

Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **17th May 2017**.

Present:

Cllr. Burgess (Chairman);

Cllr Link (Vice-Chairman);

Cllrs. Bartlett, Bennett, Mrs Blanford, Bradford, Clarkson (ex officio), Clokie, Dehnel, Mrs Dyer, Farrell, Galpin, Mrs Heyes, Hicks, Krause, Ovenden.

In accordance with Procedure Rule 1.2 (iii), Cllrs. Bartlett and W. Howard attended as Substitute Members for Cllrs. Heyes and Waters respectively. Cllrs Hicks, Mrs. Heyes and Mrs. Dyer attended as Substitute Members for the Conservative Vacancies.

Apologies:

Cllrs. Heyes, Waters.

Also Present:

Cllrs. Buchanan, Miss Martin, Pickering.

Head of Development, Strategic Sites and Design; Joint Development Control Manager, Senior Planning Officer; Senior Solicitor (Strategic Development); Member Services Officer.

The Chairman expressed his gratitude to Senior Solicitor, Paul Courtine for his hard work and clear advice given throughout his time at ABC for the last 7 years, and wished him well in the future.

The Chairman asked that item 11 (k) on the Agenda be dealt with second, thereby amending the running order of the items.

416 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Made a Voluntary Announcement that he was a Member of KCC.	
Bennett	Made a Voluntary Announcement that he was a member of the Weald of Kent Protection Society.	
Mrs. Blanford	Made a Voluntary Announcement that she	

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was a member of the Campaign to Protect Rural England and the Weald of Kent Protection Society.

Bradford	Made a Voluntary Announcement that he had received an email from a Mr. Cooper who had suggested they were personal friends. This was not the case and he had checked with the Director of Law and Governance and this was not considered to be a significant factor.	418 – 16/01431/AS
Clarkson	Made a Voluntary Announcement that he was a member of the Weald of Kent Protection Society.	
Clokie	Made a Voluntary Announcement that he was a member of the Weald of Kent Protection Society.	
Farrell	Made a Voluntary Announcement that he was a member of KCC.	
Galpin	Made a Voluntary Announcement that he knew Mr. Lumsdon-Taylor.	418 – 17/00354/AS
Ovenden	Said that in the circumstances and in order to avoid the appearance of bias or pre-determination he would not participate in the debate or vote.	418 – 16/01548/AS

417 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 12th April 2017 be approved and confirmed as a correct record.

418 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	16/01548/AS		
Location	Wye School, Kempe Centre, Olantigh Road, Wye, Ashford, TN25 5EJ		
Grid Reference	05666/47023		
Parish Council	Wye and Hinxhill		
Ward	Wye		
Application Description	Phases 2 and 3 of the proposed Wye school expansion comprising permanent use of the Kempe Centre for school use; refurbishment of the Kempe Centre to include new sixth form accommodation and minor alterations to the external appearance of the building to reflect internal reconfiguration; retention of the two existing temporary classroom cabins until the end of the 2018/2019 academic year; demolition of existing structures and some trees; erection of a new building comprising the main hall, 4 court sports hall and new teaching accommodation; new coach, car and cycle parking provision; new soft and hard landscaping; off-site highway works on Olantigh Road and other associated works.		
Applicant	United Learning Trust		
Agent	Miss A Schembri, RPS Planning and Development Ltd, 140 London Wall, London EC2Y 5DN		
Site Area	0.91 ha		
(a) 35/5R	(b) R	(c)	KCC (H&T) R KCC (Heritage) – KCC (Biodiversity) - EH (EP) – PO (Drainage) –

Amended plans:

(a) 35/2R	(b) R	(c) KCC (H&T) – Kent Downs AONB unit - R
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The Head of Development, Strategic Sites and Design drew Members' attention to the Update Report, which included comments from the applicants, additional recommendations, a letter from RPS (planning consultants for the application) and a letter of objection.

In accordance with Procedure Rule 9.3 Mrs Dod, a local resident, spoke in objection to the application. She said that she supported the Wye Free School concept but had two concerns. Firstly the design of the school being three storeys high would be overbearing and imposing in an AONB. The building would be imposing and look out of place in the village and detract from the church, which she felt should be the central focal point. She also had concerns over access to the school and coach parking. There were already a large number of cars parked at the site and then added to this there would be coaches, and it would be necessary for them to reverse and then perform a three point turn, which could prove dangerous. The HSE stated that a quarter of all deaths at work involved reversing, and their guidance suggested that the need to reverse should be removed. Mrs. Dod said that there were viable alternatives which could be investigated, and which would not necessarily slow down the building process. There were three options based on the Wye3 masterplan workshops that took place, whereby parking could be relocated to Occupation Road. There was no urgency to rush any decision since the school had temporary building plans up to 2020.

In accordance with Procedure Rule 9.3 Mrs. Williams, the Chair of Governors, and a local resident, spoke in support of the application. She said that the School had been judged as a good school by Ofsted and parents were delighted with the education the students received. However it was currently over-subscribed and students had been coping in temporary accommodation since it opened in 2013. The building that was currently used (the Kempe Centre) was on a constrained temporary site originally designed for use as a library and had great limitations, plus the use of portacabins. The School had, in conjunction with the Education Skills Funding Agency, been involved with the design of the school over several years, after consultation with ABC and the local community. The School had also participated in the Wye3 masterplanning exercise and was aware of concerns over the design of the new building. The highest part of the building would still be 1.8 meters lower than the Kempe Centre and the new building would sit alongside the taller trees which formed part of the arboretum. It had been designed in a way to be equally accessible for students with impairments or disabilities, as those able-bodied students, and allowed for easy supervision of the students when outside. The assembly and sports hall and the adjacent playing field would be accessible to the local community. The coach and car parking area was to the east of the school and separate from the school building and coaches would only reverse when students were in lessons.

In accordance with Procedure Rule 9.3 Mr. Shoults from Wye with Hinxhill Parish Council spoke in objection to the application. The Parish council initiated and supported the development of the Wye Free School. It was included in their neighbourhood plan which had been adopted by ABC. The Parish Council objected on two grounds. Firstly that the bulk and form of the school did not fit into the village environment, a three storey building 11 meters high and 70 meters long was not

appropriate. The Kent Downs AONB Unit had concerns over the scale of the proposal and the building was inappropriate in a rural setting. The proposal for glazing and cladding the bulk were desperate attempts to hide it as far as possible. There was no inclusion of a statement to show how the village design principle was met. The Planning Officer agreed that the major impact of the building was as a result of the restrictive size of the site. Approval at this stage did not respect the Wye Neighbourhood Development Plan's policy that a Masterplan for the whole of Wye3 area should be completed before an application for the site should be approved. That Masterplan was under preparation now, to be concluded in July, and would ensure that the school was carefully integrated into its rural surroundings. Approval of this application would stop that process. The site did not need to be so small since the owners could provide more land which was currently derelict. The revised road layout arrangements were poor, impractical and hazardous. They would not be compatible with other developments in the Wye3 area. The Parish Council supported the application for temporary buildings and therefore there was no urgency to build. He asked that the committee defer consideration of the application and arrange for a site visit.

Resolved:

That consideration of the application be deferred for 3 months to allow progress to be made on the Wye3 masterplan and to allow review of the scheme by the Ashford Design Panel.

Application Number	17/00354/AS
Location	South Kent College, Jemmett Road, Ashford, Kent, TN23 4RJ
Grid Reference	600298/141637
Wards	Beaver (Ashford), Victoria (Ashford)
Application Description	Reserved Matters application for the development of 160 dwellings together with access roads, footpaths, drainage, associated car/bicycle parking provision, groundworks, landscaping, open space and infrastructure (pursuant to outline approval 11/00405/AS)
Applicant	Chartway Group Ltd & Orbit Homes
Agent	N/A
Site Area	4.09ha

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- (a) Xx/11R, 2S (b) - (c) EA X, KCC (Flood) X, P.O. X, KCC (Ecol) X, KBG X, NE X, SW X, KCC (PROW) X, KH&T X, SACF X, HM S

The Head of Development, Strategic Sites and Design drew Members' attention to the Update Report, which included additional representations and amended plans.

