

Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **19th July 2017**.

Present:

Cllr. Burgess (Chairman);

Cllr Link (Vice-Chairman);

Cllrs. Barrett, Bennett, Mrs Blanford, Bradford, Buchanan, Clarkson (ex officio), Clokie, Dehnel, Farrell, Galpin, Heyes, Krause, Murphy, Ovenden.

In accordance with Procedure Rule 1.2 (iii), Cllr. Barrett attended as Substitute Member for Cllr Waters.

Apologies:

Cllrs. Hicks, Waters.

Also Present:

Cllr. Knowles.

Joint Development Control Manager; Head of Development, Strategic Sites and Design; Chilmington and Design Team Leader; Director of Place and Space; Senior Solicitor - Strategic Development; Head of Planning Policy; Senior Development Control Engineer (Kent Highway Services); Principal Solicitor (Strategic Development); Member Services and Ombudsman Complaints Officer.

112 Declarations of Interest

Councillor	Interest	Minute No.
Bennett	Made a Voluntary Announcement that he was a Member of the Weald of Kent Protection Society.	114 – 16/01090/AS 16/00751/AS
Mrs Blanford	Made a Voluntary Announcement that she was a Member of the Weald of Kent Protection Society and the Campaign to Protect Rural England	114 – 16/01090/AS 16/00751/AS 17/00303/AS
Burgess	Made a Voluntary Announcement that he was a Member of the Weald of Kent Protection Society.	114 – 16/01090/AS 16/00751/AS
Clarkson	Made a Voluntary Announcement that he was a Member of the Weald of Kent Protection Society.	114 – 16/01090/AS 16/00751/AS

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Clokie	Made a Voluntary Announcement that he was a Member of the Weald of Kent Protection Society.	114 – 16/01090/AS 16/00751/AS
Farrell	Made a Voluntary Announcement that he was a Member of Kent County Council.	
Link	Declared an Other Significant Interest as he knew the applicant well. He would speak on the application as Ward member and then retire from the Chamber for the debate and vote, which he did accordingly.	114 – 16/00751/AS

113 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 21st June 2017 be approved and confirmed as a correct record, subject to noting that Councillor Murphy was not present.

114 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	17/00303/AS
Location	Land south of railway line and west of, Pluckley Road, Charing, Kent.
Grid Reference	94715/48968
Parish Council	Charing
Ward	Charing
Application Description	Outline planning application for up to 245 dwellings (including 35% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area (LEAP and MUGA), balancing ponds, vehicular access point from Pluckley Road and associated ancillary works. All matters reserved with the exception of the means of access onto Pluckley Road.
Applicant	Gladman Developments Ltd (c/o agent)
Agent	Mr. K Gregson, Carter Jonas, One Chapel Place, London , W1G 0BG
Site Area	12.9 hectares

(a) 75/121R	(b) Charing PC - R Little Chart PC (adj.) - R Pluckley PC(adj.) - R	(c) KHS - R, PO (Drainage) - R , KCC Drainage - X , HE - X , NR - X, KCC Arch - X, SW - X , EA - X, KCC PROW - X, RAM - X , KWT - R , NE - X, OSSS - X , Housing - R , EHM - X, EH refuse - X, Kent Police - X , KCC education/community - X, PCT - X, Kent AONB - X, North Downs Trail - X, CPRE – R.
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The Head of Development, Strategic Sites and Design drew Members' attention to the Update Report and the seven new updates contained therein.

In accordance with Procedure Rule 9.3, Ms Simmons, a local resident, spoke in objection to the application. She lived in a Grade 2 listed cottage on the edge of the application site and she described the historical setting of the Broadway area. She said the local road she lived on was very different today. Parking was limited, and it was necessary for people crossing the railway bridge to step into the road, as the

pavement was not wide enough for passing, or for wheelchair access. Ms Simmons drove to the village shop, as crossing the local roads was unpleasant. However, it was already difficult to park in the village, and there was no room to park for another 245 cars from the proposed development. Sightlines were also poor, and cars and emergency services often sped down the road. The large agricultural vehicles and trailers rattled loudly, but Ms Simmons would prefer this to any attempts at traffic calming, with the associated grinding of lorry gears and additional rattling over speed bumps. The engine fumes and car radio noise came indoors, even with the windows shut. Big vehicles and school buses took up the whole road at the bend by the parish hall because the carriageway was so narrow. Vibration from heavy vehicles shook Ms Simmons' house, and set off her car alarm. The vibration also affected the road, as the Victorian water main fractured frequently. The clay from the meadows would impact adversely on the road condition. The meadows currently gathered water to support Charing's ever diminishing water supply and Ms Simmons asked Members not to allow this situation to be interfered with.

In accordance with Procedure Rule 9.3, Ms Leyland, on behalf of Charing Parish Council, spoke in objection to the application. She said this development would be a disaster for Charing. She commended the Officer's report and conclusion that this application should be refused. The Parish Council fully accepted that Charing must play its part in solving the current housing crisis, but with all the development plans already in the pipeline, the village was destined to grow by 30% which would challenge the infrastructure and facilities. This proposal would lead to expansion of the village by over 50% which was untenable. This was the wrong site for development, and could be seen from the AONB. It was not within walking distance of the village centre, bus stops or the primary school. Pedestrians would have to walk along pavements on a very busy route which were too narrow to walk easily with small children. Pavement mounting by HGVs at narrow pinch-points was well documented. Pedestrians would have to cross a road with limited sightlines in order to get to the village centre and this was one reason why most people would be likely to drive to the village. The proposed access was by a bend, so sightlines were further limited. Even the applicant agreed that traffic speeds regularly exceeded 30mph on this stretch. Pluckley Road was a main route taken by HGVs and emergency services, and the proposal suggested various measures to calm traffic, which was an idea that KCC Highways were unlikely to approve. Traffic already backed up from the junction of the A20 with Station Road. With the addition of this development and the existing and planned growth along the A20, the junction could not cope. The objection from KCC Highways expanded on the envisaged problems. The Planning Officer, KCC Highways, the Parishes of Little Chart, Smarden and Pluckley, the CPRE, WKPS and AONB Unit all recommended refusal. Ms Leyland urged the Committee to reject this application.

Resolved:

Refuse

on the following grounds:

1. The proposal would be contrary to Policies CS1, CS6, CS9, CS15 and CS18 of the Local Development Framework Core Strategy 2008, Policies TRS1, TRS2, TRS17 and TRS18 of the Tenterden and Rural Sites DPD 2010 and Policies

GP12, EN9, EN10 and EN27 of the Ashford Borough Local Plan 2000, and emerging Policies SP1, SP2, SP6, HOU4, HOU5, ENV3, ENV5 and ENV13 of the Ashford Borough Local Plan 2030, and the National Planning Policy Framework, and would therefore represent development contrary to interests of acknowledged planning importance and a form of unsustainable development, and this is not considered to be outweighed by the benefits of the development cited by the applicant, for the following reasons:

- (a) the scale and location of development proposed would have a significant adverse urbanising impact, out of character with the established edge of settlement character and would be unacceptably harmful to the visual amenity of the area.
- (b) the resulting development would harm a valued landscape which forms part of the Charing Farmlands Landscape Character Area. Impacting upon its acknowledged rural character that forms an important component of the setting of, and entrance to Charing.
- (c) given the topography and levels of this part of the Charing Farmlands Landscape Character Area relative to other parts of the existing settlement including the A20 movement corridor running through the village of Charing, the scale and location of the development proposed would have an adverse impact on the landscape views currently available to the site from the nearby AONB, the North Downs Way and the PROW, to the detriment of the landscape and how the settlement of Charing is read within that landscape.
- (d) the development would not protect landscape character, visual amenity or scenic value and would result in a significant and unacceptable extension to Charing.
- (e) the development by virtue of its scale and location would fail to preserve or enhance the setting of the adjacent listed building (Broadway Cottages) and would harm its significance.
- (f) the development would be unsustainable in transport terms and harmful to pedestrian and highway safety due to
 - i. The proposed development is unable to provide safe passage for pedestrians between the development site, Charing Village centre and bus stops, therefore the proposal would be detrimental to the safety of pedestrians.
 - ii. Traffic from the development would worsen existing queuing on the Station Road arm of the A20 / Station Road / High Street junction. This in turn would exacerbate existing problems with a pinch point on Station Road and queuing traffic which leads to the

footway being overrun by large vehicles. This would be to the detriment of highway and pedestrian safety.

