

Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **13th December 2017**.

Present:

Cllr. Link (Vice-Chairman in the Chair);

Cllrs. Bennett, Mrs Blanford, Bradford, Buchanan, Clarkson (ex officio), Clokie, Dehnel, Mrs Dyer, Farrell, Heyes, A Howard, Krause, Macpherson, Ovenden, Shorter, Waters, Wedgbury.

In accordance with Procedure Rule 1.2 (iii), Cllrs. Mrs Dyer, Shorter and Wedgbury attended as Substitute Members for Cllrs. Burgess, Galpin and Hicks respectively.

Apologies:

Cllrs. Burgess, Galpin, Hicks, Miss Martin.

Also Present:

Head of Development Management and Strategic Sites; Chilmington and Design Team Leader; Corporate Director (Place and Space), Head of Planning and Development; Principal Solicitor (Strategic Development); Member Services and Ombudsman Complaints Officer.

291 Declarations of Interest

Councillor	Interest	Minute No.
Bennett	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	294 – 16/01271/AS
Mrs Blanford	Made a Voluntary Announcement as she was a Member of the Weald of Kent Protection Society and the Campaign to Protect Rural England.	294 – 16/01271/AS
Buchanan	Made a Voluntary Announcement as he lived 5 doors away from the application site but there was a roundabout and a hoarding in between.	294 – 17/01118/AS
Clarkson	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	294 – 16/01271/AS
Clokie	Made a Voluntary Announcement as he was a	294 –

	Member of the Weald of Kent Protection Society.	16/01271/AS
Farrell	Made a Voluntary Announcement as he was a member of Kent County Council.	294 – 16/01271/AS

292 Minutes

Resolved:

To approve the Minutes of the Meeting of this Committee held on the 15th November 2017.

293 TPO/17/00011 – Confirmation of Tree Preservation Order No. 11, 2017 - Land South of Shorts Wood, Tenterden Road, Biddenden

The Head of Development Management and Strategic Sites drew Members' attention to the Update Report, which contained a message from the Ward Member expressing support for the TPO.

Resolved

That the Tree Preservation Order be confirmed, notwithstanding the objection.

294 Schedule of Applications

Resolved:

That following consideration of (a), (b) and (c) below,

- (a) Private representations (number of consultation letters sent/number of representations received)**
- (b) The indication of the Parish Council's/Town Council's views**
- (c) The views of Statutory Consultees and Amenity Societies (abbreviation for consultee/society stated)**

Supports 'S', objects 'R', no objections/no comments 'X', still awaited '+', not applicable/none received '-'

decisions be made in respect of Planning Applications as follows: -

Application Number	16/01271/AS
Location	Courtlands, Church Hill, Bethersden, Kent TN26 3AQ
Grid Reference	92684/40220
Parish Council	Bethersden
Ward	Weald Central
Application Description	Demolition of existing buildings and residential development comprising 17 houses and 20 space public car park
Applicant	Jarvis New Homes (SE) Ltd, Milroy House, Sawyers Lane, Tenterden TN30 6BW
Agent	Mr Mick Drury, BDB Design LLP, Church Barn, Milton Manor Farm, Ashford Road, Canterbury CT4 7PP
Site Area	1.56 ha

1st Consultation:

(a) 106/20R/50S	(b) PC - R	(c) HE - R EA - R SW - X KCC (H&T) - R KCC (Bio) - R KCC (FWM) - X WKPS - R ES (EP) - X PO - X CS - R
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2nd Consultation:

(a) 106/23R/15S	(b) PC - R	(c) HE - R EA - X SW - X KCC (H&T) - X KCC (Bio) - X KCC (FWM) - X WKPS - X ES (EP) - X PO - X
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The Head of Development Management and Strategic Sites drew Members' attention to the Update Report. Further correspondence had been received from the applicant and Historic England. The Head of Development Management and Strategic Sites read out a statement from one of the Ward Members. She also drew Members' attention to a tabled statement from Bethersden Parish Council. The Update Report also contained an additional Officer comment, an Update on Bethersden Neighbourhood Plan and assessment against that Plan, as well as an amendment to Condition 33, all of which she drew to Members' attention.

In accordance with Procedure Rule 9.3, Ms Orchard, a local resident, spoke in objection to the application. Despite the pre-application advice, the developer had argued that the application should be approved because the site was included in the emerging Bethersden Neighbourhood Plan. The Neighbourhood Plan public consultation would launch later that week, followed by the independent Examination and the community referendum. Ms Orchard believed that the Committee's decision should await the outcome of the referendum. The application was not supported by Bethersden Parish Council, as the draft Plan was still emerging and the proposal did not provide enough public space or the right housing mix, compared to those specified in the draft Plan. 35% of voters opposed the draft Plan in the Regulation 14 consultation, which indicated the amount of local concern. The drainage report strongly recommended that no development should take place in Bethersden village until more than 20 actions were taken to resolve all the drainage issues. The application included houses in flood zone 2 and a road and car park in flood zone 3. The comments in support did not indicate Parish-wide approval for the Plan as most were standard comments, obtained by owners of the site from their personal friends and family, many of whom were not local. The objection comments all addressed substantive planning issues. If a final decision was taken before the referendum, it would undermine the important democratic process for producing the Plan. The Council's new Heritage Strategy was also important and stated that Neighbourhood Plans were designed to give local people direct powers to shape a shared vision for their community and to ensure that the right types of development were delivered locally. Any decision could not be undone. A few more months would not prejudice the developer and would preserve the community's democratic rights. The right thing would be to defer consideration of this application until the democratic Neighbourhood Plan process had reached its conclusion, by which time the Council's new Local Plan, with up to date policies, should be in place.

In accordance with Procedure Rule 9.3, Mr Drury, the agent, spoke in support of the application. His family had been Bethersden residents for four generations. This project had begun five years ago, and submission had been delayed until the village had made clear its wish to allocate this site through its draft Neighbourhood Plan. Mr Drury attended all of the village consultation events and had met the school, the Neighbourhood Plan Steering Group and the Parish Council. At every stage the developers had tried to align the scheme with what the village said it wanted for this site. The application was fully detailed, and many amendments had been made over the past two years to meet the requirements of Officers, Kent Highways and other consultees. The scheme provided a much-needed car park, which could be used by school staff and the wider community, as well as useful open space and surface water control measures. The scheme provided the variety of homes needed for the

village, including six starter affordable homes. For those residents wishing to downsize, the scheme would help meet the Borough's housing requirements. The application had the full support of Officers, Kent Highways, Kent Ecology, Kent Flood and Water, the Weald of Kent Protection Society and the Environment Agency. It had 18 letters of support from local residents. A high quality, long-standing local builder had been contracted to build the development, and had agreed to provide all the S106 contributions. Using this builder would also help meet the Government's Budget declaration to favour the use of local small-scale builders for schemes such as this. Many Officers had been involved for a long time and this comprehensive and fair report reflected a long journey of full co-operation on both sides. Mr Drury asked Members to approve the application.

