to 1800 hours (Monday to Friday) and 0730 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday unless otherwise agreed in writing by the Local Planning Authority.

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

Archaeology

29. Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:
- i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
 - ii) further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

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

Other

Prior to commencement of development the applicant shall provide written evidence to the Local Planning Authority that a formal process of approvals between the applicant and Network Rail/HS1 has been entered into and commenced. The approvals process shall accord with the processes set out in the Network Rail (High Speed) Outside Parties Development Handbook Document Reference C/05/OP/32/3002.

Reason: The planning application does not contain the detail needed to identify potential effects upon the integrity, safety, security, operation, maintenance and liabilities of HS1 and HS1 Property.

30. Within 3 months of the commencement of work details of an ecological mitigation strategy including reptiles and invertebrates together with an ecological mitigation plan for the site shall be submitted to and approved by the Local Planning Authority and such strategy shall be implemented before the development is occupied and thereafter maintained.
31. Prior to the development being first opened to customers, full details of a trolley lock system designed to prevent shopping trolleys from being taken outside the site shall have been installed in accordance with details previously submitted to, and approved in writing by the Local Planning Authority. Thereafter, the approved system shall be retained in full working order and operated in perpetuity.

Reason: In order to prevent shopping trolleys from being removed from the site and deposited in the surrounding streets and other public spaces to the detriment of the visual quality of the surrounding area.

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 provided with pre-application advice,
- The applicant was provided the opportunity to submit amendments to the scheme and address issues raised.
- 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.

Highways

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents 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. Across the county there are pieces of land next to private homes and gardens that

do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at

<http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>

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.

Network rail

The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

The developer should comply with the following comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land.

As the site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts Asset Protection Kent AssetProtectionKent@networkrail.co.uk prior to any works commencing on site. Network Rail strongly recommends the developer agrees an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website at www.networkrail.co.uk/asp/1538.aspx.

| | | |
|--|--|--------------------|
| Application Number | 16/01012/AS | |
| Location | Land west of the junction of Carters Wood and Ruckinge Road Hamstreet | |
| Grid Reference | 00473/33361 | |
| Parish Council | Orlestone | |
| Ward | Weald South | |
| Application Description | Erection of three bungalows and associated access on land to the rear of 33-36 Carters Wood | |
| Applicant | Ashford Borough Council | |
| Agent | Mr C Dobson, RDA Consulting Architects, Evegate Park Barn, Evegate, Smeeth, Ashford, Kent TN23 1PI | |
| Site Area | 0.1 Ha | |
| (a) 69/ 1S, 68R Petition with 80 signatories R | (b) R | (c) KH&T X, CPRE R |

The Head of Development, Strategic Sites and Design drew Members' attention to the Update Report which highlighted the latest communications and comments on the application, and included a table indicating the number of people seeking accommodation of this type, who currently lived locally.

In accordance with Procedure Rule 9.3, Ms Hessing, a Hamstreet residents' representative, spoke in objection to the application. She was one of over 260 Hamstreet residents who, along with Orlestone Parish Council and the CPRE, wrote to strongly oppose this application. Carters Wood was an example of good planning practice which ensured that residents with small homes and gardens benefitted from a shared green community space which also acted as a natural breakwater at the village entrance. The proposed development would be out of scale for the location, with a building footprint almost as large as the neighbouring houses combined. Together with the land given over to access roads and car parking this development would ruin a fully functioning shared residential area. Residents were strongly of the opinion that ABC's policy TRS1 on infilling was not met by this application. The proposal was not of a layout, scale, design and appearance appropriate to the character and density of its surrounding area. The proposal would result in the displacement of other active leisure or community uses in the area, and the loss of public or private open spaces or gaps that were important characteristics of the

settlement. The Council had acknowledged that the amount of informal space within Hamstreet was 50% below standard and contrary to policy LE11 of the Council's Local Plan 2000. References made to better space nearby suggested that informal natural open space was considered unnecessary providing a football pitch or seesaw were available locally, which failed to understand the nature of villages or people. The justification for this development veered between helping young people stay in the village, meeting the needs of elderly people, or providing family accommodation. Hamstreet was already a well-balanced village with a mixture of resident demographics compared to the regional average. This proposal sought to ensure that groups no-one could agree on were offered housing that was not appropriate, in a location that was not suitable, to solve a problem that did not exist. Ms Hessing urged the Committee to reject this application.