- iii. The development site is located more than 400m from a bus stop served by a regular bus service which added to the poor pedestrian links would be a barrier to the use of sustainable transport to and from the development.
- (g) the necessary planning obligation has not been entered into in respect of the list below so that the proposed development is unacceptable by virtue of failing to mitigate its impact and failing to meet demand for services and facilities that would be generated and the reasonable costs of monitoring the performance of the necessary obligations:
 - (i) affordable housing
 - (ii) Charing primary school expansion
 - (iii) secondary schools
 - (iv) libraries
 - (v) sports – outdoor pitches
 - (vi) informal / natural project
 - (vii) children’s and young people’s play project
 - (viii) allotments provision
 - (ix) strategic parks project
 - (x) cemeteries project
 - (xi) healthcare improvements at Charing doctors’ surgery
 - (xii) Charing station improvements
 - (xiii) Improvement to Public Rights of Way AW35
 - (xiv) monitoring fee.

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.

In accordance with Procedure Rule 15.4, the following Members requested that their vote to refuse this application be recorded: Cllrs. Barrett, Bennett, Mrs Blanford, Bradford, Buchanan, Clokie, Dehnel, Farrell, Galpin, Heyes, Krause, Link, Murphy, Ovenden.

Application Number	16/01090/AS
Location	Land West of Shrubcote and South West of, Appledore Road, Tenterden Kent
Grid Reference	89099 /33526
Parish Council	Tenterden
Ward	Tenterden South
Application Description	Erection of four detached dwellings, with associated landscaping, provision of new accesses onto Shrubcote Road and Appledore Road with private parking, and provision of a sustainable drainage system, and other ancillary works.
Applicant	Mr R Jarvis
Agent	West Waddy ADP, The Malthouse, 60 East St Helen Street, Abingdon, OX14 5EB
Site Area	1.31 hectares

1st Consultation

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| (a) 24/42R & petition with 199 signatories R | (b) Town Council R | (c) KH&T X, KCCD X, EA -, EHM X, PO X, KCC (Bio) X, SW X, KWT R, KRAG R, WKPS R |
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2nd Consultation

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| (a) 42/25R & a petition with 259 signatories R | (b) Town Council R | (c) KH&T X, KCCD X, EA -, EHM -, PO X, KCC (Bio) X, SW X, HE +, KWT -, KRAG -, WKPS X |
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The Joint Development Control Manager drew Members' attention to the Update Report. One additional letter of objection had been received.

In accordance with Procedure Rule 9.3, Mr Beaven, a local resident, spoke in objection to the application. The most important objection, which appeared to have been discounted, was that the development should not go ahead because it was within the Tenterden Town Conservation Area. It would lead to the loss of 180 trees, with associated hedgerows and wildlife destroyed. The area also flooded. The application breached two planning policies and the European Convention on Human Rights. Conservation areas were defined as areas of special architectural or historical interest, although they did not necessarily contain listed buildings. It was often the sense of place created by different components, which combined to provide special character. Open spaces, trees and views would be destroyed by this application, with an adverse impact on local wildlife, which would suffer and decline as a result. The drainage challenges of the area were far more complex than could be solved by drawing a culvert around the development. The area flooded at least twice yearly. Tenterden's housing needs were being met elsewhere. The proposals defied planning policies EN12 and TSR1 relating to the retention of private open spaces. The Council had a responsibility under the Human Rights Act, which stated that a person had the right to peaceful enjoyment of their possessions, including their home and land. The protection of the countryside fell under the provisions of Article 8 of the Act. Over 250 people signed a petition objecting to this application. Mr Beaven summed up his objections and asked the Committee to consider rejecting this application on any of these points.

In accordance with Procedure Rule 9.3, Mr Jarvis, the applicant, spoke in support of the application. He said Jarvis Homes was a Tenterden-based family building practice which had been building in the town for over 350 years. Planning Officers had prepared a comprehensive report which set out the consultation responses and assessed the policies against which the application should be considered. The

applicant had worked hard with the Planning Officers and Tree Officer, and he thanked them for their valuable input. The result was the creation of an exemplary scheme. The applicant understood that the area was sensitive. He had listened to the local comments, and had tried to mitigate concerns as far as possible. The scheme had reduced from six to four units, and the houses had been set back and spaced out. A very comprehensive tree survey was carried out and the scheme was specifically designed to retain all the better-quality trees. All of the smaller specimen trees had been retained, except for six, which would be replaced by 8 new specimen trees in positions where they would better thrive. The current layout of trees was not sustainable as they were competing with each other and significant clearance was required as part of normal forestry management. These measures would help return the site to its original parkland setting. It was not open countryside. The houses would be built with premium-quality materials. A comprehensive list of materials was to be agreed as a planning condition. There were no outstanding ecological issues, nor any objection from either Kent Ecology or the Kent Reptile and Amphibian Group. There were no technical objections from Kent Highways, Southern Water, KCC Flood Risk or Environment Agency. There were also no objections from Kent Heritage, WKPS or CPRE. This scheme made a small, but important, contribution to the 5-year housing land supply. The applicant employed Tenterden and Ashford residents and contractors and this scheme would deliver local economic benefits to the Borough. It was also NPPF compliant. Mr Jarvis asked the Committee to grant permission.

In accordance with Procedure Rule 9.3, Mr Nelson, on behalf of Tenterden Town Council, spoke in objection to the application. The Town Council had four main objections or principles which could not be mitigated by conditions or re-designs:

1. The development would cut into the conservation area.
2. It would result in the loss of private open space, contrary to policies EN12 and TRS1, in a prominent location.
3. It would have adverse effects on the local ecology and biodiversity.
4. It would create a bridgehead for further adverse development in the Conservation Area.

An extra access was shown on the plans, and any such further development would impact even more adversely on the points mentioned above.

The Ward Member attended and spoke in objection to the application.

Resolved

Refuse

On the following grounds:-

1. The proposed development would be contrary to policies GP10, EN12, EN16 & EN32 of the Ashford Borough Local Plan 2000, CS1 of the Local Development Framework Core Strategy 2008, TRS2 of the Tenterden & Rural Sites DPD 2010, SP1 & ENV14 of the emerging Ashford Local Plan to 2030 and to Central Government Guidance contained in the National Planning Policy Framework and would therefore be contrary to interests of acknowledged planning importance for the following reasons:

- (i) The proposal to erect 4 detached dwellings on this site would urbanise and erode an important undeveloped area of private open space which frames the entrance into the conservation area. This combined with the associated tree loss and the punctuation of the well-established hedgerow to provide vehicular access from Appledore Road and Shrubcote would result in a visually intrusive form of development which would appear incongruous in its context, in a manner that would cause demonstrable and substantial harm to the character and appearance of the Tenterden Conservation Area and the visual amenity of the area generally. The benefits associated with the development in terms of contributing towards the supply of housing would not outweigh this harm.

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 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.