Resolved:

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

Table 1

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
1.	<p><u>Affordable Housing</u></p> <p>Provide not less than 35% of the units as affordable housing, comprising 60% affordable rent units and 40% shared ownership units. The affordable housing shall be managed by a registered provider of social housing</p>	<p>4 affordable rent units</p> <p>2 shared ownership units</p>	<p>Affordable units to be constructed and transferred to a registered provider upon occupation of 75% of the open market dwellings</p>

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	approved by the Council. Shared ownership units to be leased in the terms specified. Affordable rent units to be let at no more than 80% market rent and in accordance with the registered provider's nominations agreement		
2.	<p><u>Cemeteries</u></p> <p>Contribution towards provision of or improvements to cemeteries and associated facilities in the borough and maintenance thereof</p> <p>Project Extension to graveyard at St Margaret's Church</p>	<p>£284 per dwelling for capital costs</p> <p>£176 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings
3.	<p><u>Children's and Young People's Play Space</u></p> <p>Contribution towards provision of or improvements to children's and young people's play space and associated facilities in the area and maintenance</p>	<p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	thereof Project: Improvements to recreation ground play area		
4.	<u>Informal/Natural Greenspace</u> Project: Improvements to the recreation ground (other than the play area)	£434 per dwelling for capital costs £325 per dwelling for maintenance	Upon occupation of 75% of the dwellings
5.	<u>Libraries</u> Contribution for improving library service capacity in mobile and fixed libraries in the borough and for providing additional book stock and equipment Project: Towards the additional bookstock required to meet the demands of the additional borrowers from this development	£48.02 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
6.	<u>Monitoring fee</u> Contribution towards the Council's costs of monitoring compliance with the agreement or	£1000 one-off payment	Payment upon commencement of development

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	undertaking		
7.	<p><u>Outdoor sports pitches</u></p> <p>Contribution towards provision of or improvements to outdoor sports pitches and associated facilities in the area and maintenance thereof</p> <p>Project: Improvements to Bethersden Cricket Club</p>	<p>£1,589 per dwelling for capital costs</p> <p>£326 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>
8.	<p><u>Secondary Schools</u></p> <p>Contribution towards additional secondary school places</p> <p>Project: New accommodation at Homewood School – Phase 2 extension</p>	<p>£2359.80 for each applicable house</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
9.	<p><u>Strategic Parks</u></p> <p>Contribution towards provision of strategic parks and associated facilities and maintenance thereof</p>	<p>£146 per dwelling for capital costs</p> <p>£47 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>

Planning Obligation		
Detail	Amount(s)	Trigger Point(s)
Project: Seating and BBQ area at Conningbrook Lakes Country Park		
<p>Notices will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be index linked as set out on the council web site in order to ensure the value is not reduced over time. The costs and disbursements of the Council's Legal Department incurred in connection with the negotiation, preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs.</p> <p>If an acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused.</p>		

(B) Permit:**Subject to the following Conditions and Notes:**

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

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

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

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

3. Before development commences details shall be submitted 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 period.

Reason: To help future proof the development

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

Reason: In the interests of visual amenity.

5. 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 location of rainwater goods;
- b) Details of any flues, grilles and vents to be installed including location dimensions, colour and material;
- c) Details of electricity and gas meter boxes and any external pipe work including their location on the buildings;
- d) Details and sections through eaves, porches / entrance canopies, chimneys, dormer windows and plinths; and
- e) Details of all windows including recess depth of glazing

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

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

Reason: In the interest of visual amenity.

7. The windows in all of the buildings hereby permitted shall be timber. Before any works above foundation level are carried out joinery details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with the approved plans.

Reason: In the interest of visual amenity.

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

Reason: To protect the amenity of local residents.

9. 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.

10. The vehicle parking spaces shall be provided in accordance with details approved on drawing number 2380_02D before any dwelling is occupied, and shall be retained for the use of the occupiers of, and visitors to, the development. No permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to the reserved parking, bicycle and refuse facilities.

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

11. Before any dwelling is occupied, details of secure covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. These shall be provided prior to occupation of any of the units and retained permanently for this use.

Reason: To ensure adequate provision of cycle parking in the interest of highway safety.

12. The first 5m of the accesses from the edge of the highway shall be surfaced in a bound material.

Reason: In the interest of highway safety.

13. The access gradient shall be no steeper than 1 in 10 for the first 1.5 metres from the highway boundary and no steeper than 1 in 8 thereafter.

Reason: In the interest of highway safety.

14. No dwelling shall be occupied until the visibility splays contained in the approved plans have been provided at the accesses. The area within the visibility splay shall be permanently maintained thereafter with no obstructions over 0.9 metres above carriageway level within these splays.

Reason: In the interest of highway safety.

15. 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 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.

16. Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based on the proposals of the Surface Water Management Strategy by RMB Consultants Ltd (dated August 2016) and demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

(ii) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

i) a timetable for its implementation, and

ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

17. 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 previously been submitted to and approved in writing by the Local Planning Authority.

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

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

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

19. Removal of trees shall be undertaken in accordance with the Arboricultural Report submitted 31st August 2016. No other trees shall be removed and no pruning or other works shall be carried out until details of the proposed works have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

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

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

22. 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 any development above foundation level. 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.

23. No dwelling shall be occupied until a landscape management plan, including management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved landscape management plan shall be adhered to unless previously agreed otherwise, in writing by the Local Planning Authority.

Reason: To ensure the new landscaped areas are properly maintained in the interest of the amenity of the area and to maximise the scope of their ecological value.

24. No development shall take place until a scheme for the provision and management of an 8 metre wide buffer zone alongside the watercourse shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The scheme shall include:
- a. Plans showing the extent and layout of the buffer zone;
 - b. Details of any proposed planting scheme (to be of native species)
 - c. Details demonstrating how the buffer zone will be protected during the development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan;
 - d. Details of any proposed footpaths, fencing, lighting etc.

Reason: In the interest of protecting the biodiversity of the river bank.

25. Prior to the commencement of development (and vegetation clearance), an updated site plan, demonstrating how the great crested newt features detailed within the GCN Mitigation Strategy will be integrated into the development, will be submitted to, and approved in writing by the local planning authority. The full GCN mitigation strategy, as detailed in paragraph 5.0 of the Great Crested Newt and Mitigation Strategy Report, along with measures to enhance the site for GCN shall be implemented in full, and shall not be thereafter retained.

Reason: To protect the biodiversity of the area.

26. Prior to the occupation of the development hereby approved, an ecological enhancement plan detailing what enhancements will be incorporated in to the site and how these will be managed shall be submitted to and approved in writing by the Local Planning Authority. The enhancements shall include those included in the Extended Phase 1 Habitat Survey and Landscape and Urban Design Appraisal reports and also those suggested in the letter from the KCC Biodiversity Unit dated 6th October 2016. The enhancements shall be provided in accordance with the approved details and maintained thereafter.

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

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27. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed;
 - b) Ecological trends and constraints on site that might influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions,
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) Details of the body or organisation responsible for implementation of the plan;
 - h) Details of annual habitat and species monitoring.
 - i) Details of how the monitoring will inform updates of the management plan.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To protect the biodiversity of the area.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, 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.

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

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

30. 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.

31. No development shall be commenced until:

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

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

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

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

33. Details including construction, surfacing, markings, boundary treatments, signage and other furniture of the approved car park shall be submitted to and approved in writing by the Local Planning Authority prior to any development above foundation level. The car park shall be implemented in accordance with those details prior to occupation of the 15th property unless otherwise agreed in writing by the Local Planning Authority and thereafter retained.

Reason: In the interests of visual amenity and to secure provision of the car park

34. A public access and management plan for the public open spaces and car park shown in purple on Plan 2380-05 (to include management objectives and any restrictions on full and unrestricted access and use by the public at all times) shall be submitted to and approved in writing by the Local Planning Authority prior to any development above foundation level. The public open space and car park shall then be provided in accordance with the approved plan prior to occupation of the 15th property and the plan shall thereafter be implemented in full and retained in force unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the public open spaces and car park are secured and properly maintained.

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 to address highway issues.
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
2. "A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".
 3. The applicants attention is drawn to the comments received from Southern Water a copy of which can be viewed on the Councils website at <http://planning.ashford.gov.uk/>.
 4. Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.
 5. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the country there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is

called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at

<http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land> The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

6. The site proposes discharge to watercourse designated a 'main river'. An environmental permit for flood risk activities may be required from the Environment Agency if you need to undertake work in, under, over or near a main river (including where the river is in a culvert), on or near a flood defence on a main river or in the flood plain of a main river. Further information is available on the gov.uk website at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>
7. In respect of condition 23 above, the applicant is advised that the external lighting scheme should be designed in accordance with the Bat Conservation Trust's Bats and Lighting in the UK guidance a summary of which is set out in KCC Ecology's comments dated 17 August 2016.
8. The applicant is advised that the removal of mature trees should be carried out outside of the bird nesting season (March – September inclusive). If this is not possible than areas for removal should first be inspected by a suitably qualified ecologist to identify that any nests present have had eggs hatched and that young birds have fledged.
9. In respect to condition 4, the BT GPON system is currently being rolled out in Kent by BDUK. This is a laid fibre optic network offering a single optical fibre to multi point destinations ie. fibre direct to premises.
10. 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.

