

Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **12th December 2018**.

Present:

Cllr. Burgess (Chairman);
Cllr. Link (Vice-Chairman);

Cllrs. Bell, Bennett, Bradford, Buchanan, Clarkson (ex officio), Clokie, Dehnel, Farrell, Galpin, Heyes, Hicks, A Howard, Knowles, Krause, Ovenden.

In accordance with Procedure Rule 1.2(iii) Cllrs. Bell, Farrell and A Howard attended as Substitute Members for Cllrs. Wedgbury, Chilton and Waters respectively.

Apologies:

Cllrs. Chilton, MacPherson, Waters, Wedgbury.

Also Present:

Cllr. Smith.

Joint Development Control Manager; Head of Development Management and Strategic Sites; Head of Planning and Development; Senior Planning Officer & Urban Designer; Tree Officer; Senior Planning Officer; Cultural Projects Manager; Facility Development Manager; Principal Solicitor (Strategic Development); Member Services and Ombudsman Complaints Officer.

267 Declarations of Interest

Councillor	Interest	Minute No.
Bell	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	270 – 18/00448/AS 17/01913/AS
Bennett	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	270 – 18/00448/AS 17/01913/AS
Burgess	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	270 – 18/00448/AS 17/01913/AS
Clarkson	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	270 – 18/00448/AS 17/01913/AS

P
121218

Clokie	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society and the Tenterden District Residents Association.	270 – 18/00448/AS 17/01913/AS
Farrell	Made a Voluntary Announcement as he was a Member of KCC.	270 – 18/00448/AS 18/00405/AS 17/01913/AS 18/01467/AS
Galpin	Declared that as he was the Portfolio Holder for Corporate Property, he would speak on the relevant applications and leave the room for the debate and vote, which he did.	270 – 18/01390/AS 18/01604/AS
A Howard	Declared that as one of the Ward Members for an adjacent ward, he had made his position clear on the application, so he would make a statement but would not participate in voting.	270 - 18/01467/AS

268 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 14th November 2018 be approved and confirmed as a correct record, subject to the amendments set out on the agenda.

269 Requests for Deferral/Withdrawal

The Head of Development Management and Strategic Sites advised that the reports on applications 18/01168/AS and 18/01256/AS had been withdrawn from the agenda at the applicant's request as agreed by the Head of Development Management and Strategic Sites. Application 18/01369/AS was deferred until the Planning Committee meeting on 16th January 2019.

270 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	18/00448/AS
Location	Land South of Tilden Gill Road, Tilden Gill Road, Tenterden
Grid Reference	89372/33117
Town Council	Tenterden Town Council
Ward	Tenterden South
Application Description	Application for the approval of reserved matters (access, appearance, landscaping, layout, and scale) pursuant to outline permission ref 14/01420/AS for the erection of up to 100 dwellings, parking, landscaping, open space and associated works
Applicant	Redrow Homes, Prince Regent House, Quayside, Chatham, Kent, ME4 4QZ
Agent	Ms J Hanslip, Urbanissta Ltd, Eastside, London, N1C 4AX
Site Area	5.6 ha

The Senior Planning Officer drew Members' attention to the Update Report. Additional comments had been received from Tenterden Town Council. The applicant had sent an email to Members of the Planning Committee and had also submitted amended plans. An additional representation had been received from a neighbour.

In accordance with Procedure Rule 9.3, Mr Young, a local resident, spoke in objection to the application. He lived in Belgar Farmhouse and represented the Belgar Residents Group. The Group had accepted that the principle of development on the site was established, but they now expected the proposals to be of the highest quality. This was the principle of their current objections, which the applicant had failed to address, and the Group considered that their objections should be addressed in the design. The setting of the listed buildings was important, and they should be viewed together with the farmhouse buildings. Weight should be given to the inter-relationship of the buildings. The setting of the buildings should include the current curtilage and the ability to view the buildings in their curtilage was 'the setting'. The NPPF recognised that the surroundings of a heritage asset were not fixed and that the setting may affect the ability to appreciate the asset. English Heritage advised that the protection of the setting could contribute to the significance of the asset and its appreciation. Mr Young said that the placement of buildings immediately on the boundary of the defined curtilage of the primary listed building was inappropriate and damaging to the setting of the listed buildings. If the

proposals went ahead, it was believed that the ability to appreciate the listed buildings would be lost forever. The applicant did amend the development layout on the less sensitive northern and eastern boundaries. This change was welcomed but Mr Young questioned why it was not carried forward in relation to the curtilage of the listed buildings themselves, and the farmhouse in particular. The applicant seemed to change the layout to suit themselves, not in recognition of genuine planning concerns. Mr Young asked Members to reject the proposals as being insufficient to address the setting of the listed buildings. A proper buffer distance to the western side of them was sought and Mr Young urged that this request be taken seriously. The root protection area of the protected trees along the western side had not been investigated sufficiently. It was argued that the roots were unlikely to extend into the development area because there was a ditch on that side of the boundary. However, the ditch was extremely shallow, and it was reasonable to assume that the roots extended into the site. No intrusive investigation had been undertaken to ascertain the location of the roots. Mr Young advised that the Belgar farmhouse was heated by a biomass boiler. The feeder was located on its western boundary. It could be noisy, and it was surprising that the applicant had positioned a house immediately adjacent, with no plans for noise screening. In summary, Mr Young said that the current proposals were not good enough, and he believed that the applicant should be asked to withdraw this application and reconsider the layout.