Application Number	16/00751/AS
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Location	Breton Court, Grange Road, Tenterden, Kent TN30 6EE
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Grid Reference	88242 / 35186
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Parish Council	Tenterden Town Council
Ward	St Michaels
Application Description	Demolition of the west wing involving the loss of 3 bedrooms and the erection of a detached building and associated works to accommodate 24 bedrooms for use in conjunction with the existing care home.
Applicant	A Better Carehome Ltd, Breton Court, Grange Road, Tenterden, Kent TN30 6EE
Agent	Mark Horner Architecture, 23 Wealden Ave, Tenterden TN30 6NN
Site Area	0.37 hectares

(a) 21/18R 1S	(b) Tenterden TC - S	(c) KHS X, KCCD X, KSS S, PROW X, HM X, KCC (BIO) X, SS X, PO (Drainage) X, EH (EP) X, AONB X, TDRA R, WKPS S, RAM X
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In accordance with Procedure Rule 9.3, Ms Whitehead, an agent for objectors, spoke in objection to the application. She drew Members' attention to the slides which had been circulated in hard copy to Committee Members prior to the meeting, and which were displayed on the overhead projector as she spoke. She represented the three immediate neighbouring-property owners. 15 other residents also objected. Her clients had no wish to see the business fail or jobs or rooms be lost in this action, but wished their views to carry equal weight to those of the applicant, given the significant impact this extensive scheme on this small plot would have on her clients. Ms Whitehead ran through the photographs provided for Members. These included: the condition of the rural lanes serving Breton Court before normal daily activity began; cars parked within Breton Court; issues at a later time of day; approaches to the care home, including parked cars along the entire route, leaving a single track width for passing vehicles; Breton Court comfortably fitting within the site and surrounded by significant foliage; the boundary with Willowtree Barn to be opened up along the full length to allow construction work; the shared curtilage boundary with listed building Breton House; and the bungalows opposite the site. The early morning photographs depicted a low-impact facility that the highway and neighbours were currently coping with. The Officers' report, on page 3.4, figure 3, depicted the front elevation from the road, which would be 3m higher at the back. It would dominate the street scene, including the bungalows opposite, Willowtree Barn and Grange Court Place. It would impact on the existing care rooms, generating a level of activity, resulting in actual landscape harm, disturbance noise and light pollution. Car numbers would increase with hardly any increase to parking provision. Cars would be parked on the road. The Officer's report recommended refusal on two key grounds. The veteran oak would be a sacrificial lamb if the development proposal was implemented. Its root health would suffer and the tree's presence would be overwhelming to residents of the new building.

The concerns and comments raised by local residents were disregarded and remained ignored. The two-storey extension would be dominant and overbearing, impacting on amenity, outlook, traffic, landscape and surface water drainage. The need for the extension remained doubtful, when it was not designed for dementia care, where apparent future demand lay. The supporting figures were unclear. It was also understood that Breton Court was operating below capacity, which hardly endorsed the need for more bed spaces. Ms Whitehead urged Members to support the Officer's recommendation.

In accordance with Procedure Rule 9.3, Ms Castle, the agent, spoke in support of the application. She reiterated that the application was to improve the quality of care for elderly in the local area. Breton Court already provided an exemplary level of care, but the facilities were dated and they were hampered by an ageing building. The application was also to increase the capacity of care, meaning that a greater number of patients with frailty and dementia care needs could be catered for. It was predicted that in seven years' time there would be a shortage of elderly care beds within a three mile radius of Tenterden. There were currently only four care homes in the area, including Breton Court. There would be a pressing need for more care facilities in the coming years. The applicants had worked very hard on this application to create a scheme which would give the additional capacity and facilities required, whilst trying to address the concerns of their neighbours. A number of revisions had been made to reduce the scale of the building. The roof space was used to provide first floor accommodation, which reduced the overall height. Care had also been taken to avoid an overly bulky form by employing a stepped layout. The siting had been carefully considered to ensure the new building did not encroach substantially further than the property at Willowtree Barn to the west. This was designed to ensure that the new building did not create an overbearing impact and that the views from the adjacent properties were not unacceptably obscured by the bulk of the building. The nearby buildings were used as markers for the layout, and the scheme avoided extending any further into the AONB than these existing properties. Concerns had been raised about the proximity to a protected tree. Ms Castle assured the Committee that this issue had been considered fully in the design. There were no windows in the elevation facing the tree, so there would be no requirement to prune or remove branches. Parking, access, drainage and the ecological impacts of the scheme had all been considered by the Council's specialist advisers and had been found to be acceptable. The application met the key aspirations of development plan policy, and Ms Castle asked that the application be approved.

Resolved

Permit for the following reasons:

1. The proposed development would help to meet the accommodation needs of an aging population in the Borough.
2. The proposed development would not adversely impact upon the visual amenity of the area / AONB.
3. The proposed development would not adversely impact upon retained trees.

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

Reason: In the interests of visual amenity.

4. Construction of the development shall not commence until details of the proposed means of foul water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water” and such approved works shall be carried out before occupation and appropriately retained and maintained in perpetuity.

Reason: To avoid pollution of the surrounding area.

5. Prior to the commencement of the development details of drainage works, designed in accordance with the principles of sustainable urban drainage, shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out and maintained in accordance with these details.

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

6. Prior to the commencement of the development hereby approved, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. The approved details will be implemented as approved, and thereafter retained.

Reason: To enhance biodiversity

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7. 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) 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 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.

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

Reason: To protect the amenity of local residents.

9. The vehicle parking spaces/garages and turning shall be provided in accordance with details approved on drawing number HP-1156 211n before the development 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 and turning facilities.

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

10. No development shall take place until details of bicycle storage facilities showing a covered and secure space have been submitted to and 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.

11. The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:
 - (a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012, (Trees in relation to design, demolition and construction - recommendations) and in accordance with the approved Tree Protection Plan and any approved Arboricultural Method Statement, to the satisfaction of the Local Planning Authority. Such tree protection measures shall remain throughout the period of construction
 - (b) No fires shall be lit within the spread of branches or upwind of the trees and other vegetation;
 - (c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;
 - (d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation;
 - (e) Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.
 - (f) No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

12. 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.

13. 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 extension hereby approved shall only be occupied as a care home in connection with the existing facility at Breton Court as described by Use Class C2 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.

14. The extension shall not be occupied until the visibility splays identified on drawing number HP-1156 211n have been provided at the accesses. The areas within the visibility splays 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.

15. Before any works above foundation level are carried out the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Details and sections through eaves, ridge / flat roof crown and dormer windows
- b) Details of all windows including recess depth of glazing
- c) Details of the proposed solar panels and green roof

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

Reason: In the interests of visual amenity

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

Reason: In the interests of amenity of adjoining residents.

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

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

18. Details of the boundary features of the proposed development, whether these are hedgerows or fences shall be submitted to and approved in writing by the Local Planning Authority prior to being provided. Such boundary treatment shall show how it shall be managed and/or constructed in such a way to allow movement of badger and other mammals through the landscape.

Reason: In the interest of bio diversity.

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 on an alternative scheme,
- The applicant provided amended and additional plans in response to feedback and additional tree and construction details
- 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	17/00548/AS		
Location	Eastwell Manor Hotel, Ashford, TN25 6HR		
Grid Reference	01670/47527		
Parish Council	Boughton Aluph & Eastwell		
Ward	Boughton Aluph & Eastwell		
Application Description	Removal of Mansion Cottage and the erection of a 28 bedroom annexe to provide additional hotel bedroom accommodation. Associated provision of additional parking and changes to the parking layout, along with landscaping, a fountain and installation of estate fencing along the driveway.		
Applicant	Champneys Eastwell Ltd, Eastwell Manor Hotel, Faversham Road, Boughton Aluph		
Agent	Lee Evans Planning, St John’s Lane, Canterbury		
Site Area	1.73ha		
(a) 26/0	(b) S	(c)	KH&T X, EHM (EP) X, PO (Drainage) X, KCC (Heritage) X, KCC (Bio) X, AONB X

The Chilmington and Design Team Leader drew Members' attention to the Update Report. There were updated comments from KCC Ecological Advice Service and Kent Highways, an amendment to Table 1, clarification on two issues, and an amended recommendation. Finally, there was an informative to be added.