In accordance with Procedure Rule 9.3, Mr Pickup, a local resident, spoke in objection to the application. He said that the local residents had no objections in principle to the development but were concerned about some aspects. Originally the social housing was to be mixed in with other residential properties, but now due to market forces the two would be separate. This raised concerns regarding anti-social behaviour and the suggestion made by developers to plant trees in front of the flats was not deemed adequate to cover four storey flats. The existing buildings in the area did not exceed two storeys and therefore the proposed three or four storey blocks of flats would stand out visually. Within the outline planning permission that was granted there were certain stipulations made, some of which had not been addressed.

In accordance with Procedure Rule 9.3, Mr Lumsdon-Taylor, the landowner, spoke in support of the application. He said that outline planning permission was granted in December 2016 for the erection of 241 dwellings on the whole application site. Permission had already been granted enabling the Hadlow Group, through Hadlow College and Ashford College to relocate to a prime location in the town centre. This was a reserved matters planning application which sought approval for the detailed design of the development, principally the erection of 160 dwellings comprising private and affordable housing made up of two, three and four bedroom houses. The development satisfied all the technical constraints of the site and embraced a good urban design. The proposal represented considerable inward investment into the borough by parties including West Kent and Ashford College, The Chartway Group and Orbit Homes. The residential development formed part of the wider Hadlow Group Strategy to establish state of the art facilities at Elwick Road and this development released key funds to enable further amenities including higher education services.

In accordance with Procedure Rule 9.3 Mr Shrubb of the South Ashford Community Forum (SACF) spoke in support of the application. Mr Shrubb stated that SACF were generally supportive of the application, but had concerns regarding some aspects of the proposals. The Transport assessment submitted with the 2011 application adopted the conclusion of the 2007 application that the development would generate less traffic than the existing use, therefore no further analysis would be necessary and no evidence was provided. There was already peak time congestion at junctions in the area and the direction of college traffic would be opposite to that of peak time residential traffic, and it was their belief that existing traffic will be exacerbated by the extra volumes of vehicles. In view of the lack of consideration of these factors and the period that had elapsed since the original assessment, SACF believe that a new traffic assessment was required. A second concern was parking issues. A parking survey had been undertaken on one mid-

week evening, but residents often experienced difficulties parking at weekends. The outline plan against which the 2011 application was permitted, showed 360 parking spaces on the site, more than the total allocation including Jemmett Road spaces proposed in this application. For this reason they objected to the use of existing parking spaces as part of the development plans. A final concern was regarding the height of the southernmost block of apartments, since the 2011 application stipulated that buildings would be a maximum of three storeys high. There had been no changes to result in a relaxation of this condition and therefore SACF disagreed that the four storey element would be appropriate for a landmark building. They did not believe that the proposed building was of landmark design or addressed the location in the manner that a landmark building should.

Resolved:

- (a) Subject to the receipt of amended plans acceptable to the Head of Development Strategic Sites and Design that provide an appropriate demarcation of the hinterland of Block A from the learning link and public open space, and**
- (b) The submission of a Unilateral Undertaking to pay an additional sum of money in respect of off-site informal green space as identified in the report,**
- (c) Members resolving not to enforce condition 37 regarding storey heights,**
- (d) Approve the Reserved Matters, and discharge the following conditions of outline planning permission 11/00405/AS:**
 - 1. Condition 6 (bike storage);**
 - 2. Condition 7 (motor vehicle parking);**
 - 3. Condition 11 (landscape design);**
 - 4. Condition 13 (tree survey);**
 - 5. Condition 19 (landscape specification);**
 - 6. Condition 28 (ecological mitigation);**
 - 7. Condition 29 (biodiversity protection and enhancement);**
 - 8. Condition 33 (refuse strategy);**
 - 9. Condition 39 (water butt provision);**
 - 10. Condition 43 (level threshold details).**

Subject to the following conditions and notes:

1. 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 notwithstanding the provisions of the Town and Country Planning (Development Management Procedure) (England) 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.

2. No meter box shall be provided upon the front, or principal elevation of any dwelling hereby permitted.

Reason: In the interests of visual amenity.

3. The visibility splays shown on the submitted plans shall be provided with no obstructions over 0.6m in height above carriageway level prior to the access points to which the splays relate being brought into use and thereafter the splays shall be retained and maintained in this manner.

Reason: In the interests of highway safety.

4. Pedestrian 2m x 2m visibility splays taken from the rear of the footway on both side of accesses within which there shall be no obstruction over 0.6m above footway level shall be provided prior to accesses being brought into use and thereafter the splays shall be retained and maintained in this manner.

Reason: In the interests of highway safety.

Notes to Applicant

1. Working with the Applicant

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

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

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

In this instance

- 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.
 - The application was dealt with/approved without delay.
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
2. This decision does not purport to agree to the discharge of the following conditions which have been submitted with this application:
- i. Condition 26 (foul water design);
 - ii. Condition 27 (surface water design).

The following conditions are also considered to now be complied with:

- i. Condition 1 (timescale for reserved matters submission);
- ii. Condition 2, part (a);
- iii. Condition 3 (design and access statement);
- iv. Condition 36 (housing mix);
- v. Condition 37 (design).

The following conditions remain in force and should be discharged prior to any works taking place on site:

- i. Condition 4 (archaeology) (application pending);
- ii. Condition 8 (parking for site personnel) (application pending);

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- iii. Condition 9 (wheel washing) (application pending);
 - iv. Condition 10 (works compound) (application pending);
 - v. Condition 20 (earthworks);
 - vi. Condition 21 (landscape management plan);
 - vii. Condition 22 (materials);
 - viii. Condition 23 (boundary treatments);
 - ix. Condition 30 (details)
 - x. Condition 31 parts i and ii (code of construction) (application pending);
 - xi. Condition 41 (street naming);
 - xii. Condition 42 (landscape implementation notice);
 - xiii. Condition 45 parts i and ii (site investigation) (application pending).

The following conditions require no submission but remain in force and should be complied with:

- i. Condition 5 (highways works);
- ii. Condition 12 (landscape works);
- iii. Condition 14 (tree retention);
- iv. Condition 15 (trenches);
- v. Condition 16 (hedges);
- vi. Condition 17 (cutting operations);
- vii. Condition 18 (tree stock protection);
- viii. Condition 24 (underground ducts);
- ix. Condition 25 (oil interceptor);
- x. Condition 32 (water consumption);

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- xi. Condition 38 (house pack);
 - xii. Condition 40 (pd/car barns);
 - xiii. Condition 44 (travel pack);
 - xiv. Condition 45 (parts a and b);
 - xv. Condition 46 (use);
 - xvi. Condition 47 (enforcement);
 - xvii. Condition 48 (carried out in accordance with plans).
 - xviii. The redevelopment of the frontage to Jemmett Road will require the applicant to fund amendments to the existing Traffic Regulation Order enforced by Ashford Borough Council in order to avoid any conflicts between on-plot parking serviced by new vehicular crossover and existing on-street parking bays.