Application Number	17/01118/AS
Location	Prince Albert, 109 New Street, Ashford, Kent, TN24 8TP
Grid Reference	00602/43032
Ward	Godinton (Ashford)

Application Description	Demolition of existing public houses and associated buildings and erection of a five storey apartment building containing fourteen 2 bedroom units and 84m2 of commercial space at ground floor level including 14 car parking spaces, refuse and cycle storage and a vehicle layby.		
Applicant	Whitehaven Estates Limited, Henwood House, Henwood, TN24 8DH		
Agent	Lee Evans Partnership, St. Johns Lane Canterbury Kent CT1 2QQ		
Site Area	820.00sqm (0.2 acres)		
(a) 28/15S/5+/33R+ 15Petition 2nd round of consultation 28/1S/22R+ 15Petition	(b) -	(c)	KCCEX/ RAM1X/ KCCD X/ CACF R/EA -/ KHS X/ PROW X/ Georgian Group X/ KCC Economic Development X/KHS 2nd round of consultation KCCE XKHS X / KCCD X/

The Chilmington and Design Team Leader drew Members' attention to the Update Report which contained further representations and additional comments. She read out the statements from each of the Ward Members, one in objection and one in support of the application. There was also one new Condition.

In accordance with Procedure Rule 9.3, Mr Williams, a local resident, spoke in objection to the application. He lived in the Barrow Hill area. Local residents recognised that something needed to be done about the Prince Albert building and there was general approval for affordable housing in Ashford. It was noted that the builder had applied for only 14 houses, so did not have to include affordable housing in the development. There was the option to change the commercial unit into residential use, which would produce affordable housing for people in the area. The key concerns focused on the fact that it was a listed building, the scale of the proposal was out of keeping with the surrounding area, and this was a listed area where building changes were generally prohibited. The building would cast a long shadow over Barrow Hill due to its size. It would disrupt light, the community and views of the church. Mr Williams was disappointed to read that, had the developer been allowed to build on the gravel track, the site would have been smaller. Another major concern was road safety. This building would be on a major roundabout on a major road. There were four or five junctions at the point where the building would exit. There was no provision for road safety off the commercial unit. There was a small layby but this was within a few metres of a major roundabout. There was a local school and the area became very congested in the morning and evening. Adding 14 cars to this area would cause further disruption, as well as that caused

during the building works. Currently, a waste lorry could not turn around in Barrow Hill, so Mr Williams would like to see a proposal on how the developer intended to carry out the building works before approval was granted. Mr Williams considered that some of the wording used in the report was biased in favour of supporters, to the detriment of objectors. There were other concerns about the report, as statements were made in the report, without supporting evidence.

In accordance with Procedure Rule 9.3, Mr Taylor, the agent, spoke in support of the application. The Prince Albert and Prince of Orange public houses had occupied this site for many years, but had to close by 2008. Since then no viable commercial use had been found for the site, and the building had suffered vandalism and a large fire in 2014. Surveys had since shown that the building was beyond reasonable repair and should be demolished. For this, and a number of other reasons, English Heritage had delisted the building in 2016 as it was considered that it no longer had any claims to a special historic interest in a national context. Since then the applicants had worked to develop a viable use for the site, to improve the area and remove the dangerous eyesore the building had become. The applicants had worked with Officers to develop a mixed-housing and commercial scheme with 14 apartments. The proposed scheme made efficient use of the site and would provide high-quality apartments, on brownfield land, in a town centre location. It would also contribute to the housing 5-year land supply. The design had evolved through pre-application discussions and subsequent presentation to the Ashford Design Review Panel, who had given support for the design development. The proposal was for a modern building, influenced by the surroundings, and in particular the form and roof-scape of the buildings in Barrow Hill Place. The exterior of the building had been designed to replace each specific outlook and carefully considered to suit the neighbouring properties. Lighter materials and open balconies had been placed on the side away from the roundabout junction with robust slate cladding on the northern facade. The applicant was aware that concerns had been raised by neighbours. However, the building was north of the dwellings in Barrow Hill, so it was unlikely to result in overshadowing of these properties. The building was over 21m away from the nearest dwelling and did not overlook private gardens to the rear of properties. However, the balconies had all been designed with privacy screens for residents and neighbouring properties. Parking access, cycle bins and storage had been included and designed in consultation with Kent County Council and Ashford Borough Council. The scheme would result in a dramatic change to the site, and had been carefully designed to result in an improvement to the setting of the adjacent listed building. The scheme was compliant with Ashford planning policies CS3, CS9 and TC18. Officers recommended approval as the proposal accorded with Development Plan policies and would bring economic, social and environmental benefits to the area.

Resolved:

- (A) Subject to the applicant first entering into a Section 106 agreement/undertaking in respect of planning obligations as set out in Table 1, in terms agreeable to the Head of Development Management and Strategic Sites or the Development Control Managers in consultation with the Corporate Director (Law & Governance), with**

delegated authority to either the Head of Development Management and Strategic Sites or the Development Control Managers to add or remove or make 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>Children's and Young People's Play Space</u></p> <p>Project: Improvements towards Quantock Drive play area</p>	<p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings
2	<p><u>Informal/Natural Green Space</u></p> <p>Project: Project at St Mary's Field</p>	<p>£434 per dwelling for capital costs</p> <p>£325 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings
3	<p><u>Libraries</u></p> <p>Contribution for additional bookstock at libraries in the borough</p>	£48.02 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
4	<p><u>Monitoring Fee</u></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking</p>	<p>£1000</p> <p>one-off payment</p>	payment upon commencement of development

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
5	<u>Strategic Parks</u> Project: Conningbrook Lakes Strategic Park signage	£146 per dwelling for capital costs £47 per dwelling for maintenance	Upon occupation of 75% of the dwellings
6	<u>Voluntary Sector</u> Project: TBC.	£83 per dwelling	Upon occupation of 75% of the dwellings
<p>Regulation 123(3) compliance: Fewer than five planning obligations which provide for the funding or provision of the projects above or the types of infrastructure above have been entered into.</p> <p><u>Notices</u> must be given to the Council at various stages in order to aid monitoring. All contributions are <u>index linked</u> 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) **Subject to the receipt and approval by the Head of Development Management and Strategic Sites or the Joint Development Control Manager of amended plans showing more appropriate external colours and textures for the building, especially on the northern elevation, to the satisfaction of the Head of Development Management and Strategic Sites or the Joint Development Control Manager**
- (C) **Delegate authority to the Head of Development Management and Strategic Sites or the Joint Development Control Manager to**

Permit:

Subject to the following Conditions and Notes, with such amendments as may be required in the opinion of the Head of Development Management and Strategic Sites or the Joint Development Control Manager:

Implementation

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

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

Compliance with approved plans

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 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.

3. 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.

Materials

4. Samples of all materials shall be provided on site for discussion with the Local Planning Authority. Thereafter written details of the agreed materials including source/ manufacturer and samples of all bricks, stone, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority within one month of the commencement of construction works and thereafter shall be carried out using the approved external materials.

Reason: In the interests of visual amenity.

External Fixtures & Equipment

5. Full details of the location, design, appearance and material of any external fixtures and equipment located on the building or sited within the car park shall be submitted to and approved in writing by the Local Planning Authority within three months of commencement of construction works. The details shall include anything above ground level including;
- Lighting
 - Signage,
 - Intercom System
 - Security, alarms or CCTV cameras
 - Post collection
 - Gas
 - Electricity
 - Water
 - Telecommunications
 - Cables & Pipework
 - Vents, grilles or flues

Thereafter shall be carried out in full accordance with these approved details.

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.