Resolved:

Deferred for a Members site visit.

| | | |
|----------------------------------|---|---------------------|
| Application Number | 16/01013/AS | |
| Location | Howletts Farm, Knockwood Lane, Molash, Canterbury, Kent, CT4 8HW | |
| Grid Reference | 601756/152174.8 | |
| Parish Council | Molash | |
| Ward | Downs North | |
| Application Description | Variation to conditions 5 & 7 on planning permission 14/01326/AS to allow 40 HGV movements to and from the site per week and additional external lighting | |
| Applicant | Mr J Parker, Foodari Limited; Howletts Farm; Knockwood Lane, Molash, Canterbury, Kent | |
| Agent | - | |
| Site Area | 0.1ha | |
| (a) 10/27R 1 Petition (61R), 1 S | (b) Molash R | (c) KCC H&T; R EH - |

Withdrawn from the agenda at Officers request.

| | | | |
|--------------------------------|--|--|--------------------|
| Application Number | 14/01000/AS | | |
| Location | Brockton Farm Paddock, Vicarage Lane, Charing | | |
| Grid Reference | 92189/49123 | | |
| Parish Council | Charing | | |
| Ward | Weald Central | | |
| Application Description | Change of use of land for the stationing of 4 No. mobile homes for residential use by a gypsy family, the stationing of 2 No. touring caravans, two amenity blocks and one stable/amenity block (part retrospective) | | |
| Applicant | Mr & Mrs Dunn & Smith, c/o the agent | | |
| Agent | WS Planning & Architecture | | |
| Site Area | 0.3 hectares | | |
| Original application | | | |
| (a) 20/2R | (b) + | | (c) WKPS/R |
| As amended Nov '15 | | | |
| (b) 20/16R | (b) R | | (c) ES/+ WKPS/X |
| As amended Jan '16 | | | |
| (c) 32/8R | (b) R | | (c) CHP/X |

The Joint Development Control Manager drew Members' attention to the Update Report, which summarised an additional letter of objection, the statement of the history of the application, and an amendment to paragraph 62 of the report.

In accordance with Procedure Rule 9.3, Mr Vigar, a local resident, spoke in objection to the application. He was speaking on behalf of other local residents and in his own right as a local resident. He said that some local residents were unable to speak out due to fear for their personal safety. Although this was a police matter, it indicated how this site had been allowed to develop over the years with disregard for the restrictions and conditions imposed by inspectors. This site had consistently been designated as an unsuitable traveller site since the applicant first arrived in 2000. It was still considered unsuitable in the latest Draft Plan to 2030. It had only been

awarded temporary permission on appeal because the Council was not able to provide sufficient alternative sites. Each time temporary permission was granted, the site had been developed further, contrary to the inspector's conditions and without new planning permission. The longevity of the site was solely due to temporary planning permissions being repeatedly awarded despite local protests. If permission were granted, previous history suggested that even greater development would occur because it had never been stopped in the past. The applicant had already stated his intent to sell plots to other gypsies. He had already sold off part of the site to another traveller family, who developed it unlawfully and now refused to move, despite enforcement action. In 2010 it had been judged that the site was still not an acceptable landscape feature and the site was visible from all directions. The inspector was firmly opposed to planning permission and there was no reason why this view should change. The activities on site had had a negative impact on the wider amenity of the local community and a corrosive effect on others' right to enjoy the amenity of their community and their properties. The applicant no longer had any dependants so there was no reason for him to reside at this location. The applicant's behaviour showed a cynical disregard for planning law and the Council. Mr Vigar asked the Committee to work with the applicant to find accommodation at a more suitable approved location.