Application Number	16/01198/AS
Location	Former Kent Highways Depot, Ashford Road, High Halden
Grid Reference	89083/37197
Parish Council	High Halden
Ward	Weald Central
Application Description	Demolition of existing buildings, walls and hard standing; erection of 25 residential units comprising 9 x 4 bedroom, 14 x 3 bedroom and 2 x 2 bedroom units; garages, parking and associated works (amended scheme to approval 12/01449/AS for 20 dwellings).
Applicant	Chartwell Land and New Homes Ltd, 5A Fircroft Business Centre, Fircroft Way, Edenbridge, Kent, TN8 6EN
Agent	Ms Andrews, Howard Sharp and Partners LLP, 125 High Street, Sevenoaks, Kent, TN13 1UT
Site Area	1.24ha

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- (a) 17/ 23R, 1 X (b) Parish Council R (c) KH&T X, PO(Drainage) X, KCC (Contributions) X, KASS -, SW X, EA X, Kent Police X, KWT -, NE X, CPRE -, HS X, EHM X, POS X, WKPS R, RA X, KPROW X, KCC(Bio) X

The Senior Planning Officer drew Members' attention to the Update Report, which included additional representations and clarity of abbreviations in the report.

In accordance with Procedure Rule 9.3, Ms. Andrews, the agent, spoke in support of the application. She reported that the applicants were grateful to the Committee for previously deferring the application to give time to allow officers with the applicants, the chance to review affordable housing provision within the scheme. Members should be made aware of the serious difficulties and financial implications of resolving the contamination of this site, as a result of its previous occupation by KCC. In addition to these remedial works, there was also a need for a type 3 pumping station on site for foul waste, as well as formalising surface water easements. Both parties' viability consultants had re-worked the figures in an endeavour to find some affordable housing provision, and the applicants had expressed a willingness to extend their Section 106 contributions to £200,000. The officer's report advised that this money would be shared as follows: £47,000 to the Parish Council sports provision, and around £60,000 towards KCC education contributions, which therefore left £93,000 for off site affordable housing contributions. The applicants suggested that this could be allocated to High Halden Parish, or otherwise within the ABC administrative area. Additionally, there may be an opportunity to secure up to £1million commuted sum under the deferred contributions mechanism, if it turned out that actual sales associated with the development exceeded predicted sales. This provided further reassurance to the Council and would add to the affordable housing funds in the Borough. The applicants therefore trust that Members would be able to support the application to enable this brownfield site to be brought back into beneficial use, with the introduction of a high quality development, comprising accessible family housing within a mix of two, three and four bedroom dwellings.

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

Resolved:

- (A) Subject to the applicant first entering into a Section 106 agreement/undertaking in respect of planning obligations related to the matters detailed in Table 1, in terms agreeable to the Head of Development Strategic Sites and Design or the Development Control Managers in consultation with the Corporate Director (Law & Governance), with delegated authority to either the Head of Development Strategic Sites and Design or the Development Control**

Managers to make or approve minor changes to the planning obligations and planning conditions, as they see fit.

Table 1

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
1	<p><u>Affordable Housing</u></p> <p>Contribution towards provision of affordable housing elsewhere in the borough.</p> <p>Deferred contributions mechanism</p>	<p>£93,000.00</p> <p>To be capped at £969,545.00 which is the total amount payable as a commuted sum in lieu of provision of affordable housing on site.</p>	<p>Upon commencement of development.</p> <p>Payable if the actual sales price of each dwelling exceeds the predicted sales price as identified by the viability assessment.</p>
2	<p><u>Outdoor Sports Pitches</u></p> <p>Contribution towards provision of or improvements to outdoor sports pitches and associated facilities and maintenance thereof Project to be confirmed.</p>	<p><u>Capital</u></p> <p>£1,589 per dwelling</p> <p><u>Maintenance</u></p> <p>£326 per dwelling</p> <p><u>Total</u></p> <p>£1915 per dwelling</p>	<p>Before completion of 75% of the dwellings</p>
3	<p><u>Secondary Schools</u></p> <p>Contribution towards the extension of a</p>	<p>£2,359.80 per</p>	<p>Half the</p>

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	secondary school within Tenterden Project: Homewood Secondary School Phase 2 extension.	applicable house	contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
4	<u>Library Facilities & Community Learning</u> Contribution towards library service capacity in mobile and fixed libraries in the borough and to provide additional book stock and equipment Project: Fund library book stock in the Tenterden library.	£48.02 per dwelling Total £1200.40	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings.
5	<u>Monitoring Fee</u> 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
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 (normally from the date of the Committee's resolution) in order to ensure the value is not reduced over time. The costs , expenses and disbursements of the Council's Legal and Planning Departments incurred in connection with the negotiation, preparation and completion of the deed are also payable. The Kent County Council will also			

Planning Obligation		
Detail	Amount(s)	Trigger Point(s)
require payment of their legal costs.		

(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. 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.

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

Reason: In the interests of visual amenity.

4. Before any works are carried out the following details shall be submitted to and approved in writing by the Local Planning Authority:
 - a) Details and location of rainwater goods;
 - b) Details of any flues, grilles and vents to be installed including location dimensions, colour and material;

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- c) Details of electricity and gas meter boxes and any external pipe work including their location on the buildings;
 - d) Details of all windows including recess depth of glazing; and
 - e) Details of eaves including overhang.

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

Reason: In order to maintain the design quality of the development and protect the visual amenity of the locality.

- 5. No flues, vents, stacks, extractor fans or meter boxes shall be located on the front elevation of any of the units.

Reason: In the interest of visual amenity.

- 6. No development shall take place until details of the existing ground levels of the site and land immediately adjoining the site, proposed ground levels of the site and the ground floor slab level of each building have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- 7. No site clearance, preparation or construction works 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 and Bank Holiday.

Reason: To protect the amenity of local residents.

- 8. No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction and Transport Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The Management Plan shall include the following:

- a) parking for site personnel, visitors and operatives;
- b) details of areas for the loading and unloading of plant and materials, and provision on-site for turning for construction vehicles including HGV's;
- c) details of areas for the storage of plant and materials;

- d) Details of the form and location of any proposed temporary works compounds; and
- e) a programme of works (including measures for traffic management);
- f) details of any temporary fencing/hoardings to be provided behind any visibility splays;
- g) details of facilities, by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances;
- h) measures to control the emissions of dust and dirt during demolition and construction; and
- i) Confirmation that a banksman will be provided in the event that it is necessary for HGVs to reverse onto the highway

The approved Management Plan shall be adhered to throughout the duration of the demolition and construction period.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in the interest of the amenity of local residents.

9. No dwelling shall be occupied until the visibility splays identified on drawing number 162114/SK/02 Revision A contained at Appendix B of the Transport Statement have been provided at the access. The area within the visibility splay shall be permanently maintained thereafter with no obstructions over 0.9 metres above carriageway level within these splays.

Reason: In the interest of highway safety.

10. No dwelling shall be occupied until the following works have been completed between it and the adopted highway
- a) Footways, with the exception of the wearing course
 - b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway furniture(if any).

Reason: In the interests of Highway Safety

11. No development shall take place until details of the bicycle storage facilities showing a covered and secure space have been submitted to an approved in

writing by the Local Planning Authority. The approved bicycle storage shall be completed prior to occupation of the development and shall thereafter be retained.

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

12. The vehicle parking spaces, car barns, garages and turning shall be provided in accordance with details approved on drawing number 21196C/100 Revision R before any dwelling is occupied, and shall be retained for the use of the occupiers of, and visitors to, the development. No permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude 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.

13. 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.

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

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

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

15. None of the dwellings shall be occupied until works for the disposal of sewage have been provided to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority (in consultation with Southern Water Services) at the same time as the details required pursuant to Condition 1 and such approved works shall be appropriately retained and maintained in perpetuity.

Reason: To avoid pollution of the surrounding area.

16. No development shall commence until plans and particulars of a sustainable drainage system (including the details below) for the disposal of the site's surface water has been submitted and approved by Ashford Borough Council.

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

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.