Architectural detailing

6. No development above ground floor slab level shall be commenced until the following details have been submitted to and approved by the Local Planning Authority in writing:-
- (a) 1:20 scale details of eaves, coping and roof detail
 - (b) 1:20 details of vertical cladding panels including dimensions, overlaps, joint details and fixing methods
 - (c) Details of any external rainwater goods.
 - (d) Boundary wall details

- (e) All joinery including the glazed stair cores.
- (f) All proposed gates including style, detailing and final finish colour
- (g) Brick and ragstone laying patterns, mortar specification and colour
- (h) Brick bond and decorative brick work bands including vertical brick courses and window surround details
- (i) Ragstone wall details to ground floor
- (j) 1:10 and 1:20 details and sections of the aluminium window frames to residential units and shopfront including doorframes
- (k) 1:20 details of the balconies including materials, balustrade, railings fixings and soffit's including the integral timber louvres act as privacy screens.
- (l) 1:20 details and sections of the recessed infill sections to show edge treatment and depth of recess from the facade
- (m) Details of the projecting section sufficient to show the frame and edges with confirmation that materials will neatly wrap continuously around the soffit/underside of the overhang, or details of a high quality alternative.
- (n) Details of all supporting columns including materials, finish and colour
- (o) Depth of window reveals
- (p) Glass balconies enclosures
- (q) Parapet capping, materials and fixings
- (r) Details of down pipes and guttering to match the colour of joinery
- (s) Stair core glazing, joinery and infill panels
- (t) External doors to cycle store and bin stores
- (u) Ventilation grills to car park
- (v) 1:20 details of the location, set back, colour and specification of any expansion points or weep holes

(w) Rooftop fixtures or equipment

Thereafter, the development shall only be constructed in accordance with the approved details and all approved details shall be retained unless any variations have been approved in writing by the Local Planning Authority.

Reason: Further details are required in order to ensure that the external fine detail of dwellings is of a high design quality.

Residential Amenity

7. No construction activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) with no working activities on Saturday, Sunday or Bank Holidays.

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

8. The ground floor commercial premises shall be used for A1, A2, A3, or B1 and not for any other purpose whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 2005 or any subsequent Order revoking or re-enacting that Order, or whether the alternative use is permitted by virtue of Article 3 and Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking or re-enacting that Order.

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

9. The hours of opening of the ground floor commercial unit shall be limited to between 9:00am and 17:30pm (Monday to Saturday) and 10am and 4pm (Sundays) and the premises shall remain closed on Public Holidays, unless otherwise agreed in writing with the Local Planning Authority. Deliveries to the ground floor commercial unit shall only take place during the agreed opening hours.

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

Noise and vibration insulation

10. Prior to the occupation of the residential and also commercial units, a scheme for the control of noise and vibration of any plant (including double glazing ventilation, refrigeration, air conditioning and air handling units) to be used in pursuance of this permission and in accordance with the recommendations of the Able Acoustics report dated June 2017, shall be submitted to and approved in writing by the Local Planning Authority. This shall then be installed prior to the first use of the premises. The equipment shall be

maintained and operated in compliance to the approved scheme whenever it is operation. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority

Reason: To prevent the transmission of noise and vibration into any neighbouring properties to protect amenity

Commercial premises

11. Prior to the first operation of the commercial premises, a scheme and maintenance schedule for extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises (if undertaken), shall be submitted to and approved in writing by the Local Planning Authority. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises and these shall thereafter be operated and retained in compliance with the approved scheme.

Reason: To prevent the transmission of fumes and odours into neighbouring properties to protect amenity

Sign restoration

12. Within 6 months of the commencement of construction works. of a proposed scheme for the retention and restoration of the existing public house pole sign and the intended use of the external 'Prince Albert' lettering to be retained within the scheme, shall be submitted to and agreed in writing with the Local Planning Authority, and be in place before the first occupation unless otherwise agreed in writing with the Local Planning Authority

Reason ; To ensure the quality of development indicated on the approved plans is achieved in practice.

Cleaning & Maintenance Strategy

13. Before the development is occupied a cleaning maintenance strategy for all the external elements of the building shall be submitted to and agreed in writing with the Local Planning Authority. This shall include the different method and techniques of cleaning the different materials and frequency they are cleaned

Reason : To ensure the building is maintained to a high standard.

Highway

14. The area shown on the drawing 08324-A-L-(00)-X-0257 Rev P4 (Proposed Ground Floor Plan) as vehicle parking space, loading bay for commercial use and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

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

15. Within 3 months of the commencement of construction works, details of measures to prevent the discharge of surface water from the private parking spaces onto the highway shall be submitted to and agreed in writing with the Local Planning authority. It shall be provided prior to the occupation of any of the apartments hereby permitted and thereafter they shall be permanently maintained for this use.

Reason: In the interest of highway safety

16. The provision and permanent retention of the vehicle parking spaces and turning space shown on the drawing ref 08324-A-L-(00)-X-0257 Rev P4 (Proposed Ground Floor Plan) shall be provided prior to the occupation of any of the apartments hereby permitted. Thereafter they shall be permanently maintained for this use.

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

17. The completion of the access details shown on the submitted plans shall take place prior to the occupation of the development hereby permitted and shall thereafter be permanently maintained for this use.

Reason: In the interest of highway safety

18. The provision of the cycle parking facilities shown on the submitted plans shall be provided prior to the use occupation of the development hereby permitted and shall thereafter retain permanently for this use.

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

19. No occupation of the development shall take place on the site until details showing reasonable endeavours by the applicant/developer to support the implementation of a Traffic Regulation Order (TRO) providing double yellows on the whole of Gravel Walk have been submitted to and agreed in writing by the Local Planning Authority. Thereafter its implementation shall be carried out in accordance with the approved details unless otherwise agreed in writing with the LPA.

Reason: In the interest of highway safety

20. No occupation of the ground floor commercial unit shall take place until the existing controlled parking zone on the footway on Barrow Hill has been re-located in accordance with details to be submitted and agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety

Community

21. Prior to any above ground construction commencing, details of how the developer intends to liaise with and keep local residents informed about the development for the duration of the construction period shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the details shall be implemented and maintained for the duration of the construction otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of public engagement.

Construction

22. Prior to development commencing, details shall be submitted to and approved in writing by the Local Planning Authority which shows the location of the proposed site compound and lorry routing to the site from (insert name of main road). The site compound and lorry routing shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority, and shall be retained as such for the duration of the works hereby approved.

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

-
23. Prior to development commencing, a construction management plan shall be submitted to and approved by the Local Planning Authority in writing and include;
- (i) location of the site compound and routing of construction and delivery vehicles to / from site from the A292 to 109 New Street Ashford. The site compound and lorry routing shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority, and shall be retained as such for the duration of the works hereby approved.
 - (ii) details of parking and turning areas for construction vehicles, delivery vehicles and site personnel.
 - (iii) details of temporary traffic management signage.
 - (iv) details of access points, loading / unloading and turning areas for all construction traffic.
 - (v) timing of deliveries
 - (vi) details of proposed dust suppression, odour suppression and vapour suppression methods,
 - (vii) details of proposed surrounding fencing / hoardings to any compounds,
 - (viii) details of proposed structures to be located within compounds and any proposed lighting (including measures to limit light spillage to the public any highway and to nearby residents), and
 - (ix) details of any plant, equipment and machinery to be installed as part of the compound including details of hours of operation and noise during operation shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the local highway authority) and thereafter the approved details shall be provided prior to the commencement of development and retained for the duration of the construction of the permitted development unless the Local Planning Authority has agreed otherwise in writing.

Reason: To ensure provision of adequate off-street 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.

24. Before any demolition on-site clearance commences, a Scheme of Minimum Environmental Requirements for Demolition (SMERFD) shall be submitted to

and approved in writing by the Local Planning Authority in writing. Thereafter, demolition and on site clearance works shall be implemented in accordance with the SMERFD. The matters to be addressed in the SMERFD shall include the following;

- (i) Code of Construction Practice, and
- (ii) Hours of working for demolition and noisy activities and details of the installation of any large equipment such as cranes relating to those works.