In accordance with Procedure Rule 9.3, Mr Woods, the agent, spoke in support of the application. He said the family had lived at the site for 16 years, but their lives had been on hold during this period due to having only been granted a series of temporary permissions. For this reason, the applicant was requesting that permanent permission be granted. The Planning Policy for Traveller Sites document acknowledged that gypsy sites could be in the countryside, whilst advising that sites in the green belt should be avoided. This site was not located in the green belt. Planting of indigenous hedgerows and trees could be undertaken to assist landscaping, if the applicants were granted permanent permission. There was a lack of 5 year supply of pitches in the Borough and this had been the case over the last 16 years. Whilst temporary permission would allow the family to stay at the site, this would not help the Council towards meeting the need for pitches. The discontinuance of this site would result in the need for the provision of further pitches elsewhere in the Borough. One of the applicants had serious health issues and there were children living at the site. The applicant wanted to continue to live at the site with his family as a law-abiding citizen. Mr Woods asked the Committee to grant permanent permission for this development.

In accordance with Procedure Rule 9.3, Ms Leyland, on behalf of Charing Parish Council, spoke in objection to the application. The Parish Council objected to permanent planning permission. Throughout the site's planning history, planning officers and inspectors had consistently agreed that the site was unsuitable due to its adverse impact on the landscape and that mitigating planting would not overcome this factor. Temporary permissions had only been given due to lack of sufficient alternative sites in the Borough. The site was on the edge of Charing Heath which was a small rural settlement, not considered suitable for development under the current Local Plan. Planning permission in the area had been refused, not just for traveller sites, but also for additional houses. Additional land was owned by the applicant, over and above the site itself, and the applicant had sold a parcel of land

to another traveller family who erected buildings without planning permission, which were still there, despite enforcement action. The applicant had also said that he might sell other parcels of land, so granting planning permission could encourage more unlawful development, and reward the applicant for continual breaches of planning rules. The officer's report said the amenity of neighbours was not affected, and although this may be true in planning terms, residents were affected through threats, discharge of sewage, fly-grazing, proven cruelty to animals and anti-social behaviour. Charing Heath was a small settlement with more than its fair share of issues to contend with. Although there was real community spirit, the cumulative effects of these factors, together with the prominence and existence of this site, added to the negative impact of the other issues. Charing Parish Council urged the Committee to refuse this application.

One of the Ward Members attended and spoke in objection to the application.

Resolved:

Permit

Subject to the following conditions and notes:

1. The site shall not be occupied by any persons other than gypsies and travellers as defined in paragraph 1 of Annex 1: Glossary of the Planning Policy Guidance for Gypsy and Traveller Sites.

Reason: The site lies in an area where an unrestricted caravan site would not normally be permitted.

2. The use hereby permitted shall be for a limited period being the period of three years from the date of this decision. At the end of this period the use hereby permitted shall cease, all caravans, buildings, structure, materials and equipment brought on to, or erected on the land, or works undertaken to it in connection with the use shall be removed, and the land restored to its condition before the development took place.

Reason: In the interests of visual amenity.

3. No more than four single unit mobile homes in residential use and two touring caravan as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the site at any time.

Reason: In accordance with the terms of the application and in the interests of visual amenity.

4. Within 1 month from the date of this decision, written details of the method of foul sewage disposal shall be submitted to the local planning authority for

approval. The works shall thereafter be carried out in accordance with the approved details within 2 months of the approval of those details. Any material change to the approved details shall only take place following the written agreement of the Local Planning Authority.

Reason: No such details have been submitted and to ensure the proper and effective foul drainage at the site.

5. Prior to the commencement of the erection of the proposed utility block, scaled elevational drawings and details of the materials to be used shall be submitted to the local planning authority. The utility block shall be erected in accordance with the approved details. Any material change to the approved details shall only take place following the written agreement of the Local Planning Authority.

Reason: No such details have been submitted and in the interests of visual amenity.

6. No commercial activities shall take place on the land, including the storage of materials, and no vehicles over 3.5 tonnes shall be stationed, parked or stored on the site.

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no gates, walls, fences or other means of enclosure shall be erected on the site without the prior written permission of the Local Planning Authority.

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

8. 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.