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

Permission for discharging of surface water into the existing land drainage system, or ditch, should be received via formal written confirmation / consent from Kent County Council, including land drainage consent for new structures where applicable. Permission for discharging into receiving watercourse should be provided from the legal owner. A written specification for the responsibilities of each party in relation to management of the surface water ditch should be provided for use throughout the lifetime of the development

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

17. No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed prior to the first occupation of any dwelling on site or in accordance with a timetable previously agreed in writing with the Local Planning Authority. The boundary treatment shall be provided in accordance with the approved details and shall be permanently maintained.

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

18. Details of walls, fences and railings to be erected within the development shall be submitted to and approved by the Local Planning Authority before the development commences. The walls and fences shall then be erected in accordance with such approved details.

Reason: In the interests of visual amenity

19. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the buildings for their permitted use.
- a. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned, thinned or reduced other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority.
 - b. If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
 - c. All retained trees shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012, (Trees in relation to design, demolition and construction - recommendations). Such tree protection measures shall remain throughout the period of demolition and construction.
 - d. (No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;
 - e. No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;
 - f. No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation;
 - g. Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.
 - h. No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in

the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

Reason: In order to protect and enhance the appearance and character of the site and locality.

20. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. Any existing hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site. Any parts of hedges or hedgerows removed without the Local Planning Authority's prior consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practical completion of the approved development shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed with the Authority.

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

21. The hard and soft landscaping works shall be carried out in accordance with the approved scheme detailed on approved drawing number 2068/16/B/1B. The soft landscaping scheme shall be implemented in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The hard landscaping shall be provided prior to the first occupation of the dwelling to which it relates.

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

22. All trees planted shall be protected against stock and rabbits when planted and such protection shall be maintained at all times.

Reason: In the interests of good forestry and amenity.

23. No dwelling shall be occupied until a landscape management plan, including management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens shall be submitted to and approved in writing by the Local Planning Authority. The approved

landscape management plan shall be adhered 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 and to maximise the scope of their ecological value.

24. Prior to the commencement of the development, a scheme for providing biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include bat and bird boxes, the planting of native species hedgerows required by condition 21, green corridors, and wildflower planting within and around the perimeter of the site (wherever possible) together with a plan for their implementation and management. The approved enhancement measures shall be fully implemented prior to the occupation of the final dwelling and maintained thereafter in accordance with the approved management plan.

Reason: To protect the existing populations of protected species and to improve their habitat on the site.

25. If works have not commenced within 12 months of the survey date of the High Haden Badger Survey Report dated 22 December 2016, an updated badger survey must be undertaken. The results of the badger survey and details of any mitigation required must be submitted to and approved in writing by the Local Planning Authority prior to any demolition and construction works commencing on site. Any mitigation required shall be carried out in accordance with the approved details.

Reason: To protect the existing populations of protected species.

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

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

A feasibility study to establish the most appropriate local low and zero carbon ("LZC") technologies to install

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

Details of the LZC technologies to be used to achieve the 10% reduction in carbon emissions.

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

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

Unless otherwise agreed in writing by the Local Planning Authority, no Dwelling shall be occupied until SAP calculations from a competent person have been submitted to and approved in writing by the Local Planning Authority for that dwelling stating:

- (i) the actual amount of carbon emissions from energy demand with the LZC technologies that have been installed and what the emissions would have been without them; and
- (ii) the actual amount of residual carbon emissions.

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

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

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

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, no car barn shall be altered through the addition of further doors or any other structure that would preclude their use for the parking of vehicles.

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.

29. 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.

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

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

31. 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.

Notes to Applicant

1. Working with the Applicant

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

- offering a pre-application advice service,

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- 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 to address highway issues.
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
2. Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.
 3. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

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.

4. 'The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrow grove, Otterbourne, Hampshire S021 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk' in order to progress the required infrastructure.
5. 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".
6. This development is also the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990.
7. In respect of condition 27 above, the applicants is advised that the external lighting scheme should be designed in accordance with the Bat Conservation Trust's Bats and Lighting in the UK guidance a summary of which is set out in KCC Ecology's comments dated 17 August 2016.
8. The applicant is advised that the removal of mature trees should be carried out outside of the bird nesting season (March – September inclusive). If this is not possible than areas for removal should first be inspected by a suitably qualified ecologist to identify that any nests present have had eggs hatched and that young birds have fledged.

Application Number	16/01322/AS
Location	Mechanical Components Ltd, Church Farm, Bell Lane, Smarden, TN27 8NT
Grid Reference	87040/42944
Parish Council	Smarden

Ward	Weald North
Application Description	Redevelopment of an existing commercial/industrial site to accommodate 5 commercial units.
Applicant	Mr A Sole, Mechanical Components Ltd, Downland House, Charing Hill, Charing, TN27 0NG
Agent	Mr G Ernest, gdm architects, The Masters House, College Road, Maidstone, ME15 6YF
Site Area	0.4336 hectares

1st Consultation

(a) 7/11R (b) Parish Council R (c) KH&T X, EA -, KCC (Bio) X, EHM X, CPRE R

2nd Consultation

(a) 7/13R (b) Parish Council R (c) KH&T X, EA X, KCC (Bio) -, EHM X

The Senior Planning Officer drew Members' attention to the Update Report, which included additional conditions.

In accordance with Procedure Rule 9.3, Mr. King, a local resident, spoke in objection to the application. He stated that he and neighbouring residents fully supported some form of redevelopment. However, they were concerned about the scale of the development due to the impact it would have, not only on the carefully preserved hamlet, but also on the residents because of additional traffic, noise, air pollution, and road safety issues. The Hamlet of Smarden Bell consisted of seven houses, five of which were grade II listed, as was the Bell Inn which dated back to the 1500's. The design of the five industrial units with metal roofs and metal roller shutters was out of keeping with the architectural character of the area. The application failed to meet the requirements set out in the Local Plan, which required the development to be integrated sensitively, respecting the character of existing buildings. Mr. King said that Bell Lane was an unclassified country lane. The corner of the lane to the west of the site was blind, and the encouragement of more HGV traffic was dangerous and risked serious accident. It was not possible for an articulated lorry to turn left from the site without encroaching onto the wrong side of the road, immediately before a blind bend. Taking this and the fact that the 40 mph speed limit was frequently ignored, into consideration, the residents sought a limit on the size of vehicles accessing the site, and the requirement that HGV's only access the site from the East. The plans referred to the creation of rural employment but there was no evidence that the proposal would create anything like the number of jobs that required the provision of more than 30 car parking spaces. The building seemed to be designed as a distribution centre, and the absence of windows suggested little

office space. The seven residential properties in the hamlet accounted for less than 15 cars, therefore the requirement and creation of 30 parking spaces demonstrated that the development could dominate the area. The provision of a bike shelter was laughable since it was unsafe to cycle along the road. He added that the bus service was once per week at noon on Tuesdays. He asked that the applicant revise the plans to something of a more appropriate scale and style of business for the area.

In accordance with Procedure Rule 9.3, Mr. Grayson, the applicant and joint owner of the site, spoke in support of the application. He wanted to clarify the position around the redevelopment of the Bell Lane site and stated that regardless of those in support of or against the application, the site was in need of redevelopment. Their intentions for the site have always been to remove the current building and replace with new since the current site was already in a state of disrepair, and on the verge of falling down. They had worked alongside Kent Highways, Green Space Ecology and ABC Planning officers to come up with a fitting replacement for the site, and as shown in the detailed report, they had comprehensively covered every point and objection that had been raised, and changed the scheme a number of times to accommodate those points. The first issue highlighted was the principal of the proposed development, which was to replace the existing unusable building with a more fitting and useable workspace to encourage local business. To make sure new buildings were less imposing they would be set back into the site, so they would be less visible from the road. They had also split the mass of the buildings and reduced the height of them twice from the original design. The materials used would mimic the barns in the local area to ensure they were in keeping of the local style. Finally regarding the impact on neighbouring amenities, the new construction would be sited more than 40 metres away from the nearest residential property to ensure no overshadowing and would also landscape the area to shield the area with trees and bushes. The current classification of the building enabled the occupants to run all day and night without light or noise restrictions, but if permission were granted the restrictive conditions imposed may result in a reduction of noise. The new building would also provide the opportunity to address the issue of flooding on the road. A new drainage plan had been submitted which included clearing the surrounding ditches.