In accordance with Procedure Rule 9.3, Ms McNab, the agent, spoke in support of the application. The applicant was investing significantly in the revitalization of Eastwell Manor to transform it into the premier 5-star hotel in Kent. To achieve this, they would be investing six to eight million pounds to provide additional rooms and associated improvements to facilities and parking. They would also be investing in local people, with training opportunities and an anticipated increase in staff from 140 to 250. This fresh investment into the area would also create opportunities for local suppliers and for the construction industry. The site for the annex was chosen because it was well-screened, located within the built form, close to the main hotel and facilities, and on a brownfield site. The initial proposal was for a modern building with clean lines, that sat distinct from the adjacent heritage asset. However, the design evolved following

Members' briefing and pre-application advice from Officers, which resulted in a softer, more traditional approach. The western elevation tied in with the agricultural design of the mews and the eastern elevation highlighted the complexity of the built form of the Manor house and walled gardens. The annex had been sympathetically located and designed, and car parks would be relocated from the front of the hotel. There would also be improvements to the parkland, with tree and hedge planting. Ecological surveys had been undertaken and the applicant agreed to the mitigation measures required. The building was designed to achieve a BREEAM 'good' rating, as well as 10% carbon savings. Signage and lighting schemes were under review across the site, in response to comments by the Parish Council. The proposal would enhance this important and prestigious local tourism business, whilst increasing employment opportunities. The proposal accorded with the development plan policies and would bring economic and social benefits into the area, and all appropriate measures had and would be undertaken to avoid adverse environmental impacts. Ms McNab requested that the application be approved.

Resolved

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

- a. Policy CS10 BREEAM contribution (with a cap of £40, 000)**
- b. Monitoring fee**

as detailed in table 1, in terms agreeable with the Head of Development Strategic Sites and Design or the Development Control Managers in consultation with the Director of Law and Governance, with delegated authority to either the Head of Development Strategic Sites and Design or the Development Control Manager 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.	Carbon Off-Setting Contribution Contribution for funding carbon savings (excluding infrastructure) based on the residual carbon emissions of the development set out in the approved	To be calculated using the shadow price of carbon set out in the Sustainable Design and Construction SPD with a cap of £40,000	Payable on the occupation of the building

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
	energy performance certificate and quantified over 10 years		
2.	Monitoring Fee Contribution towards the Council's cost of monitoring compliance with the agreement or undertaking	£250	Payment upon commencement of development
<p>Regulation 123(3) compliance: Fewer than five planning obligations which provide for the funding or provision of the projects above or the type of infrastructure above have been entered into.</p> <p>Notices must be given to the Council at various stages in order to aid monitoring. All contributions are index linked in order to maintain their value. The Council's legal costs in connection with the deed must be paid.</p> <p>If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.</p>			

(B) Permit

Subject to the following conditions and notes:

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

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

2. Prior to the commencement of the construction of the hotel annexe hereby approved, written details including source/ manufacturer, and samples of bricks, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity.

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

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

4. The Landscaping Strategy and planting plans shown on drawings 2471/17/B/3, 2471/17/B/4 and 2471/17/B/5 submitted with the application shall be carried out in accordance with the Strategy with the exception of the planting timetable which shall be submitted for approval within 6 months of commencement of development.

Reason: In order to protect and enhance the amenity of the area and to ensure that the approved planting scheme is implemented as soon as possible after development commences.

5. In this condition a “retained tree or shrub” is an existing tree or shrub which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the (occupation of the building/commencement of use of the approved development) for its permitted use.

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

- b. If any retained tree or shrub is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the LPA.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

6. The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:
 - (a) All trees to be preserved shall be protected during any operation on site by temporary fencing in accordance with the approved Tree Protection Plan and any approved Arboricultural Method Statement to the satisfaction of the Local Planning Authority. Such tree protection measures shall remain throughout the period of construction
 - (b) No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;
 - (c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;
 - (d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation;
 - (e) Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

7. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site. Any parts of hedges or hedgerows removed without the Local Planning Authority's prior written 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 in writing with the Local Planning Authority.

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

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

Reason: In the interests of good forestry and amenity.

9. No development shall commence until plans and particulars of a sustainable drainage system for the disposal of the site's surface water by the Local Planning Authority based on the principles outlined within the Flood Risk Assessment and Drainage Strategy Report by Considine (Dated 6th June 2017).

The final drainage plan and strategy for the scheme will be approved by Ashford Borough Council to ensure that surface water runoff from the site is being dealt with appropriately. The final surface water design should be in accordance 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.

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. Evidence should be provided demonstrating that the surface water system is capable of accommodation rainfall up to the critical climate change adjusted 1:100 scenario (40% CC allowance).

Surface water runoff generated by the site should be dealt with within the application boundary via suitable methods approved by Ashford Borough Council.

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).

Where infiltration methods are to be proposed, test results should be provided and undertaken in accordance with requirements from BRE Digest 365, with test locations identified.

No drainage systems for the infiltration of surface water drainage into the ground should occur without the express written consent of Ashford Borough Council.

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.

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.

10. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that historic building features are properly examined and recorded.

11. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic landscape assessment in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with NPPF

12. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

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

13. The mitigation methods as outlined in the Bat Mitigation Strategy Report; Native Ecology; July 2017 submitted with the application shall be strictly adhered to unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the existing population of bats and to improve the habitat for bats on the site.

14. The area shown on drawing number 08327-A-L-(00)-X-0245 P1 as vehicle parking, loading, off-loading and turning space, shall be paved and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied and shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by Town and Country Planning (General Permitted Development) Order 1995 and Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (or any Order revoking and re-enacting those Orders), shall be carried out on that area of land or in such a position as to preclude its use.

Reason: Development without provision of adequate accommodation for the parking, loading, off-loading and turning of vehicles is likely to lead to such activities inconvenient to other road users

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

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

16. No work shall be carried out on site for the development hereby approved until a detailed management plan for reducing construction waste during the building process in the form of site management, waste management and project design and planning has been submitted to and approved in writing by the Local Planning

Authority. The approved waste management plan shall be implemented throughout the period of work on site.

Reason: In the interests of minimising, reusing and recycling waste during demolition and construction having regard to Policy EN1 of the Local Plan.

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

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

18. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Document 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.

19. Prior to the occupation of the development hereby approved, an ecological enhancement plan detailing what enhancements will be incorporated into the site will be approved in writing by the Local Planning Authority. The approved scheme shall take account any protected species that have been identified on the site, and in addition shall have regard to the enhancement of biodiversity generally. It shall be implemented in accordance with the approved proposals within it and shall be carried out in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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

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

The code shall include,

An indicative programme for carrying out the works

Measures to minimise the production of dust on the site(s)

Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s)

Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site(s)

Design and provision of site hoardings

Management of traffic visiting the site(s) including temporary parking or holding areas

Provision of off road parking for all site operatives

Measures to prevent the transfer of mud and extraneous material onto the public highway

Measures to manage the production of waste and to maximise the re-use of materials

Measures to minimise the potential for pollution of groundwater and surface water

The location and design of site office(s) and storage compounds

The location of temporary vehicle access points to the site(s) during the construction works

The arrangements for public consultation and liaison during the construction works

Precautionary mitigation measures during construction works in respect of badgers and hedgehogs, shall be carried out in accordance with the Preliminary Ecological Appraisal dated March 2017, submitted with the application.

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

Notes to Applicant

1. This development is also the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990 which affects the way in which the property may be used.

2. Working with the Applicant

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

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

In this instance:

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- 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.

3. 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 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.

Application Number	17/00549/AS
Location	Eastwell Manor Hotel, Ashford, TN25 6HR
Grid Reference	01670/47527
Parish Council	Boughton Aluph & Eastwell
Ward	Boughton Aluph & Eastwell
Application Description	Listed Building Consent for the removal of Mansion Cottage
Applicant	Champneys Eastwell Ltd, Eastwell Manor Hotel, Faversham Road, Boughton Aluph
Agent	Lee Evans Planning, St John's Lane, Canterbury
Site Area	1.73ha

(a) 26/-	(b) S	(c) KCC (Heritage) X, HE +, GS +, VS +
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The Chilmington and Design Team Leader drew Members' attention to the Update Report and one point of clarification.

In accordance with Procedure Rule 9.3, Ms McNab, the agent, spoke in support of the application. She said the site lay within the curtilage of the Grade 2 listed building, namely Eastwell Manor. The application involved the removal of Mansion Cottage, which was a building of little heritage value due to previous internal alterations. The history of design on Eastwell Manor previously was of utilizing modern styles and techniques. The Manor house itself had been rebuilt and extended several times. The annex would adopt the proportions of Mansion Cottage, and suitable materials would be reused. The proposal was of high quality, contemporary design, to replace a building of poor quality. The replacement building would sit unobtrusively in its setting, without any adverse effects on the setting of the listed building. The annex would be well placed, within a dip, and screened by current and proposed planting. Modern and sympathetic materials would be used, along with modern design and techniques.