9. 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. The applicant is advised to apply for a caravan site license from Ashford Borough Council Private Sector Housing.
2. Working with the applicant

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

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

In this instance:

- the applicant/agent was updated of any issues after the initial site visit;
 - the applicant was provided the opportunity to submit a further plan in respect of the site layout; and the description was changed to reflect the development applied for;
 - 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 | 15/01448/AS | |
| Location | 23 Tufton Street, Ashford, Kent, TN23 1QN | |
| Grid Reference | 00949/42710 | |
| Ward | Victoria | |
| Application Description | Demolition of existing building within conservation area and redevelopment of site to provide mixed use building of 1x office unit (B1) and 14x residential units. | |
| Applicant | LBSH (Ashford) Limited | |
| Agent | Miss B Coyle, The JTS Partnership, 44 St Peters Street, Canterbury, CT1 2BG | |
| Site Area | 0.05 hectares | |
| (a) 45/5R | (b) - | (c) KHS – X EHN – X ES (REFUSE) – X HE – X PO (Drainage) – X KCC (ARCH) X SW – X CACF - R |

Second Consultation

| | | |
|-----------|-------|--|
| (a) 45/3R | (b) - | (c) KHS – X ES (REFUSE) – X HE – X SW - X |
|-----------|-------|--|

In accordance with Procedure Rule 9.3, Mr Harris, the applicant, spoke in support of the application. He said the scheme had evolved over a two year period. A great deal of work had been undertaken by a professional team of architects, planning and heritage consultants and the feedback received from the planning officers had been carefully considered and had been formative with the scheme layout and design approach adopted for the site. An extensive public consultation had also been undertaken with key stakeholders in November 2015 in order to address neighbour concerns. Mr Harris drew to Members' attention the importance of providing new development in this part of town on a site which had lain vacant for many years. The proposed use was optimum, and this was an opportunity to provide much needed housing in a town centre location. The existing building was in poor condition, which

was a key factor in this application. The officer's recommendation was for refusal but the proposal was agreeable in principle. The scheme brought a number of positive benefits. The principle of residential use on the site had been accepted by officers. The scheme would deliver much needed housing on a brownfield site in a town centre location earmarked for regeneration. Officers recognised that the proposals represented a high standard of design quality. The scheme had regard for the setting of heritage assets. The heritage report endorsed the proposed design and had been developed in response to the planning officer's comments on the previous planning application. The visual impact was appropriate to the setting. It was inevitable that there would be some impact on the neighbouring building, but considerable thought had been given to measures to prevent loss of privacy to neighbours by introducing green landscaping. The scheme was the result of extensive negotiations with officers, and there had been significant delays in the planning process. Mr Harris asked Members to reconsider the officer's Recommendation and grant permission.

Resolved:

Refuse

on the following grounds:

1. The proposal is contrary to policies EN16, HG5, LE5, LE6 and LE9 of the Ashford Borough Local Plan 2000; Policies CS1, CS2, CS3, CS9 and CS18 of the Core Strategy 2008; Policies TC1 and TC2 of the Ashford Town Centre Area Action Plan (date), the National Planning Policy Framework and The Public Green Spaces & Water Environment SPD 2012 and would therefore constitute development contrary to the interests of acknowledged planning importance for the following reasons:
 - a) The scale of development proposed would result in a building of an unacceptable level of bulk and massing resulting in visual and functional harm to the character of the area.
 - b) The proposal would result in over-intensive development for this site and cause over-shadowing and have an over-bearing impact on adjacent properties along Churchyard Passage, negatively impacting upon their residential amenity.
 - c) The development as a result of the visual harm would neither preserve or enhance the character of the Ashford Town Centre Conservation Area. It would not preserve or enhance the character or appearance of the Conservation Area. The development would also be harmful to the setting of the Listed Buildings located along Churchyard Passage.
 - d) The necessary planning obligation has not been entered into in respect of the list below so that the proposed development is unacceptable by virtue of failing to mitigate its impact and failing to meet demand that would be generated:

- Libraries
- Outdoor sports provision
- Allotments
- Natural Green Space
- Children's and young people's play space
- Cemeteries
- Strategic parks
- Monitoring fee

Table 1

| Planning Obligation | | | |
|----------------------------|--|---|---|
| | Detail | Amount(s) | Trigger Point(s) |
| 1. | Allotments project | <p>£258 per dwelling for capital costs</p> <p>£66 per dwelling for maintenance</p> | |
| 2. | Children's and Young People's Play Space project | <p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p> | |
| 3. | Informal/Natural Green Space project | <p>£434 per dwelling for capital costs</p> <p>£325 per dwelling for maintenance</p> | |
| 4. | Outdoor Sports Pitches project | <p>£1,589 per dwelling for capital costs</p> <p>£326 per dwelling for maintenance</p> | Upon occupation of 75% of the dwellings |

| Planning Obligation | | | |
|--|--|---|--|
| | Detail | Amount(s) | Trigger Point(s) |
| 5. | Strategic Parks project | £146 per dwelling for capital costs £47 per dwelling for maintenance | |
| 6. | Libraries Contribution towards: bookstock at Ashford Library for the initial impact of new residents of this development. | Library bookstock £672.22 | Upon occupation of 75% of the dwellings |
| 7. | Cemeteries project | £284 per dwelling for capital costs £176 per maintenance costs | |
| 8. | Monitoring Fee Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking | £1000 per annum until development is completed | First payment upon commencement of development and on the anniversary thereof in subsequent years (if not one-off payment) |
| <p>Notices will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be index linked as set out on the council web site in order to ensure the value is not reduced over time. The costs and disbursements of the Council's Legal Department incurred in connection with the negotiation, preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs.</p> <p>If an acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused.</p> | | | |

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 applicant was provided the opportunity to submit amendments to the scheme/ address issues but failed to do so.
- 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 | 16/00458/AS |
| Location | Land rear of 25, The Street, Hothfield, Kent |
| Grid Reference | 96989 /45006 |
| Parish Council | Hothfield |
| Ward | Downs West |

| | | | |
|--------------------------------|--|-----------------------|--|
| Application Description | Construction of a new single dwelling, garage and associated landscaping | | |
| Applicant | Mr N Fysh | | |
| Agent | Mr M Gomez, BTL Design | | |
| Site Area | 786m ² | | |
| (a) 8/1+ | (b) Hothfield S | (c) WKPS S, KCC H&T - | |

Resolved:**Permit****Subject to on the following conditions**

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

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

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

Reason: In the interests of visual amenity.

3. No development shall take place until detailed plans and information regarding the following aspects of the proposed development have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approvals:
 - (a) 1:20 scale sections relating to windows and doors including recess depth dimensions and reveals
 - (b) 1:20 scale sections relating to roof overhangs

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

4. Before any works are carried out the following details shall be submitted to and approved in writing by the local planning authority and the works thereafter shall be carried out in accordance with the approved details.
 - (a) Detailed drawings to scale 1:5 and 1:1 of typical details of all new joinery, In addition, sections, mouldings and glazing bars shall be to a scale of 1:1 or 1:2 and will show means of fixing glazing. Details of finishes shall also be included.

Reason: In order to preserve the character and appearance of the conservation area and the setting of the adjacent listed building

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

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

6. None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid pollution of the surrounding area.

7. 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.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within Classes A, B, C, D, E and F of Part 1 of Schedule 2 of that Order (or

any Order revoking and re-enacting that Order), without prior approval of the Local Planning Authority.

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

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, the detached car barn shall be provided in accordance with the detailing shown on the approved plans and shall not be further altered through the addition of further doors without the prior permission of the Local Planning Authority in writing.

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

10. No works that may affect local reptile populations shall commence until a mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. All works shall then proceed in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the existing population of reptiles and to improve the habitat for reptiles on the site in the future

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

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

12. The area shown on the drawing number PA/SO/14/021/002C as vehicle parking space, garages and turning 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.

13. Prior to the first occupation of the dwellings hereby permitted, 2 secure covered bicycle spaces per dwelling shall be provided and shall thereafter be retained in perpetuity

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

14. 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.