In accordance with Procedure Rule 9.3, Mr. Lowings, from Smarden Parish Council, spoke in objection to the application. He stated that the Parish Council did not object to the principal of redevelopment of the site, only to the proposal that it potentially be used as a distribution site with HGV use. Bell Lane was a rural country road and the site was surrounded by residential properties, listed buildings, the iconic Smarden Bell pub, a blind bend and T-junction. The residential way of life would be destroyed by HGV's if the application were allowed. There were loading bays with HGV vehicles parked listed on the plans which indicated the type of business that would operate from this site. Restricting times of operation would only mitigate the noise and disruption to a small degree, pollution and noise from diesel lorry engines would change the area from residential to industrial. In January KCC had produced a plan to mitigate the negative impact on residents and visitors to Kent from road freight, and it stated that it was necessary to manage effectively the routing of HGV's to ensure they remain on the strategic road network for as much of their journey as possible, to take steps to address any problems caused by freight traffic and that

distribution sites should be located on A roads. Rather than trying to reduce the number of freight vehicles in rural areas, this proposal was encouraging them.

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. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority of the proposed means of any boundary treatment. The boundary treatment shall be provided in accordance with the approved details and shall thereafter be maintained.

Reason: To ensure a satisfactory appearance upon completion and in the interest of 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. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved unless previously agreed otherwise in writing by the Local Planning Authority.

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

5. Before any building is occupied, details for the storage and screening of refuse shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To facilitate the collection of refuse, preserve visual amenity and to reduce the occurrence of pests.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within Schedule 2 Part 2 Class A and Schedule 2 Part 7 Classes H and J 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.

7. The buildings/units shall only be used for purposes falling within Class B1(c) and not for any other purpose whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) or whether or not permitted by virtue of the provisions within the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order.

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

8. The vehicle parking spaces, space for vehicle loading/unloading and turning facilities shall be provided in accordance with details approved on drawing number 3661/P110 (rev c) before the use is commenced, and shall be retained for the use of the occupiers of, and visitors to, the development. No permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to the reserved parking, vehicle loading/unloading and turning 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.

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

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

10. 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.

11. No development including any works of demolition or preparation works prior to building operations shall take place on site until the following details have been submitted to, and approved in writing by the Local Planning Authority:

- a) Provision for parking for site personnel, visitors and operatives;
- b) details of areas for the loading and unloading of plant and materials, and provision on-site for turning for construction vehicles including HGV's;
- c) details of areas for the storage of plant and materials;
- d) Details of the form and location of any proposed temporary works compounds; and
- e) details of facilities, by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances;

The approved details shall be adhered to throughout the duration of the demolition and construction period.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in the interest of the amenity of local residents.

12. Visibility splays of 80 metres to the centre line in a south westerly direction x 2.4metres x 120metres in a north westerly direction at the access with no obstruction in excess of 0.9metres in height above the carriageway level shall be provided at the access before the development commences and the splays shall be so maintained at all times.

Reason: In the interests of highway safety.

13. The first 5 metres of the access from the edge of the highway shall be surfaced in a bound material.

Reason: To prevent the deposit of loose material onto the highway in the interest of highway safety.

14. The development hereby permitted shall not be begun until a scheme to deal with contamination of land and/or groundwater has been submitted and approved by the Local Planning Authority and until the measures approved in that scheme have been implemented. The investigation report shall be conducted and presented in accordance with the guidance in CLR11 "Model Procedures for the Management of contaminated land" published by the Environment Agency. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

1. A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The requirements of the Local Planning Authority shall be fully established before the desk-top study is commenced and it shall conform to any such requirement. Two full copies of the desk-top study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.
2. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:
 - i) A desk-top study has been completed, satisfying the requirements of paragraph (1) above.
 - ii) The requirements of the Local Planning Authority for site investigations have been fully established, and
 - iii) The extent and methodology have been agreed in writing with the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to the Local Planning Authority without delay upon completion.
3. A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement, and all

requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. Two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works shall be submitted to the Local Planning Authority.

Reason: To control pollution of land or water in the interests of the environment and public safety.

15. No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times: 0730 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) and not at all on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of local residents.

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

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

17. No external lighting shall be installed on the site without the prior written consent of the Local Planning Authority. External lighting shall not be installed until a "lighting design strategy for biodiversity" for the site boundaries has been submitted to and approved in writing by the local planning authority. The lighting strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
- b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

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

18. No development shall take place (including demolition) until a full method statement for the protection of bats and reptiles has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include :
- a) Purpose and objectives for the proposed works;
 - b) Working method necessary to achieve stated objectives;
 - c) Provision for bat and reptile 'rescue' if animals are encountered;
 - d) Extent and location of proposed works shown on appropriate scale plans;
 - e) Persons responsible for implementing works.

The works shall be undertaken in accordance with the approved details.

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

19. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved by, the local planning authority prior to commencement of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed;
 - b) Ecological trends and constraints on the site that might influence management;
 - c) Aims and objectives of management;
 - d) Management for reptiles;
 - e) Management for bats;
 - f) Prescriptions for management actions;
 - g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - h) Details of the body or organisation responsible for implementation of the plan;
 - i) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

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

20. Prior to the first use of the development the ecological enhancements outlined in the Extended Phase I Habitat Survey by Greenspace Ecological Solutions shall be implemented on site and shall be maintained thereafter.

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

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

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

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

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

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) and shall be retained in working order until such time as the development ceases to be in use.

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

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

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

Reason: In the interests of visual amenity.

23. 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.

24. 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.

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

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

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

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

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

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

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

26. The land surrounding the buildings/units shall not be used at any time for open storage, apart from for the parking, loading/unloading and turning of vehicles associated with this use in accordance with condition 8.

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

Notes to Applicant

1. Working with the Applicant

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

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

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- the applicant/agent responded by submitting amended plans, which were found to be acceptable and permission was granted,
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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.

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.

Application Number	16/01431/AS	
Location	Milee, Nickley Wood Road, Shadoxhurst, Ashford, Kent, TN26 1LZ	
Grid Reference	98345/36685	
Parish Council	Shadoxhurst	
Ward	Weald South	
Application Description	Change of use of land for the stationing of 4 gypsy pitches and associated development and the erection of a goat barn (part retrospective)	
Applicant	Mr and Mrs May, c/o Agent	
Agent	Mr Patrick Durr, Patrick Durr Associates, Cubys, Blind Lane, Goudhurst, Kent, TN17 1EL	
Site Area	0.30 ha	
1st Consultation		
(a) 14/8R 3S	(b) Parish Council X	(c) NE X, FC -, KWT R, WT R, EA X, KH&T -, EHM X, WKPS R
(a) 18/4R 1S	(b) Parish Council R-	(c) NE X, FC -, KWT R, WT -, EA X, KH&T -X, EHM X, WKPS -

The Senior Planning Officer drew Members' attention to the Update Report, which included additional representations from the Parish Council.

In accordance with Procedure Rule 9.3, Mr. MacGregor, a neighbour, spoke in objection to the application. His main objection to the application was that this would add to the current disproportionate balance between residential houses and traveller sites. In 2002 there were 13 residential homes and only 6 traveller sites, but this had now increased to 12. The increase was not only to number of sites but statics as well and many of the statics on the site received retrospective planning permission. This had resulted in increased traffic on narrow Nickley Wood Road, an unadopted single track. Officers stated that an increase of 3 statics would not lead to an

increase in traffic at Woodley Vale, but there were currently 4 statics and 5 touring caravans in breach on this site. There was no account taken of the cumulative impact of vehicles including lorries and pick-up vehicles with trailers and these all generated pollution, noise and damage to the road. Mr MacGregor said that he failed to understand why the potential ecological damage to the ancient woodland was not sufficient grounds for refusal.