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

25. Before any construction commences a Scheme of Minimum Environmental Requirements for Construction (SMERFC) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, construction shall be implemented in accordance with the SMERFC. The matters to be addressed in the SMERFC shall include the following;-

- (i) design, implementation and protection of any landscaping to be retained to relevant British Standards,
- (ii) Considerate Contractors / Code of Construction Practice,
- (iii) methodology of protecting existing and new trees to the relevant British Standard during construction, and
- (iv) a method statement for any piling or other noisy construction activities, or the installation of any large static construction equipment such as cranes.

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

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

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

Bin Store and cycle store detail

27. No apartment shall be occupied until the details identified below have been submitted to and approved by the Local Planning Authority in writing and subsequently provided (in accordance with the approval) available for use by the occupiers of the apartment block:-
- (a) details of secure access arrangements to the integral bin store, including opening / closing hardware (FB1 or FB2), stays or catches to lock double opening doors back in an open position at collection time, amenity lighting and hose down/cleaning facilities, and
 - (b) details of secure access arrangements to the integral cycle store, nature of secure storage racks & anchoring points and amenity lighting.

Thereafter, unless the Local Planning Authority has given written approval to any variation, the approved arrangements in relation to (a) and (b) above shall be retained in working order.

Reason: No such fine details have been provided. The fine detail of these stores is important to ensure that the spaces are secure and safe for use.

Water efficiency

28. The apartment building hereby permitted shall achieve the minimum optional requirement set out in the Building Regulations for water efficiency that requires an estimated water use of no more than 110 litres per person per day.

Reason: In order to carefully manage water supply given the level of household demand relating to available resource.

Drainage

29. Development shall not begin until a details of the surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage

scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters.

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a timetable for its implementation,
- a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the drainage system throughout its lifetime.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development and helps to ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 103 of the NPPF and its associated Non-Statutory Technical Standards.

Landscaping

30. Within 6 months of the commencement of construction works full details of both hard and soft landscape works on the site and in close proximity shall have been submitted to and approved in writing by the Local Planning Authority, following joint discussions with Kent Highways and Transportation. These details shall include

- proposed finished levels or contours;
- means of enclosure;
- car parking layouts;
- hard surfacing materials;
- areas of planting
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units,
- signs,
- lighting

-
- proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc);

Thereafter these works shall be carried out as approved unless previously agreed otherwise in writing by the Local Planning Authority.

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

31. Within 6 months of the commencement of construction works the full details of soft landscape works required in condition **30** above shall have been submitted to and approved in writing by the Local Planning Authority, following joint discussions with Kent Highways and Transportation.. These details shall include

- a) planting plans;
- b) written specifications (including cultivation and other operations associated with plant and grass establishment);
- c) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- d) tree pits including root protection details
- e) an implementation programme.
- f) A landscape management plan

Thereafter these works shall be carried out as approved unless previously agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that adequate details of the proposals are submitted in the interests of the protection and enhancement of the area and to ensure its properly maintained in the interest of the amenity of the area.

32. All hard landscape works shall be carried out prior to the occupation of any part of the development and soft landscaping works shall be carried out within 6 months of the first occupation or in accordance with the programme agreed in writing with the Local Planning Authority. 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.

Root protection

33. Development shall not begin until details of how any trees overhanging the site shall be protected during any operation on site in accordance with BS 5837:2012, (Trees in relation to design, demolition and construction - recommendations) have been submitted to and agreed in writing with the Local Planning Authority. Thereafter any such tree root protection measures required shall remain throughout the period of demolition and construction. Thereafter no materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees unless otherwise agreed in writing with the Local Planning Authority;

Reason: In the interests of good arboricultural practice and in order to protect and enhance the appearance and character of the site and locality.

Fibre to the premise condition:

34. Prior to the first occupation, details including plans, shall have been submitted to and approved by the Local Planning Authority in writing for the installation of a High Speed wholly Fibre broadband To The Premises (FTTP) connection to the development hereby approved. Thereafter, the infrastructure shall be laid out in accordance with the approved details at the same time as other services during the construction process and be available for use on the first occupation of the building unless otherwise agreed in writing by the Local Planning Authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that been made in the absence of FTTP).

Reason: To ensure that the new development in Ashford is provided with high quality broadband services enhancing Ashford as an attractive location in accordance with Policy EMP6 of the Ashford Local Plan 2030.

Archaeological Recording

35. 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 previously submitted to and approved in writing by the Local Planning Authority.

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

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

2. The applicant's attention is drawn to the comments received from Southern Water.

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

4. Kent Highways Note

It should be noted that the proposed cycle stands on the footway on Barrow Hill will require a Section 50 licence for private apparatus within the public highway. The drop-off / deliveries layby, re-surfacing of the footway on Barrow Hill and new grass planting on the existing paving will be subject to a Section 278 Highways Agreement with Kent County Council Highways and Transportation.

In accordance with Procedure Rule 15.4, Cllr Heyes requested that his vote against the motion to permit be recorded.

Application Number	17/00396/AS	
Location	Land Parcels 8 & 10 Former Rowcroft and Templer Barracks site, Templer Way, Ashford, Kent	
Grid Reference	9988/4536	
Ward	Godinton	
Application Description	Reserved matters application for 62 residential apartments including affordable housing, together with flexible employment floorspace (B1/ A1/ A2/ A3/ A4 or A5 Use Classes), 7 mixed use units comprising flexible ground floor employment floorspace (A1/A2/A3/A4/A5/B1 or D1 uses classes), associated landscaping, infrastructure and earthworks.	
Applicant	Persimmon Homes South East c/o Agent	
Agent	Mr Tom Ashley, Barton Willmore LLP, The Observatory, Southfleet Road, Ebbsfleet, Dartford, Kent, DA10 0DF	
Site Area	0.65 hectares (ha)	
(a) 227/2+	(b) -	(c) KXXH&T X, EHM X, PO(DRAINAGE) X, SW X, KCC:F&WM X,

The Head of Development Management and Strategic Sites drew Members' attention to the Update Report, which contained a revised Recommendation and a New Condition.

In accordance with Procedure Rule 9.3, Mr Ashley, the agent, spoke on this and the following application. These applications comprised three parcels within the Repton Park development, and were within the brownfield development site. These three

parcels performed an important function in respect of the realisation of the vision for Repton Park. Situated on Repton Avenue, each of these parcels would contribute towards the formation of the High Street, a key requirement of the 2003 Development Brief. Each parcel would accommodate commercial floor space with residential accommodation above. The ground floor commercial space would help enhance the sustainability of Repton Park, providing local shops and facilities for local residents. The active frontage of the commercial units, combined with the higher density residential development, would create vibrancy in this key part of the site. It would also deliver the commercial floor space obligations set out under the S106. The applicants had worked closely with Officers to ensure these parcels would fulfil their design and potential. Careful regard had been given to the relationship of the three parcels to each other, with a complementary approach taken in respect of the materials. This had been informed by extensive pre-application engagement and negotiations with Officers. With regard to parcel 8, at the entrance to the site, permission was sought for 20 residential units and 267 square metres of commercial floor space. It was situated at the entrance of Repton Park and would help establish the High Street. It was also designed to complement the contemporary approach which had been taken to Waitrose. Sensitivity had been applied to roof articulation to ensure the building did not appear overly bulky. High quality materials had been used on this parcel. With regard to parcel 9, this comprised 31 residential units and 400 square metres of commercial floor space. It was situated opposite the Grade II listed Repton Manor and would help define Repton Manor Square, which was a key public space within the development and on the High Street. To this end, careful regard had been given to the relationship with the Manor, particularly in the use of materials, the bricks chosen and the elevational treatment. A sensitive, contextual approach had been taken, whilst still providing a contemporary building which fitted with the surrounding development. With regard to parcel 10, this comprised 42 residential units, 7 live/work units and nearly 600 square metres of commercial floor space on the ground floor. This was situated adjacent to Repton Manor Square, although with a less direct relationship to the Manor. It would contribute to the important public space and the scale of the building had been designed accordingly. It was also designed to fit in with development to the west. The roof articulation had been designed to create visual interest and careful attention had been paid to accommodating the lift overruns so they were not seen as add-ons. High quality materials had been demanded by Officers and proposed by the applicant. A careful balance had been struck regarding parking provision. Each unit would have its own allocated space, as requested, and the three-bed flats would have two spaces. Visitor and employment commercial parking had been combined to make efficient use of the land. KCC were fully supportive of the approach taken to parking. In accordance with emerging planning policy, the applicants were happy to agree to the provision of a minimum of two electrical charging points per parcel. The proposed developments for the three parcels contributed to the Borough's housing land supply and helped realise the vision for the key part of the Repton Park site.