15. 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.

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.

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

| | |
|---------------------------|--|
| Application Number | 16/00967/AS |
| Location | 6 John Newington Close, Kennington, Ashford TN24 9SG |
| Grid Reference | 60244/14427 |
| Parish Council | Kennington |

| | |
|--------------------------------|---|
| Ward | Little Burton Farm (Ashford) |
| Application Description | Erection of a two storey rear extension following removal of the existing conservatory and erection of shed in the front garden |
| Applicant | Mr A Cork 6 John Newington Close Kennington Ashford TN24 9SG |
| Agent | Mr N Highton 11 Cherry Garden Lane Folkestone Kent CT19 4AD |
| Site Area | 0.071ha |

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

The Joint Development Control Manager drew Members' attention to the Update Report and highlighted a typo error.

Resolved:

Permit

Subject to the following conditions and notes:

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

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

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

Reason: In the interests of visual amenity.

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

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

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

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

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

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

Note to Applicant

1. Working with the applicant

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

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

In this instance:

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

| | | |
|--------------------------------|---|---------------------------|
| Application Number | 16/01235/AS | |
| Location | Land south of 16 – 34, Calland, Smeeth | |
| Grid Reference | 07995/14006 | |
| Parish Council | Smeeth | |
| Ward | Saxon Shore | |
| Application Description | Erection of 4 semi-detached houses on land adjacent to 34 Calland | |
| Applicant | Ashford Borough Council | |
| Agent | Mr D Scarsbrook | |
| Site Area | 0.26 Ha | |
| (a) 26/ 7R | (b) S | (c) KCC PROW X; EH (EP) X |

The Head of Development, Strategic Sites and Design drew Members' attention to the Update Report. A new plan was substituted in Figure 2, there was a further consultation response, and two conditions to be added.

Resolved:

- (A) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations related to local needs housing 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) |
| <p><u>Local Needs Housing</u></p> <p>The housing shall only be occupied by local people and shall remain affordable in perpetuity. The housing shall be let at no more than 80% market rent and leased at initial equity purchase percentages approved by the Council. The housing shall be constructed to such standards and other particulars as the Council specifies. The housing shall be managed by a registered provider of social housing approved by the Council.</p> | All affordable rent | |
| <p>Notices will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be index linked as set out on the <u>council web site</u> in order to ensure the value is not reduced over time. The costs and disbursements of the Council's Legal Department incurred in connection with the negotiation, preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs.</p> <p>If an acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused.</p> | | |

(B) Permit subject to the following conditions and notes:

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

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

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

Reason: In the interests of visual amenity.

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

Reason: In order to protect and enhance the amenity of the area and to replace the trees on the site that will be lost by this development.

4. The large scale evergreen forest species in the southern corner of the site (to the rear of the dwellings hereby approved) shall be removed and replaced with small native tree and larger shrubby species prior to the building works commencing and shall thereafter be maintained.

Reason: To provide more appropriate planting which allows light to enter rear gardens in the interest of residential amenity whilst also preventing erosion of the sandy substrate.

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

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

6. 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.

7. 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.

8. Prior to the commencement of development, details of measures to prevent the discharge of surface water onto the highway shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

9. The vehicle parking spaces shown on drawing number CLLND 080 shall be provided, surfaced and drained in accordance with details submitted and approved in writing by the local planning authority before the premises are occupied, and that area shall not thereafter be used for any purpose other than for the parking of vehicles.

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

10. No development shall commence 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 first occupation of the development hereby permitted:

- (c) The approved remediation scheme shall be fully implemented 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 proposed 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.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no development shall be carried out within Class A of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without prior approval of the Local Planning Authority.

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

12. 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

13. 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.

14. 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.