In accordance with Procedure Rule 9.3, Mr Durr, the agent, spoke in support of the application. He said that the report by the Planning Officer clearly summarised the reason the application should be supported. The application was approved in September 2015, but following judicial review permission was overturned only on a technicality in 2016. The application was re-submitted including a number of new conditions to better the scheme and the environment. It proposed that the gypsy pitches be on existing lawful hard standing, making it a brownfield site, since the area would never be turned back into woodland, it was beneficial instead to provide much needed homes to the gypsy community. Nearby ancient woodland was harmed in the early 2000s before the applicant purchased the property in 2009 and no development was proposed in this area. Instead the Council had suggested and the applicant had agreed that with a registered ecologist they could enhance and better the area via a mitigation scheme. If the application was approved then a condition existed that the woodland be revived and improved. The site was sustainably located and well screened and the proposal was modest, compact and rural in appearance. Some unduly negative comments had been received regarding the application, which the applicant had ignored. The application accorded with all local and national planning policies.

In accordance with Procedure Rule 9.3, Mr. Ledger, from Shadoxhurst Parish Council, spoke in objection to the application. The Parish Council were in a difficult position as they had to listen and represent residents whilst considering the needs for the travelling community. The officer's report talked of concentration and scale and that it should not dominate the nearest settled community and avoid placing undue pressure on infrastructure. It also considered that four more pitches would not materially alter the ratio of gypsy travellers to the settled community, but it only considered Shadoxhurst as a whole, which comprised 500 houses. It was important to consider Nickley Wood as a community for which ABC records showed 38 properties, 13 of which were residential and therefore 25 were caravans, so there was an imbalance of 2 to 1. Therefore four more pitches would have great significance. The infrastructure and amenities of the area had not been investigated or considered, and were already over-stretched. The private road was unlikely to be adopted by KCC Highways and remained in poor condition and was insufficient. Surface water flooding was a consistent problem after any prolonged rainfall. The detrimental effect on the ancient woodland was also a great concern and the Parish Council felt that any further development should not be considered and a moratorium placed on all permissions until a detailed planning audit was undertaken and enforcement action implemented.

Resolved:**Permit**

Subject to the following conditions and notes:

1. The remaining 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. Within 1 month from the date of this decision in the case of pitch 1, prior to the occupation of the accommodation permitted on pitches 2, 3 and 4 and prior to each new occupation, written details providing confirmation of the occupant's gypsy/traveller status shall be submitted to and approved in writing by the Local Planning Authority.

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

4. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of the Planning Policy for Traveller Sites (August 2015).

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

5. No more than four single unit mobile homes 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. The mobile homes shall only be positioned as on approved Drawing MAY1/05B and any material change to the position of the mobile homes, or their replacement by another mobile home(s) in a different location, shall only take place following the written approval from the Local Planning Authority.

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

6. Within one month of the date of this grant of planning permission, a detailed scheme for re-planting to include planting plans; written specifications

(including cultivation and other operations associated with plant and tree establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and a woodland management plan, prepared in consultation with an appropriately qualified ecologist and arboriculturalist shall be submitted to and approved in writing by the Local Planning Authority in consultation with Kent Wildlife Trust, the Forestry Commission and Natural England. The woodland management plan shall include a description and evaluation of features to be managed; aims and measurable objectives of management; appropriate management prescriptions for achieving aims and objectives and preparation of a work schedule (including an annual work plan capable of being rolled forward each year). The planting scheme shall be fully implemented within the next available planting season following the approval of the detailed scheme for the re-planting and managed in accordance with the approved woodland management plan unless previously agreed otherwise in writing by the Local Planning Authority. Upon request, the Woodland shall be made available for inspection by the Local Planning Authority.

Reason: To compensate against the harm identified to the Ancient Woodland in the interest of biodiversity and to provide appropriate woodland management.

7. Any trees or other plants which within a period of five years from the implementation of the planting scheme 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.

8. The approved development shall be carried out in such a manner as to avoid harm to the existing trees, including their root systems, and other planting within the Ancient Woodland by observing the following:
- No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;
 - No materials or equipment shall be stored on land outside of the application site.
 - Ground levels shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.
 - No trenches for underground services shall be commenced without the prior written consent of the Local Planning Authority. Such trenching as

might be approved shall be carried out to National Joint Utilities Group recommendations.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect the Ancient Woodland and trees protected by Tree Preservation Order in the interest of the appearance and character of the site and locality.

9. In the case of pitches 2, 3 and 4, none of the caravans shall be occupied until and the day rooms shall not be used 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. In the case of pitch 1, these details shall be submitted within one month from the date of this decision and provided on site within one month from the date of the approval of those details in accordance with the details approved.

Reason: To avoid pollution of the surrounding area.

10. A permit from the Environment Agency should be submitted to Ashford Borough Council (where required) before the PTP is active and discharging. Should the Environment Agency determine that an environmental permit not be required then written evidence from the Environment Agency clarifying this should be submitted as a alternative.

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

11. 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.

12. Within 1 month of the date of this decision a plan confirming the position of the approved post and rail fencing and providing details of the design of the wire fencing to be attached to it, shall be submitted to and approved in writing by the Local Planning Authority. The fence should be positioned to prevent encroachment into the woodland. The boundary treatment shall be completed prior to siting any caravan on pitch 2, 3 and 4 or in accordance with a timetable previously agreed in writing with the Local Planning Authority. The boundary treatment shall be provided in accordance with the approved details and shall be permanently maintained.

Reason: The surrounding land is ancient woodland and is subject to a Tree Preservation Order. The fence is required in order to preserve the amenity of the area and this valuable asset.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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 a prior express grant of planning permission written permission of from 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.

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

Reason: In the interests of amenity of the surrounding are and adjoining residents.

15. Within 1 month of the date of this decision details of the means of disposal of faecal, bedding or other waste arising from the animals housed within the development shall be submitted to and approved in writing by the Local Planning Authority. Such waste material arising from the animals so housed shall be disposed of solely in accordance with the approved details and shall not be burned within the application site or any land identified within the blue line as shown on drawing number MAY1/01.

Reason: In the interests of residential amenity and to prevent pollution of any watercourse

16. The goat barn hereby permitted shall only be used for agricultural purposes.

Reason: In the interests of the character of the countryside

17. 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.

18. 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.

Notes to Applicant

1. Working with the Applicant

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

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

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- The applicant was provided the opportunity to submit amendments to the scheme/address issues.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

2. The site is covered by a Tree Preservation Order. It is a criminal offence to undertake any works to trees covered by a Tree Preservation Order.

Therefore, the applicant is advised that no works shall be carried out to the trees on site without the prior consent of the Local Planning Authority.

Application Number	16/01804/AS	
Location	Oldbury, Brissenden Green Lane, Bethersden, Ashford, Kent, TN26 3BJ	
Grid Reference	93701/39124	
Parish Council	Bethersden	
Ward	Weald Central	
Application Description	Subdivision of existing AOC dwelling to form two separate dwellings (retrospective)	
Applicant	Mr T Button, c/o Bloomfields, 77 Commercial Road, Paddock Wood, TN12 6DS	
Agent	Mr G Mickelborough, Bloomfields, 77 Commercial Road, Paddock Wood, TN12 6DS	
Site Area	0.15 ha	
(a) 7/132R	(b) R	(c) KHS/X EHM/X

The Joint Development Control Manager drew Members' attention to the Update Report, which included clarification, an amended recommendation and additional representations.