In seconding the motion to permit this application, Cllr Clarkson said that he would like to take this opportunity to remind the applicant that they should adhere strictly to the planning approvals given. He indicated that in the past he had been written to by the purchasers of properties on this development complaining that the car ports were not built to the approved size. Officers of this Council had visited and found that there had been a breach of the planning approval, in that they had not been built to the size approved by the Planning Authority. Cllr Clarkson indicated that this was not acceptable and asked that these comments be conveyed to the applicant by the agent.

Resolved:

Approve Reserved Matters

Subject to the following Conditions and Notes:

1. The bird nesting boxes to the Plots shown on drawing no. P8-10/L01 Rev C and P8-10/L07 Rev C (or any subsequent variant to that drawing agreed in writing by the Local Planning Authority) shall be installed prior to first occupation of the dwellings at those Plots.

Reason: To help sustain and enhance biodiversity.

2. No development above ground floor slab level shall be commenced until the following details have been submitted to and approved by the Local Planning Authority in writing:-
 - 1:20 scale details of porch canopies (including materials and finish, details of any supporting posts and related brick plinths and roofing materials)
 - 1:20 details of chimneys
 - Details of any other external fittings to dwellings and their locations (including aerials, dishes and amenity lighting)
 - Brick boundary wall pier and coping details
 - All joinery including the glazed stair cores.
 - All proposed railings and gates within railings including style, detailing and final finish colour
 - Extract vents and Flues
 - Brick Mortar specification and colour

-
- Brick bond and decorative brick work
 - 1:10 and 1:20 details and sections of the Aluminium window frames
 - 1:20 details of the balconies including materials, fixings and soffit's
 - 1:20 details and sections of the timber infill panels to show extent of coverage and depth of recess from the facade brick work
 - Details of the column up lighting and night-time illumination of the ground floor commercial facades - such details shall include hours of operation, details of the fixtures themselves and flush mounting into the ground, location and parties responsible for maintenance
 - Details sufficient to show the brick frame and confirmation that the brick work would wrap continuously around the soffit/underside.
 - Depth of window reveals
 - Glass balconies enclosures
 - Coping to gables
 - Parapet capping, materials and fixings
 - Details of down pipes and guttering to match the colour of joinery
 - Mature hedges to plots 8, 9 and 10 on Parcel 10.
 - a brick wall with inset railings to the northern boundary of the car park to Parcel 9 to secure the car park for security and visually
 - Stair core glazing, joinery and infill panels

Thereafter, dwellings shall only be constructed in accordance with the approved details and all approved details shall be retained unless any variations have been approved in writing by the Local Planning Authority.

Reason: Further details are required in order to ensure that the external fine detail of dwellings is of a high design quality.

3. The flats at Plots 8, 9 and 10 (Parcel 10) shall not be occupied until the approved boundary railings and wall have been installed. Thereafter, the approved railings and wall shall be retained unless the written permission of the Local Planning Authority for their removal has been obtained in writing.

Reason: Boundary details are considered a component of place-making in these locations and they establish a particular type of demarcation between

private and public space. Delays in the provision of railings will unnecessarily affect the realisation of place-making as well as give rise to uncertainty for owners and occupiers that may result in less visually successful approaches being adopted as a consequence.

4. Within the ground floor living/working area of Plots 1 to 7 (Parcel 10), no radiators shall be installed on the street facing elevation.

Reason: A radiator installed in such a location would adversely affect the external visual quality of the ground floor to the property, the design approach for which has been specifically designed to visually emphasise the flexible live/work use authorised for the property and to allow easy adaptation between uses including the commercial display of goods/services.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, no street name signage shall be installed within any public highway land unless otherwise agreed to in writing by the Local Planning Authority.

No flat may be occupied until a scheme for the provision of all street name signs has been agreed in writing by the Local Planning Authority (in consultation with Kent Highway Services) and street name signs have been provided in accordance with the approved scheme. The scheme shall comprise the following:-

- (a) Details of the precise positioning of street name signs to be attached to the elevations of buildings through submission of a 1:100 scale drawing
- (b) Copies of the easements in relation to the Plots concerned to allow installation and periodic maintenance by the local authority.

Reason: In order to de-clutter and improve the visual appearance of the public realm and to help limit damage to street name signs generally with attendant implications for long term maintenance at public expense.

6. No flat shall be occupied until the details identified below for the relevant block have been submitted to and approved by the Local Planning Authority in writing and subsequently provided.
 - (a) Details of secure access arrangements for communal cycle stores.

Thereafter, the approved secure access arrangements shall be retained in working order.

Reason: To ensure communal cycle stores are secure and accessible by only those authorised to access the interior of the store in order to prevent crime and encourage the benefits of cycling for local everyday journeys. To ensure that car courts serving flats are secure by design and to help ensure that they are well-used by residents as a consequence.

7. 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'.

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

8. Prior to the commencement of Parcel 8 an arboricultural impact assessment shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the approved mitigation measures shall be implemented and maintained in throughout the construction of Parcel 8. The arboricultural impact assessment should include a schedule of trees to be retained and removed, evaluate the likely effects of construction works on retained trees including post development pressures and provide recommendations on mitigation measures to be implemented. It should also include a Tree Protection Plan which shall include details which are in accordance with BS5837: 2012 "Trees in Relation to Construction" (Table 1).

The protective shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: In order to prevent damage to the protected trees located to the north of the site.

9. Prior to the first occupation of Plot 9 (Parcel 8), details of the final internal wall finish to covered allocated parking spaces located beneath said dwelling shall have been submitted to and approved in writing by the Local Planning Authority and shall thereafter be implemented prior to the first occupation of any of the residential units to which the parking spaces serve.

Reason: In the interests of the visual amenity of the area and to ensure a high quality environment for residents.

10. Prior to the occupation of any plot on either Parcel 8 or 10 details of metal gates to serve the access to communal parking area shall be submitted to and approved by the Local Planning Authority in writing and shall thereafter be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and to ensure that the parking area serving the dwellings are secure by design

11. Prior to commencement of any plot on either Parcel 8 or 10 details of the composite cladding and the hidden fixing system shall be submitted to and approved by the Local Planning Authority in writing and thereafter implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

12. Prior to the operation of the premises, a scheme for the control of noise and vibration of any plant (including ventilation, refrigeration, air conditioning and air handling units) to be used in pursuance of this permission shall be submitted to and approved in writing by the Local Planning Authority. This shall then be so installed prior to the first use of the premises. The equipment shall be maintained and operated in compliance to the approved scheme whenever it is operation. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority.

Reason: To prevent the transmission of noise and vibration into any neighbouring properties to protect amenity.

13. Prior to the first operation of the premises, a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises, shall be submitted to and approved in writing by the Local Planning Authority. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises and these shall thereafter be operated and retained in compliance with the approved scheme.

Reason: To prevent the transmission of fumes and odours into neighbouring properties to protect amenity

14. Prior to the occupation and prior to new occupation of the flexible use commercial ground floor space, an acoustic assessment and scheme of insulation shall be submitted to the planning authority for approval and

installation prior to use. Such an assessment and scheme of insulation shall be based on the proposed use class in order to ensure that the residential properties are sufficiently protected against noise transmission between the flexible use commercial ground floor space and the residential units.