15. No development shall take place (including any ground works, site or vegetation clearance) until a method statement for ecological mitigation (including provision for reptiles, nesting birds, hedgehogs, badgers and dormouse) has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:
- a) Purpose and objectives for the proposed works;
 - b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives;
 - c) Extent and location of proposed works, including the identification of a suitable receptor site, shown on appropriate scale maps and plans;
 - d) Area of retained habitat to be managed and enhanced
 - e) Details of long term management of the retained habitat
 - f) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
 - g) Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works;
 - h) Use of protective fences, exclusion barriers and warning signs
 - i) Initial aftercare and long-term maintenance (where relevant);
- The works shall be carried out strictly in accordance with the approved details.

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

16. Before the commencement of any works including site clearance, ecological enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The approved enhancement measures shall be implemented and completed prior to the completion of works on site and signed off in writing by a suitably qualified ecologist, this written statement to be submitted to the Local Planning Authority. These measures shall include (but not limited to) the provision of bird boxes, bat boxes, native tree planting and hibernacula/basking banks for reptiles.

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 applicant/ agent responded by submitting amended plans, which were found to be acceptable
- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
- The application was dealt with/approved without delay.

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

Application Number 16/01245/AS

Location Land South West adjoining 40 Boxley, Ashford, Kent

Grid Reference 99707/41984

| | | |
|--------------------------------|---|-------------------------|
| Parish Council | None | |
| Ward | Victoria (Ashford) | |
| Application Description | Construction of two 3 bedroom semi-detached houses plus ancillary parking of nine spaces. | |
| Applicant | Mr G Holloway, Development and Regeneration Manager, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL | |
| Agent | Mr Craig Dobson, RDA Consulting Architects, Evegate Park Barn, Evegate, Smeeth, Ashford, Kent, TN25 6SX | |
| Site Area | 0.6ha | |
| (a) 14 / - | (b) - | (c) KH&T X, EHM X, SW X |

The Head of Development, Strategic Sites and Design drew Members' attention to the Update Report.

Resolved:

Permit

on the following grounds:

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 & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Written details including source/ manufacturer, and samples of bricks, tiles and cladding materials to be used externally including in the construction of any hard surfacing 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 only using the approved external materials.

Reason: In the interests of visual amenity.

3. A landscaping scheme for the site (which may include entirely new planting, retention of existing planting or a combination of both) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Thereafter, the approved landscaping/tree

planting scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

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

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

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

5. 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 the approved parking, loading and turning areas shall be provided prior to the commencement of development and retained throughout the construction of the buildings.

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.

6. 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.

7. The vehicle parking spaces, shown on drawing number 16.141-05 shall be provided, surfaced and drained in accordance with details previously submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained available for use thereafter. 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 the reserved parking, bicycle and refuse facilities.

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.

8. The storage facilities for bicycles and refuse shall be provided, in accordance with details approved on drawing numbers 16.141.05 and 16.141-09 before the use is commenced or the premises occupied, and shall be retained and maintained available for use by the occupiers of the premises thereafter.

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

9. The boundary treatment shall be provided before the occupation of the dwellings, in accordance with details approved on drawing numbers 16.141-05 and 16.141-09 and shall thereafter be maintained.

Reason: To ensure a satisfactory appearance upon completion and in the interest of amenity.

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

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

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

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

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

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

11. No development shall commence until plans and particulars of a sustainable drainage system (including the details below) for the disposal of the site's surface water have been submitted to and approved in writing by the Local Planning Authority. The submitted system shall comprise retention or storage of the surface water on-site or within the immediate area in a way which is appropriate to the site's location, topography, hydrogeology and hydrology.

The submitted system shall be designed to:-

- i. avoid any increase in flood risk
- ii. avoid any adverse impact on water quality,
- iii. achieve a reduction in the run-off rate to 2l/s/ha,
- iv. promote biodiversity,
- v. return the water to the natural drainage system as near to the source as possible, and
- vi. 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) 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.

Reason: In order to ensure the sustainable storage and disposal of surface water in accordance with Core Strategy Policy CS20.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out

within Class A of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without prior approval of the Local Planning Authority.

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

13. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents approved by this decision and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

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

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

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

Note to Applicant

1. Working with the Applicant

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

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,

- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance

- the application was acceptable as submitted and no further assistance was required.
 - the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
2. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.
 3. "A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, 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".

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