In accordance with Procedure Rule 9.3, Mrs. Whitehead, a chartered surveyor, spoke in objection to the application. She represented the residents of Brissenden Green Lane. Unlawful works to sub-divide the dwelling began when the property was purchased in 2013. The Council were notified and commenced enforcement proceedings in November 2015, but these were abandoned in favour of a retrospective application. Prior to this, removal of the AOC was considered by Mr. Lloyd Hughes in 2000 and failed. He now concluded that without permitted commercial use of the adjacent site, the Council should either refuse the application or allow sub-division with no AOC, if policy allowed. Permission had been refused for the adjacent site, due to harm and impact on amenity. In April the applicant's agent claimed that there was no long term need to retain the AOC, because of non-compliance from the previous and current occupiers for over 12 years. This was incorrect since someone had lived and worked at Oldbury between 2009 and 2013 as an agricultural contractor who complied. Less than 4 years of breach by the applicant was less than sufficient time to claim non-compliance. The AOC continued

to safeguard affordability. The Agent stated that use of the adjacent site for commercial purposes had inflated land value, but commercial use was unlawful and had been refused permission, indicating the opposite. The valuation evidence was based on unauthorised works instead of on what was lawful; a two bed chalet bungalow and a one bed granny annexe. The report referred to a four or five bed dwelling which was misleading since the property was physically split into two. It separated the land from the dwelling, but the AOC was imposed in conjunction with the land and should be considered in entirety. The officer's report stated that the Draft Local Plan could be afforded no weight and they relied on relevant local policies, one of which, RE14, only allowed AOC's to be lifted when supported by a strong, well presented case. The applicant paid £465,000 for Oldbury, including the land, but the property was marketed at almost £600,000, therefore it was not surprising that little interest was generated. Occupation of the properties was by two independent and unrelated parties, neither of whom were employed in agriculture. The applicant himself lived elsewhere and acted as landlord. The key adverse impact was the unjustified loss of an AOC causing harm to the rural economy.

In accordance with Procedure Rule 9.3, Mrs. Orchard, of Bethersden Parish Council, spoke in objection to the application. Following the recent refusal for retrospective change of use from agricultural to engineering and storage, the Parish Council objected to sub-division of the dwelling which the planning officer believed could result in an automatic lifting of the AOC classification. The applicant had never complied with the AOC but was aware when purchasing the whole site in 2013. The dwelling was occupied by employees of the applicants engineering business. AOC dwellings represented much needed affordable rural homes, and thanks to a recent Supreme Court ruling about housing shortfalls, policies like RE14 should prevail over the concept of sustainable development. The key adverse impact which outweighed any benefit was the unjustified loss of an AOC dwelling causing harm to the rural economy. If the site were considered sustainable, it would open the door for new development along the rural lane, which was designated a special landscape area. The Council had refused an application to revoke this same AOC in 2000 on those grounds and nothing had changed to justify a different decision today. If the Council decided to allow the sub-division of the property, the AOC should remain to ensure it continued to benefit from the discount and be more affordable.

A Ward Member spoke in objection to the application.

Resolved:

Refuse

On the following grounds.

The development would be contrary to Policy RE14 and GP12 of the Ashford Borough Local Plan 2000, policy CS1 of the Local Development Framework Core Strategy 2008, policy TRS2 of the Tenterden & Rural Sites Development Plan Document 2010 and to Central Government Guidance in the form of the NPPF and would therefore be contrary to interests of acknowledged importance for the following reason:

The submission, in the absence of any sufficient marketing evidence, does not adequately demonstrate that there is no likely long term need for the dwelling by people employed locally or last employed in agriculture in the surrounding area. As a consequence, the development would reduce the stock of dwellings available to members of the agricultural sector and result in possible future pressure for further dwellings for agricultural workers elsewhere in the countryside, harmful to its character. The development therefore represents an unjustified form of development in the countryside, harmful to its character.

Application Number	16/01835/AS	
Location	Agricultural Building at, Mackley Farm, Knock Hill, Stone, Kent	
Grid Reference	94358/26576	
Parish Council	Stone-Cum-Ebony	
Ward	Isle of Oxney	
Application Description	Demolition of existing agricultural building and erection of new building to comprise a single dwelling with associated parking and change of use of agricultural land to garden.	
Applicant	Mr M Brignall, c/o Ms Jane Scott, Hobbs Parker Property Consultants LLP, Romney House, Monument Way, Orbital Park, Ashford, Kent, TN24 0HB	
Agent	Ms Jane Scott, Hobbs Parker Property Consultants LLP, Romney House, Monument Way, Orbital Park, Ashford, Kent, TN24 0HB	
Site Area	0.22 hectares	
(a) 2 / -	(b) S	(c) EH (ES) - X, KCC BIO - X

In accordance with Procedure Rule 9.3 Mr. Davies, the agent, spoke in support of the application. He said the existing building sat at the periphery of the farm within a fenced area of rough agricultural land and in close proximity to an existing single storey dwelling. The building was no longer required for agricultural purposes and the proposal was to demolish the current structure and rebuild on the footprint for the applicant to use as a dwelling and the land attached was proposed to be used as garden land. The Farmhouse would remain occupied by other family members and provide the applicant with separate self contained accommodation. If the property were outside the AONB, it would comply with the requirements for prior notification

for conversion to a dwelling. In this instance a new building of similar size and scale would enable it to be constructed within modern building regulations resulting in a more sustainable and economic building to maintain. The design reflected the similar number of openings to those already existing within the walls in the building, with the exterior rendered to reflect its current finish. This was to improve the appearance and character of this part of the AONB and the outlook for neighbouring dwellings. Residential use of the property would also reduce the number of agricultural vehicles to the site, and as the property lay between two residential properties, a business use was considered inappropriate.

In accordance with Procedure Rule 9.3, Mr Beckingham, from Stone Parish Council, spoke in support of the application. The farm currently had in the region of 350 sheep and 100 free range chickens and ran a market garden. Due to old age the applicant's father could no longer take an active role on the farm, but he and his wife wished to remain at the farmhouse. The new proposed dwelling would replace the current redundant and unsightly structure, to give the applicant necessary residential accommodation to be on site to continue farming, ensure livestock welfare and provide assistance to his elderly parents. The Parish Council offered its full support to the application.

Resolved:

- a) **That authority be delegated to the Head of Development Strategic Sites and Design and the Joint Development Control Officers to agree revised elevations for the proposed development that are more sympathetic to the rural surroundings,**
- b) **That subject to those being agreed the application be permitted with 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 render, colour, 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any other Order or any subsequent

Order revoking or re-enacting that Order, no further development whether or not permitted by Article 3 and Schedule 2 Part 1 classes A, B, C, D and E of that Order shall be carried out without the prior permission of the Local Planning Authority in writing.

Reason: In order to enable the Local Planning authority to assess the impact of any further development on the visual amenity of the locality.

4. The occupation of the caravan / dwelling shall be limited to a person solely or mainly working or last working in the locality in agriculture (as defined in Section 336 of the Town and Country Planning Act 1990) or forestry or a widow or widower of such a person and to any resident dependents.

Reason: The site is outside any area in which residential development would normally be permitted unless essential to the local needs of agriculture or forestry.

5. The area shown on the approved Drawing No. 161109-S-001 (marked as existing driveway to be retained) 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: To ensure the provision and retention of adequate off-street parking facilities for vehicles in the interests of highway safety.

6. 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 dwelling hereby approved shall only be occupied as a single dwelling house as described by Use Class C3 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015.

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

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

Reason: To avoid pollution of the surrounding area.

-
8. A landscaping scheme for the site (which may include entirely new planting, retention of existing planting or a combination of both to the garden boundaries) 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.

9. 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 prior to occupation.

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.

10. The dwelling shall not be occupied until details of how the development will enhance biodiversity on the site have been submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented within 6 months of completion and thereafter retained.

Reason: in the interests of biodiversity.