Reason: To prevent the transmission of noise and vibration into any neighbouring properties to protect amenity

15. Prior to any construction above ground floor finished slab level hereby approved details of the Shop Frontage Requirements Guidelines to be conveyed from the owner to tenants, which shall set out the restrictions to matters such as joinery, glazing and advertisements including size and position and other details of all window treatments including but not exclusively areas for blinds, opaque treatments shall be submitted to and approved by the Local Planning Authority in writing. No shop frontage shall be treated (including the placing of advertisements and treatment of windows) other than in accordance with the approved requirements and shall thereafter be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority and copy of the approved requirements shall be given to each tenant by the owner.

Reason: To ensure the development provides active frontages that relate to people in the street and to ensure the continued vitality of the street scene.

16. With the exception of bricks written details including source/ manufacturer, and samples of all 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.

17. Prior to the first occupation of any units details including plans for the provision of at least two electric vehicle charging points within both Parcel 8 and Parcel 10 shall be provided to and approved by the Local Planning Authority in writing. Thereafter the charging points shall be implemented and maintained in perpetuity in accordance with the approved details and retained available, in a working order for the charging of electric vehicles. The charging point may be a dedicated electric vehicle charging socket capable of safely providing a slow charge to an electric vehicle via a domestic charging cable.

Reason: To take into account the cumulative impacts of development on air quality and to encourage the use of sustainable transport modes including incorporation of facilities for charging plug-in vehicles.

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

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

2. Prior to the first occupation of the premises/site, details including plans, should be submitted to and approved by the Local Planning Authority in writing for the installation of a High Speed wholly Fibre broadband To The Premises (FTTP) connection to the development hereby approved. Thereafter, the infrastructure should be laid out in accordance with the approved details at the same time as other services during the construction process and be available for use on the first occupation of the building unless otherwise agreed in writing by the Local Planning Authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that been made in the absence of FTTP).

Application Number	17/00578AS
Location	Land Parcel 9 Former Rowcroft and Templer Barracks site, Templer Way, Ashford, Kent
Grid Reference	9988/4536
Ward	Godinton
Application Description	Reserved matters application for 31 residential apartments together with flexible employment floorspace (B1/ A1/ A2/ A3/ A4 or A5 Use Classes), associated landscaping, infrastructure and earthworks pursuant to outline planning permission 02/01565/AS
Applicant	Persimmon Homes South East c/o Agent
Agent	Mr Tom Ashley Barton Willmore LLP The Observatory Southfleet Road Ebbsfleet, Dartford, Kent, DA10 0DF
Site Area	0.43 hectares (ha)
(a) 187/1+	(b) - (c) KCCH&T X, EHM X, PO(DRAINAGE) X, SW X, KCC:F&WM X,

The Head of Development Management and Strategic Sites drew Members' attention to the Update Report. There was a revised Recommendation and New Conditions to be added.

See the previous application for the agent's speech.

Resolved:

Approve Reserved Matters

Subject to the following Conditions and Notes:

1. The bird nesting boxes to the Plots shown on drawing no. P8-10/L01 Rev C and P8-10/L07 Rev C (or any subsequent variant to that drawing agreed in writing by the Local Planning Authority) shall be installed prior to first occupation of the dwellings at those Plots.

Reason: To help sustain and enhance biodiversity.

2. No development above ground floor slab level shall be commenced until the following details have been submitted to and approved by the Local Planning Authority in writing:-
- 1:20 scale details of porch canopies (including materials and finish, details of any supporting posts and related brick plinths and roofing materials)
 - Details of the ground floor shop front surrounds.
 - 1:20 details of chimneys
 - Details of any other external fittings to dwellings and their locations (including aerials, dishes and amenity lighting)
 - All joinery
 - All proposed railings and gates within railings including style, detailing and final finish colour
 - Extract vents and Flues
 - Brick Mortar specification and colour
 - 1:20 Brick bond and decorative brick work
 - 1:10 and 1:20 details and sections of the Aluminium window frames
 - 1:20 details of the balconies including materials, fixings and soffit's
 - Details of the column up lighting and night-time illumination of the ground floor commercial facades - such details shall include hours of operation, details of the fixtures themselves and flush mounting into the ground, location and parties responsible for maintenance
 - Details sufficient to show the brick frame and confirmation that the brick work would wrap continuously around the soffit/underside.
 - Depth of window reveals
 - Coping to gables
 - Parapet capping, materials and fixings
 - Details of down pipes and guttering to match the colour of joinery
 - Mature hedges to ground floor apartments and the northern boundary to the rear courtyard parking area.

- a brick wall with inset railings to the northern boundary of the car park to Parcel 9 to secure the car park for security and visually
- Stair core glazing, joinery and infill panels

Thereafter, dwellings shall only be constructed in accordance with the approved details and all approved details shall be retained unless any variations have been approved in writing by the Local Planning Authority.

Reason: Further details are required in order to ensure that the external fine detail of dwellings is of a high design quality.

3. The flats at Plots 144 and 170 shall not be occupied until the approved boundary railings, walls and mature hedgerows have been installed. Thereafter, the approved railings and wall shall be retained unless the written permission of the Local Planning Authority for their removal has been obtained in writing.

Reason: Boundary details are considered a component of place-making in these locations and they establish a particular type of demarcation between private and public space. Delays in the provision of railings will unnecessarily affect the realisation of place-making as well as give rise to uncertainty for owners and occupiers that may result in less visually successful approaches being adopted as a consequence.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, no street name signage shall be installed within any public highway land unless otherwise agreed to in writing by the Local Planning Authority.

No flat may be occupied until a scheme for the provision of all street name signs has been agreed in writing by the Local Planning Authority (in consultation with Kent Highway Services) and street name signs have been provided in accordance with the approved scheme. The scheme shall comprise the following:-

- (a) Details of the precise positioning of street name signs to be attached to the elevations of buildings through submission of a 1:100 scale drawing
- (b) Copies of the easements in relation to the Plots concerned to allow installation and periodic maintenance by the local authority.

Reason: In order to de-clutter and improve the visual appearance of the public realm and to help limit damage to street name signs generally with attendant implications for long term maintenance at public expense.

5. No flat shall be occupied until the details identified below for the relevant block have been submitted to and approved by the Local Planning Authority in writing and subsequently provided.

(a) Details of secure access arrangements for communal cycle stores.

Thereafter, the approved secure access arrangements shall be retained in working order.

Reason: To ensure communal cycle stores are secure and accessible by only those authorised to access the interior of the store in order to prevent crime and encourage the benefits of cycling for local everyday journeys. To ensure that car courts serving flats are secure by design and to help ensure that they are well-used by residents as a consequence.

6. 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'.

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

7. Prior to the commencement of Parcel 9 an arboricultural impact assessment shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the approved mitigation measures shall be implemented and maintained in throughout the construction of Parcel 9. The arboricultural impact assessment should include a schedule of trees to be retained and removed, evaluate the likely effects of construction works on retained trees including post development pressures and provide recommendations on mitigation measures to be implemented. It should also include a Tree Protection Plan which shall include details which are in accordance with BS5837: 2012 "Trees in Relation to Construction" (Table 1).

The protective shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: In order to prevent damage to the protected trees located to the north of the site.

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8. Prior to the occupation of any plot on details of metal gates to serve the access to communal parking area shall be submitted to and approved by the Local Planning Authority in writing and shall thereafter be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and to ensure that the parking area serving the dwellings are secure by design

9. Prior to commencement of any plot on either details of the composite cladding and the hidden fixing system shall be submitted to and approved by the Local Planning Authority in writing and thereafter implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

10. Prior to the operation of the premises, a scheme for the control of noise and vibration of any plant (including ventilation, refrigeration, air conditioning and air handling units) to be used in pursuance of this permission shall be submitted to and approved in writing by the Local Planning Authority. This shall then be so installed prior to the first use of the premises. The equipment shall be maintained and operated in compliance to the approved scheme whenever it is operation. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority

Reason: To prevent the transmission of noise and vibration into any neighbouring properties to protect amenity

11. Prior to the first operation of the premises, a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises, shall be submitted to and approved in writing by the Local Planning Authority. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises and these shall thereafter be operated and retained in compliance with the approved scheme.