Resolved

Grant Consent

Subject to the following conditions and note:

1. The development to which this consent relates shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that historic building features are properly examined and recorded.

Note to Applicant

1. Working with the Applicant

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

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

In this instance:

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

Application Number	16/01512/AS		
Location	Land between Hinxhill Road and Hythe Road, Willesborough, Kent		
Grid Reference	04251/41740		
Parish Council	None		
Ward	North Willesborough (Ashford)		
Application Description	Outline planning application with all matters reserved, except 'access' for a new link road to the rear of the William Harvey Hospital from the A20 and up to 207 dwellings together with associated open space, play equipment, landscaping, drainage, infrastructure and earthworks		
Applicant	Bellway Homes, Thames Gateway, The Observatory, 1st Floor, Osprey House, Crayfields Business Park Orpington, Kent BR5 3QJ		
Agent	Barton Willmore, The Observatory, Osprey House, Southfleet Road, Ebsfleet, Dartford, Kent DA10 0DF		
Site Area	9.78 Hectare		
(a) 206/1R	(b) -	(c)	KHS X, PO (drainage) R KCC X, HM X, KC DCU X, PCT X. SSOT R

The Head of Development, Strategic Sites and Design drew Members' attention to the Update Report which contained an additional comment from a neighbours' agent and the Planning Officers' response.

Resolved

- (A)** Subject to the applicant entering into a Section 106 agreement/undertaking in respect of planning obligations as detailed in Table 1, in terms agreeable to the Head of Development Strategic Sites and Design in consultation with the Director of law and Governance, with delegated authority to the Head of Development, Strategic Sites and Design to make or approve changes to the planning obligations and planning conditions (for the avoidance of doubt

including adding additional planning conditions or deleting conditions), as she sees fit .

Table 1

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
1.	Adult Social Care Contribution towards the Age UK community resource day centre for the disabled at Farrow Court, Ashford	£47.06 per dwelling	Upon occupation of 75% of the dwellings
2.	Provide not less than 20% of the units as affordable housing, comprising 60% shared ownership and 40% affordable rented units. The affordable housing shall be managed by a registered provider of social housing approved by the Council. Shared ownership units be leased in the terms specified. Affordable rent units to be let at no more than 80% market rent and in accordance with the registered provider's nominations agreement	For a 20% on 192 unit scheme(= 39 units rounded up) we would expect there to be 60% shared ownership and 40% affordable rented units, property types should be as follows 25-30% 1 bed , 35- 40% 2 bed , 25-30% 3 bed 5-10% 4 bed	Affordable units to be constructed and transferred to a registered provider upon occupation of 75% of the open market dwellings
3.	Allotments Up to £30,000.00 towards infrastructure improvements at Gas House Field Allotments and up to £19,536.00 towards infrastructure improvements at Henwood Allotments	£258 per dwelling for capital costs £66 per dwelling for future maintenance	Upon occupation of 75% of the dwellings

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
	(based on 192 dwellings) for infrastructure improvements at both sites including improving fencing and gates improving water and electricity supplies to each site and the provision of outdoor furniture at both sites. Up to £12,672.00 (based on 192 dwellings) for maintenance of improvements at either site.		
4.	<p>Cemeteries</p> <p>Contribution of up to £54,528.00 (based on 192 dwellings) to support the development of a new cemetery within the borough. With a commuted sum of up to £33,792.00 (based on 192 dwellings)</p>	<p>£284 per dwelling for capital cost</p> <p>£176 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings
5.	<p>Community Learning</p> <p>Contribution towards additional equipment, namely IT dongles, mobile projector and tablets at Ashford Adult Education Centre, Ashford Gateway, Ashford</p>	£34.45 per dwelling	Upon occupation of 75% of the dwellings
6.	Controlled parking zone	£20,000	On first occupation of the development

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
	Contribution towards the making and implementation of a traffic regulation order for the site		
7.	Libraries contribution towards the reconfiguration of part of the Ashford Gateway to increase Library capacity	£208.93 per dwelling	Upon occupation of 75% of the dwellings
8.	Outdoor Sports Pitches Contribution towards a new outdoors activity zone and associated outdoor furniture at the Julie Rose Stadium Ashford and maintenance thereof	£1,589 per dwelling for capital costs £326 per dwelling for future maintenance	Upon occupation of 75% of the dwellings
9.	Primary Schools Contribution towards the provision/construction of the new primary school at North Willesborough/Kennington Ashford	£ 1,134 per flat £ 4,535 per house £0 for any 1-bed dwelling with less than 56 m2 gross	Upon occupation of 75% of the dwellings
10.	Secondary Schools Contribution towards the Phase 1 Norton Knatchbull School expansion	£589.95 per flat £2,359.80 per house £0 for any 1-bed dwelling with less than 56 m2 gross internal area	Upon occupation of 75% of the dwellings
11.	Junction 10A Contribution towards construction of junction 10A of the M20 To be paid through an	£669, 527.04 (for 192 dwellings) £721,833.84	Section 278 agreement to be completed before the grant of planning permission. Payment of the contribution as per the section 278

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
	agreement with Highways England under section 278 of the Highways Act 1980 Based on a total of 207 units, a contribution of 2.07 development units is required £3487.12 per dwelling	(for 207 dwellings)	agreement
12.	Strategic Parks Contribution towards capital works for outdoor storage solutions for sporting equipment, toilet and wash-down facilities and provision of outdoor furniture such as improved fencing and gates at Conningbrook Lakes Country to enable more use of Conningbrook Lakes.	£146 per dwelling for capital costs. £47 per dwelling for future maintenance	Upon occupation of 75% of the dwellings
13.	Youth Services Contribution towards conversion works of a garage at Ashford North Youth Centre and additional equipment at that location to accommodate additional attendees and increase capacity of facility.	£27.91 per dwelling	Upon occupation of 75% of the dwellings
14.	Monitoring Fee Contribution towards the Council's costs of	£1000 per annum until development is completed	First payment upon commencement of development and on the

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
	monitoring compliance with the agreement or undertaking		anniversary thereof in subsequent years
15.	<p>Children's and Young People's Play Space</p> <p>On basis of 192 dwellings, a minimum of</p> <p>(a) 0.22 hectares including an open area suitable for a 5 aside pitch to be provided on site. (15m x 25m min)</p> <p>(b) 0.93 hectares</p> <p>Equipped Public Open Space and Play Facilities</p> <p>Size of space:</p> <p>(a) children's playing space: 0.6 – 0.8 ha per 1,000 population, and</p> <p>(b) outdoor playing space for youth and adult use: 1.6 – 1.8 ha per 1,000 Population</p> <p>Play facilities to be provided:</p> <p>(i) Sites of 100 – 199 dwellings to provide a 'neighbourhood play</p>	<p>On basis of 192 dwellings, a minimum 1.15 ha of space to be provided on site to meet (a) and (b) .</p> <p>On basis of up to 192 dwellings, provide 'neighbourhood</p>	<p>Scheme to be approved by the Council prior to commencement</p> <p>Scheme to be approved by the Council prior to commencement</p> <p>Scheme to be approved by the Council prior to commencement</p> <p>Scheme to be approved by the Council prior to commencement</p>

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
	<p>area’;</p> <p>Equipped open play space and facilities and children and young persons play space to be used as such and nothing else once provided.</p> <p>Scheme for ongoing management of equipped open play space and facilities and children and young persons play space to include details of management entity. Scheme to include details of constitutional documents of management entity which must ensure owners of dwellings are members of the entity, that they can fully participate in strategic decisions regarding the maintenance of the equipped open play space and facilities and children and young persons play space and that the entity is accountable to the owners for the management thereof. Scheme must also</p>	<p>play area’ on site minimum of 35 x22m.</p> <p>As per saved Local Plan policy LE5</p>	<p>Approved scheme for provision of Children’s and Young People’s Play Space and Equipped Public Open Space and Play Facilities to be fully implemented prior to the first occupation of 50% of the Dwellings. Ongoing planning obligation from provision of facilities.</p> <p>Ongoing obligation</p> <p>Scheme to be submitted to and approved by Council prior to the Commencement of the development. Management entity to be created using constitutional documentation approved by the Council prior to the occupation of the first dwelling.</p> <p>Land on which equipped open play space and facilities and children and young persons</p>

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
	include details of ongoing funding/endowment of management entity to ensure it is financially sustainable and details of any mechanism for securing such ongoing endowment		play space located to transferred to management entity by the occupation of 50% of the Dwellings.