11. No external lighting shall be installed at the site unless in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of the locality

12. 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 and to reduce the risk of flooding to future users.

13. 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.

Notes to Applicant

1. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.
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 application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

3. The agricultural needs of the holding is a special circumstance in contrast to the usual rural restraint of a new dwelling in an isolated location within the countryside. Subject to an improvement to the external appearance of the dwelling.

Application Number	17/00121/AS
Location	162 Canterbury Road, Kennington, Ashford, Kent, TN24 9QD
Grid Reference	01846/44026
Ward	Bybrook (Ashford)
Application Description	Erection of a single storey side and rear extension
Applicant	Mr G Munnery, 162 Canterbury Road, Kennington, Ashford, Kent, TN24 9QD
Site Area	0.04ha
(a) 4/1R	(b) - (c) -

In accordance with Procedure Rule 9.3, Mr. Court, a local resident, spoke in objection to the application. Mr. Court formerly lived at the property for 15 years but now lived in Oakfield Road which was adjacent. He stated that access and parking had always been an issue, but was now exacerbated as properties had expanded and children had reached an age where they now owned vehicles. Oakfield Road was little more than a single track cul-de-sac with 2 hammer head turning areas at each end, and these were usually obstructed by parked vehicles. This in turn created problems, especially for larger vehicles attempting to exit the cul-de-sac. Development to increase the traffic flow and need for parking would be detrimental. There was scope for properties to increase off road parking. Mr. Court had no objection in principal to the annexe, only to the traffic and access problems.

The Ward Member attended and spoke in support of the application but raised concerns over parking issues.

Resolved:

Permit

Subject to the following conditions and note:

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 existing two parking spaces to the side of the dwelling with access onto Oakfield Road 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 these reserved parking spaces.

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

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	17/00281/AS
Location	North Park, Tannery Lane, Ashford
Grid Reference	01476/42633
Ward	Victoria (Ashford)
Application Description	New gas powered beacon
Applicant	Mrs S Barber, Ashford Borough Council, Civic Centre, Ashford, Kent TN23 1PL
Agent	Mr C Thomas, Project Delivery Team, Ashford Borough

Council, Civic Centre, Tannery Lane, Ashford TN23 1PL

Site Area

-

(a) 10/-

(b) -

(c) -

Resolved:

Permit

Subject to the following conditions and note:

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 drawing ref.no. NPB/16/1.01B and E-mail from Craig Thomas dated 21st April 2017 which shall not be varied without the prior written permission of the Local Planning Authority.

Reason: In the interests of visual amenity.

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

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

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

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

Note to Applicant

1. Working with the Applicant

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

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- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance

- the application was acceptable as submitted and no further assistance was required.
- The application was 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	17/00337/AS
Location	12 Hewitts Place, Willesborough, Ashford, Kent, TN24 0AH
Grid Reference	02828/42489
Ward	North Willesborough (Ashford)
Application Description	Erection of single storey side and rear extension
Applicant	Mr P Mansfield, 12 Hewitts Place, Willesborough, Ashford,

Kent, TN24 0AH

Agent Mr T Parrett, Rubicon Building Consultancy Ltd, One Step Beyond, Westfield Lane, Etchinghill, Folkestone, Kent, CT18 8BT

Site Area 0.07ha

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

The Joint Development Control Manager drew Member's attention to the Update Report which included an amendment to the introduction.

Resolved:

(A) Permit

Subject to the following conditions and note:

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

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

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

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

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

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

4. The development approved shall be made available for inspection, at a reasonable time, by the Local Planning Authority to ascertain whether a breach of planning control may have occurred on the land (as a result of

departure from the plans hereby approved and the specific terms of this permission).

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	17/00170/AS
Location	Meadow View Industrial Estate, Hamstreet Road, Ruckinge, Kent
Grid Reference	01445/33297
Parish Council	Ruckinge

Ward	Saxon Shore	
Application Description	Change of use of land for stationing of caravan for overnight security purposes ancillary to Meadow View Business Park and associated hardstanding (retrospective and resubmission of 15/01657/AS)	
Applicant	Meadow View Industrial Estate, Hamstreet Road, Ruckinge, Kent, TN26 2NR	
Agent	Spiller Associates, 2 Cherry Garden Lane, Folkestone, Kent, CT19 4AD	
Site Area	<0.1ha	
(a) 3/12S	(b) R	(c) KCC PROW - +

In accordance with Procedure Rule 9.3, Cllr. Miss Martin spoke on behalf of Mrs Page, a local resident who objected to the application. Mrs. Page had lived at a neighbouring property for 28 years and her house was situated approximately 25 metres from the entrance road to the industrial units. The site had history of numerous planning applications and the number of units had increased over time. This application was a re-submission of application number 15/01657 which was refused in October 2016. The grounds for refusal were that it represented an unnecessary, un-sustainable, sporadic and harmful form of development. Nothing else had changed in the application apart from the officer's recommendation to permit. The report stated that Moreness was the closest neighbouring property, which was factually incorrect, and Mrs. Page's property was nearer. Moreness did not have any road access to the industrial units. The report stated that the caravan was at the rear of the site and out of view, but how was this deterrent for local criminals? If the current CCTV and floodlighting was considered insufficient then Mrs. Page did not object to there being security on site, but it was the location that she objected to. Siting within the current curtilage of the existing buildings would be more effective. The owner had a hangar with first floor office and toilet which would be ideal for security and prevent the need to extend beyond the current site perimeter. The application was for overnight security purposes. Mrs. Page took exception with the agent's comment that relationships with neighbours should improve owing to less incidents of crime occurring. It was not for them to suggest they would benefit from this and they hadn't, since a neighbour was burgled 3 weeks ago. There were also concerns that there were no practical ways of monitoring potential residential use. Working at a location during the day or night did not entitle someone to a degree of residency. Therefore if the application were permitted, there should be clear directive that it was not for residential use at any time and solely for overnight security purposes.

In accordance with Procedure Rule 9.3, Mr. Spiller, the agent, spoke in support of the application. Mr. Spiller firstly apologised that the security agent had already been put in place and they had explained the reason for this in the application which

included increasing levels of rural crime and the threat to rural businesses. The officer's report detailed some instances of these crimes which pre-dated the introduction of these security measures, and after which there had been none. Previous reliance on electrical or physical means was insufficient due to the time it took to arrive at the site following an alarm. There was a high level of support for this type of security, including 2 branches of the police, and its ability to continue should also benefit the neighbouring residents. In order to protect the appearance of the surrounding countryside, the caravan was located at the rear, surrounded by earth banks and planting on 3 sides, and buildings on the 4th. Similar security accommodation had been permitted by the Council at other rural businesses. The security proposals at Meadowview would support its important rural businesses and were in scale with its location, and would not have any adverse effect on the area. The conditions recommended were acceptable to the applicant.

One of the Ward Members spoke in objection.

Resolved:

Permit

Subject to the following conditions and note:

1. The caravan hereby approved shall not be occupied at any time other than for security purposes ancillary to the operation of the Meadow View Industrial Estate and shall not be occupied as any person's sole or main residence. If at any time the caravan is no longer required for the aforementioned purpose, it shall be removed from the site.

Reason: To prevent the formation of a separate residential presence in this rural location and enable the Local Planning Authority to regulate and control of the site.

2. The caravan shall be sited in accordance with the approved Site Plan, unless otherwise agreed by the Local Planning Authority.

Reason: In the interests of visual amenity.

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

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

Note to Applicant

1. Working with the Applicant

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

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

In this instance:

- 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 additional information, which were found to be acceptable and permission was granted,
 - the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
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Queries concerning these Minutes? Please contact Clare Ricketts: Telephone: 01233 330491 Email: clare.ricketts@ashford.gov.uk
Agendas, Reports and Minutes are available on: www.ashford.gov.uk/committees