Reason: To prevent the transmission of fumes and odours into neighbouring properties to protect amenity

12. Prior to the occupation and prior to new occupation of the flexible use commercial groundfloor space, an acoustic assessment and scheme of insulation shall be submitted to the planning authority for approval and

installation prior to use. Such an assessment and scheme of insulation shall be based on the proposed use class in order to ensure that the residential properties are sufficiently protected against noise transmission between the flexible use commercial groundfloor space and the residential units.

Reason: To prevent the transmission of noise and vibration into any neighbouring properties to protect amenity

13. Prior to the commencement of any development hereby approved details of the Shop Frontage Requirements Guidelines to be conveyed from the owner to tenants, which shall set out the restrictions to matters such as joinery, glazing and advertisements including size and position and other details of all window treatments including but not exclusively areas for blinds, opaque treatments shall be submitted to and approved by the Local Planning Authority in writing. No shop frontage shall be treated (including the placing of advertisements and treatment of windows) other than in accordance with the approved requirements and shall thereafter be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority and copy of the approved requirements shall be given to each tenant by the owner.

Reason: To ensure the development provides active frontages that relate to people in the street and to ensure the continued vitality of the street scene.

14. With the exception of bricks written details including source/ manufacturer, and samples of all 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.

15. Prior to the first occupation of any unit details including plans for the provision of at least two electric vehicle charging points shall be provided to and approved by the Local Planning Authority in writing. Thereafter the charging points shall be implemented and maintained in in perpetuity accordance with the approved details and retained available, in a working order for the charging of electric vehicles. The charging point may be a dedicated electric vehicle charging socket capable of safely providing a slow charge to an electric vehicle via a domestic charging cable.

Reason: To take into account the cumulative impacts of development on air quality and to encourage the use of sustainable transport modes including incorporation of facilities for charging plug-in vehicles.

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16. Prior to the first occupation of any unit details of a parking strategy setting out the precise allocation of private parking spaces shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the strategy shall be implemented in accordance with the approved details and maintained in perpetuity unless otherwise agreed in writing. The strategy shall include but not limited to:
- Plans showing which spaces are dual use and which are private
 - 2 Parking Spaces allocated for each of the 3 bedroom apartments
 - Details of signage to indicate how each space is to be used

Reason: In the interests of ensuring that parking provision is deployed and used effectively and in the interests of residential amenity.

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

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

2. Prior to the first occupation of the premises/site, details including plans, should be submitted to and approved by the Local Planning Authority in writing for the installation of a High Speed wholly Fibre broadband To The Premises (FTTP) connection to the development hereby approved. Thereafter, the infrastructure should be laid out in accordance with the approved details at the same time as other services during the construction process and be available for use on the first occupation of the building unless otherwise agreed in writing by the Local Planning Authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that been made in the absence of FTTP).

Application Number	16/01828/AS
Location	Land to the rear of 1 Ragstone Hollow, Aldington, Kent TN25 7DL
Grid Reference	06232/36753
Parish Council	Aldington
Ward	Saxon Shore
Application Description	Demolition of existing garages and erection of 4 new bungalows and associated works including 11 additional community spaces
Applicant	Mr G Holloway, Development and Regeneration Manager, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, TN23 1PL
Agent	Mr C Dobson, RDA Consulting Architects, Evegate, Park

Barn, Evegate, Smeeth, Ashford, TN25 6SX

Site Area 0.21 ha

(a) 16/5R (b) X (c) SESE/X, EHM/X, KHS/X, KAS/X, KCCE/X

The Head of Development Management and Strategic Sites drew Members' attention to the Update Report. Additional objection comments had been received from the original objectors. The Head of Development Management and Strategic Sites read out one of the Ward Members' statement in support of the application. There was also additional information.

Resolved:

Permit

Subject to the following conditions:

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

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

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

Reason: In the interests of visual amenity.

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

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

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

Reason: To protect the amenity of local residents.

5. Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following:

- (a) Parking and turning areas for construction and delivery vehicles and site personnel

- (b) Provision of wheel washing facilities

The development shall thereafter be carried out in accordance with the approved Construction Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

6. Prior to the commencement of the works to demolish the existing garages and the erection of the four dwellings and community parking hereby approved, the 6 additional community spaces to the rear of No 10 Ragstone Hollow, shown on drawing 15.129.03 Rev C shall be provided surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority. They shall thereafter be retained for ancillary parking of motor vehicles and access to the facility shall not be precluded.

Reason: To ensure adequate provision for vehicle parking for existing residents, in the interest of highway safety and residential amenity.

7. Prior to the first occupation of any of the units hereby permitted the remaining community parking spaces, shown on drawing number 15.129.03 Rev C and not referred to under condition 7 shall be provided surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority. They shall thereafter be retained for ancillary parking of motor vehicles and access to the facility shall not be precluded.

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

8. Prior to the commencement of development a detailed remediation scheme to ensure that the site is suitable for the intended use (by removing

unacceptable risks to human health, buildings and other property and the natural and historical environment) must be submitted to and approved in writing by the Local Planning Authority. The scheme must describe all the relevant works to be undertaken including, the proposed remediation objectives and performance criteria, a schedule of works and site management protocols. The scheme must deliver a site that will not qualify as 'contaminated land' under Part 2A of the Environmental Protection Act 1990, having regard to the intended use of the land after remediation. The approved scheme shall thereafter be carried out in accordance with its approved terms, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be notified at least two weeks prior to commencement of the remediation scheme works. Following completion of the remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

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

9. If unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 9, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 9. Following completion of the remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

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

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

Reason: To avoid pollution of the surrounding area. It may be necessary for the Local Planning Authority to consult the Water Authority about the sewage disposal arrangements but this should not form part of any condition.

11. 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 amenity of the area.

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

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

13. Prior to the first occupation of any of the dwellings hereby approved, details of bicycle storage facilities showing a covered and secure space for each dwelling will 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.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), 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

15. The two rear facing (north west elevation) rooflights to serve bedroom 2 of plot 2 shall be obscure glazed (privacy level/grade 3 or higher) and shall be non-opening up to a minimum height of 1.7 m above internal floor level. This specification shall be complied with before the development is occupied and

thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard against overlooking and loss of privacy in the interests of amenity of occupiers of neighbouring properties.

16. Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity shall be submitted to and approved in writing by the Local Planning Authority. These shall include the installation of bat and bird nesting boxes along with provision of generous native planting where possible. The approved details will be implemented and thereafter retained.

Reason: To enhance biodiversity

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

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

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

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

19. Prior to any works being carried out above foundation level a report detailing the feasibility of providing high-speed broadband services to the development shall have been submitted to and approved by the Local Planning Authority in writing, and should such report show that a connection would be feasible it shall be provided prior to the occupation of the dwellings.

Reason: In the interest of maximising the use of new technology and associated sustainable benefits.

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	17/01602/AS
Location	Flats 1 – 27 Martin House, Little Chequers, Wye
Grid Reference	05181/46496
Parish Council	Wye with Hinxhill
Ward	Wye
Application	The replacement of existing uPVC windows for reason of

Description	repair
Applicant	Ashford Borough Council Community & Housing Department
Agent	N/A
Site Area	0.03 ha

(a) 18/0 (b)S (c)-

The Head of Development Management and Strategic Sites drew Members' attention to the Update Report and the Parish Council's support for the application.

Resolved:

Permit

Subject to the following Conditions:

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

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

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

Reason: In the interests of visual amenity.

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

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

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

permission/consent/approval).

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

Note to Applicant

1. Working with the Applicant

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

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

In this instance

- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
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Queries concerning these Minutes? Please contact Rosie Reid: Telephone: 01233 330565 Email: rosie.reid@ashford.gov.uk
Agendas, Reports and Minutes are available on: www.ashford.gov.uk/committees