- (B)** Raise no objection to the granting of outline planning permission on appeal subject to the following planning conditions and notes

Time conditions

1. Approval of the details of the, scale, landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

The development hereby permitted shall be begun no later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Materials & Visual amenity

3. Written details including source/ manufacturer, and samples of bricks, tiles and cladding materials to be used externally shall be submitted to and approved in

writing by the Local Planning Authority before the development is commenced and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity.

4. Details of walls and fences to be erected within the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The walls and fences shall then be erected before the adjoining part of the development or dwelling is occupied in accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

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

5. Details of final levels for the development including slab levels of the building shall be submitted to and approved by the Local Planning Authority prior to the commencement of works and the development shall be carried out in accordance with the approved levels.

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

Highways

6. No development shall take place until a Construction Management Plan has been submitted to and approved by the Local Planning Authority in writing. This plan should include:
 - (a) Routing of construction and delivery vehicles to / from the site
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel, with the replacement of staff parking for the duration of construction;
 - (c) Timing of deliveries;
 - (d) Provision of wheel washing facilities;
 - (e) Details of site access point(s) for construction;
 - (f) Temporary traffic management/signage.

The development should be carried out in accordance with the Construction Management Plan.

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

7. No development shall take place until details of measures to prevent the discharge of surface water onto the highway have been submitted to and approved in writing by the Local Planning Authority.

Reason: So the Local Planning Authority can be satisfied as to the details of the proposal

8. The details submitted in pursuance of Condition 1 shall show adequate land, reserved for parking or garaging to meet the needs of the development and in accordance with the Council's adopted Residential Parking and Design guidance SPD or any adopted guidance or policy which may have superseded it. The approved area shall be provided, surfaced and drained in accordance with the approved details before the buildings are occupied and shall be retained for the use of the occupiers of, and visitors to, the premises. Thereafter, no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and reenacting that Order), shall be carried out on the land so shown as to preclude vehicular access to this reserved parking area

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to parking inconvenience to other road users, be detrimental to amenity and in order to compensate for the loss of existing on-road parking.

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. The following works between that dwelling and the adopted highway shall be completed as follows in accordance with the details approved prior to first occupation of the dwelling:

(a) Footways and/or footpaths, 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 structures (if any).

Reason: In the interests of highway safety.

The occupation of the development authorised by this permission shall not begin until:

(a) The Local Planning Authority in consultation with the local highway authority has approved in writing a full scheme of works for the closure of Hinxhill Road to vehicular traffic that will be provided immediately upon the opening of the link road running through the development site.

(b) the approved works have been completed in accordance with the Local Planning Authority's written approval and have been certified in writing as complete on behalf of the Local Planning Authority;

unless alternative arrangements to secure the specified works have been approved in writing by the Local Planning Authority.

Reason: In the interests of Highways Safety and in accordance with policy U14 of adopted urban sites and infrastructure DPD

11. The traffic signalled junction on the A20 (Hythe Road) shall be provided in accordance with plan number L571/204 Revision F prior to the occupation of development on site.

Reason: In the interests of highway safety.

12. The access connection on the eastern boundary to the Highmead site shall be provided in accordance with drawings number L571/211 A and 30583/AC/045D prior to the occupation of development on site.

Reason: In the interests of highway safety and to provide a connection to the Highmead site in accordance with policy U14 of the adopted Urban sites and Infrastructure DPD .

13. The Relocation of the bus stop on Hythe Road as shown in plan number L571/209 shall be carried out prior to the occupation of development on site.

Reason: In the interests of highway safety

Details of the proposed development phasing and corresponding access layouts (including allowance for any construction vehicles) should be submitted to and agreed with the Local Planning Authority prior to commencement of any development on site.

Reason: In the interests of highway safety.

14. The occupation of the development authorised by this permission shall not begin until:

a. The local planning authority has approved in writing a full scheme of works for the Re-location of the existing 40mph speed limit on Hythe Road in an eastern direction approximately 100 metres upstream from the westbound stop and

b. the approved works have been completed in accordance with the Local Planning Authority's written approval and have been certified in writing as complete on behalf of the Local Planning Authority; unless alternative

arrangements to secure the specified works have been approved in writing by the Local Planning Authority.

Reason: In the interests of Highways Safety.

15. Prior to the commencement of development on site a detailed travel plan shall be submitted to the Local Planning Authority. The travel plan shall include details of modal share targets, measures to ensure the modal share targets are met and also sanctions if the travel plan does not meet the modal share targets.

Reason: in order to realise a sustainable pattern of development.

Environmental protection

ABC Environmental Health Manager

16. Prior to the commencement of development, a scheme for protecting the dwellings / development hereby approved from noise from (A20) shall be submitted to and approved in the Local Planning Authority. The approved protection measures shall thereafter be completed before the approved dwellings / development are occupied, and thereafter shall be retained as effective protection.

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

17. No development shall be commenced until:

(a) site investigation has been undertaken to determine the nature and extent of any contamination, and

(b) the results of the investigation, together with an assessment by a suitably qualified or otherwise competent person, and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority.

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

(c) the approved remediation scheme shall be fully implemented (either in relation to the development as a whole or the relevant phase, as appropriate), and

(d) a Certificate shall be provided to the Local Planning Authority by a suitably qualified or otherwise competent person stating that remediation has been completed and the site is suitable for the permitted end use.

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

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

Ecology

18. Details of the measures to enhance biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works and shall be implemented prior to occupation of the development and thereafter maintained.

Reason: In order to enhance biodiversity of the site in accordance with the NPFF and Core Strategy Policy CS11.

19. Prior to the commencement of development, including site clearance, a detailed badger mitigation methodology will be submitted to the Local Planning Authority for approval. This is to include the results of a recent survey, the location of any work exclusion zones around setts / commuting routes and details of the associated landscaping. All works to proceed in accordance with the approved scheme of mitigation.”

Reason: In the interest of protecting badgers in line with the protection of badgers act 1992

20. No development shall take place (including any demolition, ground works, site clearance) until a method statement for mitigating protected species impacts has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the following:
 - Purpose and objectives for the proposed works;
 - Detailed designs and/or working methods necessary to achieve stated objectives, informed by updated ecology surveys where necessary;
 - Extent and location of proposed works shown on appropriate scale maps and plans;
 - Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
 - Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to oversee works.

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

Reason: In the interest of protecting matters of ecological importance

21. No development shall take place until an Ecological Design Strategy (EDS) addressing ecological enhancement of the site has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:
- a) Purpose and conservation objectives for the proposed works.
 - b) Review of site potential and constraints.
 - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
 - d) Extent and location/area of proposed works on appropriate scale maps and plans.
 - e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - g) Persons responsible for implementing the works.
 - h) Details of initial aftercare and long term maintenance.
 - i) Details for monitoring and remedial measures.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interest of protecting matters of ecological importance

Archaeology (KCC)

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

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

Environment Agency

23. A byelaw margin of at least 8m from the banks of the Aylesford Stream (Old Mill Stream), a designated main river, should be maintained to allow access.

Reason: To ensure access to Main River watercourses to carry out inspections and maintenance works.

Landscaping

24. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant].

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

25. The details of soft landscape works required in condition 24 above shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme.

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

26. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority; and any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

27. A landscape management plan, including long term design objectives, 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 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.

Broadband

28. Before development commences details shall be submitted (or as part of reserved matters) for the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (minimal internal speed of 100mb) connections to multi point destinations and all buildings including residential, commercial and community. This shall provide sufficient capacity, including duct sizing to cater for all future phases of the development with sufficient flexibility to meet the needs of existing and future residents. The infrastructure shall be laid out in accordance with the approved details and at the same time as other services during the construction

Reason: in the interests of providing good broadband connections

Crime

29. The development hereby permitted shall incorporate measures to minimise the risk of crime. No development shall take place until details of such measures, according to the principles and physical security requirements of Crime Prevention Through Environmental Design (CPTED) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

Reason: In the interest of Security, Crime Prevention and Community Safety in accord with Policies of Ashford Borough Council Core Strategy Plan 2008

Monitoring

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

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

Development restrictions

31. The details to be submitted pursuant to Condition 1 shall provide for no more than a maximum of 192 dwellings within the application site

Reason: To ensure that the type, mix and associated quantum of residential floorspace is appropriate for the site and is in accordance with good place making principles (including acceptable sustainable drainage, space standards and parking provision) In the interest the visual amenity of the area

32. 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

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

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

Refuse

34. Full details of facilities to accommodate the storage of refuse and material for recycling for each dwelling and its collection by refuse vehicles shall be submitted at the same time as details required to be submitted pursuant to Condition 1 and approved by the Local Planning Authority in writing. The approved details shall be implemented before the occupancy of dwellings to which they relate. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any other Order or any subsequent Order revoking or re-enacting that Order, such approved facilities shall be retained in perpetuity and access thereto shall not be precluded.

Reason: To ensure satisfactory arrangements are put in place and retained in perpetuity for the collection and storage of refuse and recycling.

Sustainable design and construction

35. The development shall be carbon neutral. Each dwelling hereby approved shall be constructed and fitted out so that:

a) the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day as measured in accordance with a methodology approved by the Secretary of State;

b) carbon emissions are reduced by 15% through Low and Zero Carbon Technologies once energy efficiencies have been applied.

Unless otherwise agreed in writing by the Local Planning Authority, no work on each dwelling shall commence until the following details for those dwellings have been submitted to and approved in writing by the Local Planning Authority:

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

b) Details of the LZC technologies to be used to achieve the 15% reduction in carbon emissions

The development shall be carried out in accordance with the approved details. The approved LZC technologies shall thereafter be retained in working order unless otherwise agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, no dwelling shall be occupied until SAP calculations from a competent person have been submitted to and approved in writing by the Local Planning Authority for that dwelling stating (i) the actual amount of carbon emissions from energy demand with the LZC technologies that have been installed and what the emissions would have been without them and (ii) the actual amount of residual carbon emissions. No dwelling shall be occupied unless the notice for that dwelling required by the Building Regulations 2010 (as amended) of the potential consumption of wholesome water per person per day has been given to the Local Planning Authority.

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

Drainage

36. No development shall commence until plans and particulars of a sustainable drainage system for the disposal of the site's surface water by the Local Planning Authority

The final drainage plan and strategy for the scheme will be approved by Ashford Borough Council to ensure that surface water runoff from the site is being dealt with appropriately. The final surface water design should be in accordance with Ashford Borough Council's Sustainable Drainage SPD providing a site runoff rate of no greater than 4l/s/ha.

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.

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. Evidence should be provided demonstrating that the surface water system is capable of accommodation rainfall up to the critical climate change adjusted 1:100 scenario (40% CC allowance). All water is to be retained on site at the given discharge rate of 4l/s/ha without any on-site property flooding and without exacerbating off site flood risk.

Surface water runoff generated by the site should be dealt with within the application boundary via suitable methods approved by Ashford Borough Council, this includes any new outfall structures. Suitable access should be provided to any new structures to allow for any ongoing maintenance of the structure to be completed in a safe manner.

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).

Where infiltration methods are to be proposed, test results should be provided and undertaken in accordance with requirements from BRE Digest 365, with test locations identified.

No drainage systems for the infiltration of surface water drainage into the ground should occur without the express written consent of Ashford Borough Council.

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.

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.

Southern Water

37. Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and a implementation timetable, has been submitted to and approved in writing by, the local planning authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: In the interests of providing proper foul disposal

Note to Applicant

1 Working with the Applicant

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

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

- by adhering to the requirements of the Development Management Customer Charter.

In this instance;

- The applicant was informed of the request for submission of further reserved matters details advised how the proposal did not accord with the development plan, that no material considerations are apparent to outweigh these matters and provided the opportunity to amend the application or provide further justification in support of it.
- The applicant choose did not provide these details and appealed against non-determination
- 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	17/00713/AS
Location	Civic Centre and Stour Centre Car Park, Tannery Lane, Ashford, Kent.
Grid Reference	01448 / 42288
Parish Council	None
Ward	Victoria (Ashford)
Application Description	Construction of a taxi layby within the South Park Car Park, and replacement parking spaces to offset those removed for the new layby
Applicant	Ashford Borough Council Civic Centre Tannery Lane Ashford Kent TN23 1PL
Agent	Ashford Borough Council Civic Centre Tannery Lane Ashford Kent TN23 1PL
Site Area	0.21 hectares

(a) 29/1R&0S (b) - (c) KH&T X;

The Head of Development, Strategic Sites and Design drew Members' attention to the Update Report which contained a number of amendments to the wording of conditions.

The Principal Solicitor (Strategic Development) advised Members who had spoken in favour of the application at a previous meeting not to vote on the application.

Resolved

(A) Permit

Subject to the following conditions and notes:

Implementation Period

1. The development in Stour Centre car park 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.

Phasing

2. Within one month of the first use of the taxi layby, the 15 car parking spaces hereby approved shall be available for use unless otherwise approved in writing by the Local Planning Authority and shall be retained thereafter available for use.

Reason: In the interests of maintaining existing car parking levels in the town centre.

Materials

3. Full details of the permeable and impermeable paving and all kerb materials shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of the start of construction, and shall include all dimensions, materials, colours, specifications and suppliers. The development shall be carried out using the approved materials which shall thereafter be retained.

Reason – In the interest of the visual amenity of the local area.

4. Details relating to the need and alignment of a footpath from the adjoining car park to the south shall be agreed in writing within 12 months of the start of construction. The development shall be carried out in accordance with the approved details which shall thereafter be retained.

Reason – In the interest of the visual amenity of the local area.

5. Full details, of the monitoring cabinet, benches, litter bins, signs bollards, or any other above ground paraphernalia shall be submitted to and agreed in writing with the Local Planning Authority within 3 months of the start of construction, and shall include all dimensions, materials, colours, specifications and

suppliers. The development shall be carried out using the approved details which shall thereafter be retained.

Reason – In the interest of the visual amenity of the local area.

Soft Landscaping

6. Within 6 months of the commencement of development full details of a soft landscape works for the area around the taxi layby and car park extension shall have been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority. The full details of any such soft landscape shall include;
 - a) A planting plan
 - b) Details of species and size of any street trees together with any tree infrastructure including tree pits, sub base foundations; grilles and guards;
 - c) Written specifications (including cultivation and other operations associated with plant and grass establishment)
 - d) Schedules of any plants noting species, plant sizes and proposed numbers/densities where appropriate;
 - e) An implementation and planting programme/timetable
 - f) A landscape management plan

The soft landscaping works shall be implemented in full and thereafter maintained in accordance with the details approved by the Local Planning Authority.

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

Drainage

7. The sustainable drainage system for the disposal of the site's surface water shall be built in strict accordance with the approved details provided in the Drainage Strategy drawing 40838/2001/005 Rev A and as set out in the Surface Water Drainage Design/Strategy & Flood Risk Assessment Report containing the flood risk assessment. The system shall be provided in accordance with the approved timetable. The SUDs system shall thereafter be maintained in accordance with the approved details and shall be retained in working order until such time as the development ceases to be in use.

Reason: To ensure that the sustainable drainage system is constructed 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 and to ensure ongoing efficacy of the drainage provisions and to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

Flood protection

8. The site shall be kept free from future development including any structures or permanent storage which could impede flood flows

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

Permitted Development

9. 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 development falling within Schedule 2, Part 12 Class A, sections A (a) and (b) of this Order shall be carried out without the prior written approval of the local planning authority.

Reason: In order that the Local Planning Authority can control any further development within the floodplain and to safeguard the character and appearance of the Green Corridor.

Construction

10. Prior to the commencement of development, an outline Construction Management Plan and outline Code of Construction Practice shall be submitted to and approved in writing by the Local Planning Authority. The approved plan and practise shall be implemented during the course of construction.

Reason: To ensure provision of adequate arrangements for construction vehicles and in the interests of highway safety and to protect the local amenity.

11. No construction activities shall take place outside the hours of 0730 to 1800 hours Mondays to Fridays excluding bank and public holidays and no construction activities shall take place at all on Saturdays, Sundays and bank and public holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of local residents.

12. Any car park barriers, road signs, utility cabinets, benches or monitoring display equipment, no longer required for the operation of the taxi layby or extended car park area, shall be removed and the ground left in a tidy condition within 3 months of the items no longer being required, unless otherwise agreed in writing by the Local Planning Authority.

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

Compliance with approved plans

13. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents approved by this decision and notwithstanding the provisions of the Town and Country Planning

(General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification).

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

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

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

Notes to Applicant

1. Any development or new tree planting within the 3.5 metres either side of the centreline of a public sewer shall be discussed with Southern Water and all existing infrastructure shall be protected during construction works.

2. Working with the Applicant

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

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

In this instance;

- The applicant was informed/ advised how the proposal did not accord with the development plan, that no material considerations are apparent to outweigh these matters and provided the opportunity to amend the application or provide further justification in support of it.

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

Since Members of the Cabinet had already met and spoken in favour of the scheme, the vote to permit the application was taken by Members of the Committee, excluding those Committee Members in attendance who were also Members of the Cabinet.

Application Number	17/00719/AS
Location	5, 6, 7, 8, 10, 11, 12, 13, 14, 16, 17, 19, 20, 22, 23, 24, 25, 26, 27, 29, 32 and 34 Chester Avenue, Bethersden, Ashford, Kent, TN26 3BW
Grid Reference	92670/40117
Parish Council	Bethersden
Ward	Weald Central
Application Description	Recladding of existing external walls with rendered finish
Applicant	Ashford Borough Council Housing Services
Agent	N/A
Site Area	0.63 ha

(a) 52/4R (b) R (c)

The Head of Development, Strategic Sites and Design drew Members' attention to the Update Report, which included a representation from Bethersden Parish Council to advise that the Parish Council now wished to object to the application.

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

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

Note to Applicant

1. Working with the Applicant

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

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

In this instance

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

Application Number	17/00937/AS		
Location	Land rear of 12 to 16 Jubilee Field, Wittersham, Kent		
Grid Reference	90172/27562		
Parish Council	Wittersham		
Ward	Isle of Oxney		
Application Description	Erection of 4No. 3 bedroom semi-detached dwellings for local needs - Resubmission of application 15/00579/AS		
Applicant	Mrs Sharon Williams, Head of Housing, Ashford, Borough Council, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL		
Agent	Mrs Elizabeth Mitchell, Corporate Property and Projects, Ashford, Borough Council, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL		
Site Area	0.25ha		
(a) 24/1S	(b) S	(c)	KH&T - + EH (EP) - X RA - X KCC PROW - X

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

Resolved

- (A) Authority is delegated to the Head of Development Strategic Sites and Design or the Joint Development Control Managers to Permit, subject to:**

- (B) **No receipt of additional representations on or before 20th July 2017 which raise new material planning consideration that were not previously reported to and considered by the planning committee**
- (C) **the applicant first entering into a Section 106 agreement in respect of the matter detailed in Table 1 of the report, in terms agreeable the Strategic Sites and Design Manager or the Joint Development Control Manager in consultation with the Head of Legal and Democratic Services, with delegated authority to either the Strategic Sites and Design Manager or the Joint Development Control Manager 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>Local Needs Housing</u></p> <p>The housing shall only be occupied by local people and shall remain affordable in perpetuity. That housing shall be let at rents that comply with the HCA target rent. That housing shall be constructed to such standards and other particulars as the Council specifies. That housing shall be managed by a registered provider of social housing approved by the Council, who must also be a party to the agreement.</p>	4 social rented units	
<p>Notices will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be index linked as set out on the council web site in order to ensure the value is not reduced over time. The costs and disbursements of the Council's Legal Department incurred in connection with the negotiation, preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs.</p> <p>If an acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused.</p>			

Subject to the following conditions and notes:

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

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

2. The development shall be carried out in accordance with the details of external materials approved under 15/00579/CONA/AS unless otherwise agreed in writing by 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 parking and bicycle storage provision as shown on approved Drawing No. JUBL01-004 Rev D and shall be provided before the development to which it relates is brought into use and it shall thereafter be retained for ancillary parking of motor vehicles and bicycles and access to the facility shall not be precluded.

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 shall be carried out in accordance with the details of drainage works approved under 15/00579/CONB/AS unless otherwise agreed in writing by the Local Planning Authority and the works shall thereafter be maintained in accordance with the approved details.

Reason: In order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development pursuant to Core Strategy Policy CS2o.

6. The development shall be carried out in accordance with the details of parking for site personnel and visitors approved under 15/00579/CONA/AS unless otherwise agreed in writing by the Local Planning Authority and shall thereafter be retained throughout the duration of the construction of the development.

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

7. The development shall be carried out in accordance with the details by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances at the application site approved under 15/00579/CONA/AS unless otherwise agreed in writing by the Local Planning Authority and shall thereafter be retained throughout the duration of the construction of the development.

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

8. The development shall be carried out in accordance with the details for the disposal of sewage approved under 15/00579/CONB/AS unless otherwise agreed in writing by the Local Planning Authority and such approved works shall be appropriately retained and maintained in perpetuity.

Reason: To avoid pollution of the surrounding area.

9. 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 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.

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, Public and Bank Holiday.

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

11. 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 a single dwelling house 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.

12. The development shall be carried out in accordance with the details of landscaping approved under 15/00579/CONA/AS unless otherwise agreed in writing by the Local Planning Authority. 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.

13. The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:
 - (a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012, (Trees in relation to design, demolition and construction - recommendations) and in accordance with the approved Tree Protection Plan and any approved Arboricultural Method Statement, to the satisfaction of the Local Planning Authority. Such tree protection measures shall remain throughout the period of construction.
 - (b) No fires shall be lit within the spread of branches or downwind of the trees and other vegetation.
 - (c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation.
 - (d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation.
 - (e) Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.
 - (f) No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such

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

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

14. The development shall be carried out in accordance with the proposed mitigation/compensation measures and program for these works granted an EPS licence from Natural England unless any variation has been otherwise agreed in writing by Natural England.

Reason: In the interests of protected species.

15. The development shall be carried out in accordance with the recommendations outlined in the approved Ecological Appraisal by Ecus dated June 2015 approved under application 15/00579/AS unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protected species.

16. The development shall be carried out in accordance with the details of the badger survey and mitigation approved under 15/00579/CONA/AS unless otherwise agreed in writing by the Local Planning Authority. All works should then proceed in accordance with the approved strategy with any amendments agreed in writing.

Reason: In the interests of protected species.

17. The development shall be carried out in accordance with the details of the enhancement of biodiversity on the site approved under 15/00579/CONA/AS unless otherwise agreed in writing by the Local Planning Authority. All works should then proceed in accordance with the approved strategy and thereafter be retained and maintained with any amendments agreed in writing.

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

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. This development is also the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990, which affects the way in which the property may be used.

2. Working with the Applicant

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

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

In this instance:

- was provided with pre-application advice,
- the application was acceptable as submitted and no further assistance was required,
- the application was dealt with/approved without delay, and
- the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Queries concerning these Minutes? Please contact Rosie Reid: Telephone: 01233 330565 Email: rosie.reid@ashford.gov.uk
Agendas, Reports and Minutes are available on: www.ashford.gov.uk/committees