In accordance with Procedure Rule 9.3, Ms Waldron, the agent, spoke in support of the application. The submission before Members sought approval of matters of layout, scale, appearance and landscaping following the grant of outline permission in 2016. Throughout the process the applicant had engaged positively with Officers, local Members, the Town Council and the Belgar Residents Association in accordance with national and local policy. Access would be provided at Priory Way, as agreed with the Highway Authority. Vehicle and cycle parking was provided in accordance with the Council's emerging Standards. The layout had been the subject of detailed negotiation and amendment on matters of siting, orientation, materials and character areas as set out in the October resubmission. The appearance would reflect the character of Tenterden. A mix of houses was provided, including 35% Affordable provision. All units complied with national space standards and garden size requirements. Since the first submission, the layout had evolved to respect the retained high-quality trees on site, and the layout respected the buffer with Belgar. The existing mature landscape structure of the site would be retained and enhanced with new species of Wealden character. New planting was proposed along the boundary with Belgar, including beside plot 56, as well as 50 new shrubs. The main Belgar residence itself was approximately 38m from the site boundary. The applicant had sought to create a scheme that preserved and enhanced the listed building with additional planting and screening that would not adversely affect the special interest of this property. The Officer's recommendation to approve acknowledged this. The low density of the site ensured that new properties would not be dominant features within the setting. Plot 46 had also been moved away from the boundary to protect T29 and further enhance the buffer. The ancient woodland buffer to the south was also respected. On matters of ecology and drainage, Officers were satisfied with the proposals. The scheme was acceptable as it had

addressed matters of layout and appearance and was underpinned by the extant outline permission. Ms Waldron asked Members to vote in accordance with the Officer's recommendation for approval.

In accordance with Procedure Rule 9.3, Mr Crawford, on behalf of Tenterden Town Council, spoke in objection to the application. He said the Town Council viewed the site layout for this application as unacceptable. The applicant's representatives had attended the Tenterden Town Council planning meeting on 21st May 2018 to answer questions and hear the Town Council's concerns. For the last 7 months the Town Council had lodged their concerns on the Ashford Borough Council application website. It was disappointing that there had not been any consultation with the applicant during the reserved matters process to resolve the outstanding issues. The applicant did hold a meeting with the Town Council on 3rd December, but there was insufficient time to have any meaningful dialogue and reach some form of solution in time for this Planning Committee. A major concern was the need to have an ecological buffer around the site for sustainable nature conservation, as the site was adjacent to the AONB. A buffer was one of the key elements of green infrastructure that could protect this sensitive location. Page 290 of the emerging Local Plan highlighted that local authorities were required to take into consideration the setting outside of an AONB when determining planning applications. On 15th June 2017 the Ashford Borough Council Cabinet agenda stated that the inclusion of a perimeter buffer strip should be a condition to selling Ashford's Priory Way land to the developer. The Town Council requested that this sale condition should state specifically that the buffer had to be of an acceptable ecological width. The Town Council requested that a planning condition be imposed on this site for an ecological strip. Another concern was the positioning of the three storey blocks of Affordable flats adjacent to the AONB. It was considered that the blocks of flats were detrimental to the open setting and were not compliant with policy ENV3. Mr Crawford cited para 5.313.5 of the emerging Local Plan and Section 85 of the 2000 Countryside and Rights of Way Act and associated Planning Practice Guidance paragraphs, which he said supported the Town Council's arguments. He asked that a condition be imposed that the Affordable block of flats be sited away from the AONB and heritage buildings. He also requested that before the applicant submitted a revised site layout, they should present it to the Town Council first for feedback.

Resolved:

Deferred to a future meeting of the Planning Committee to allow the applicants to submit amended plans showing the deletion/re-siting of plots 46 and 56 to allow an increased buffer width on the eastern boundary adjoining Belgar Farm.

Application Number	18/00405/AS
Location	Land east of railway and north of John Lewis at Home, Fougères Way, Ashford, Kent
Parish	Central Ashford
Grid Reference	00086 /43880
Ward	Bockhanger (Ashford)
Application Description	Construction of retail warehousing, detached drive thru restaurant and 'Vets' (sui generis) together with associated access, servicing, landscaping, car parking and SUDs provision.
Applicant	Davies Street Castle City Limited c/o Agent
Agent	Miss Victoria Chase Indigo Planning Aldermay House 10 – 15 Queen Street London EC4N 1TY
Site Area	4.37ha.
(a) 161/6R	(b) - (c) KCC: Heritage X, KCC Eco X, KWT R, CAFC R, PO X, SW X, EA X, Stagecoach X, KCC:H&T X, KCC:F&WM X

The Senior Planning Officer and Urban Designer drew Members' attention to the Update Report. There was an erratum at paragraph 14, and updates were provided from Kent County Council. An additional condition had been agreed by the applicant relating to landscaping, so recommendation paragraph (A) was withdrawn.

In accordance with Procedure Rule 9.3, Mr McGrath, the agent, spoke in support of the application. He said this site had previously been allocated for a park and ride provision, so the principle of development had been established. The site was adjacent to the John Lewis at Home and the development would complement this facility and provide a homeware hub to accommodate bulky goods retailers selling furniture, carpets, bathrooms, kitchens and homeware goods. It was proposed to introduce new retailers to Ashford and potential tenants had been identified. Mr McGrath said that this would not look like a traditional retail warehouse park. The

applicant had worked very hard with Officers to agree a design that was unique, contemporary, high-quality and used natural materials. It was an outstanding solution to meeting the Borough Council's exacting design standards and the needs of retailers. Because the retailers would be selling bulky goods, they would not compete directly with Ashford town centre. The Council's retail consultants had assessed the scheme and supported it. The sequential and impact tests had been passed. However, the applicant would pay £150,000 towards town centre improvements to help mitigate any potential impact on the town centre. The scheme would claw back trade that was currently leaking elsewhere, and provide choice and competition for existing and future residents. The Council was delivering 15,000 new homes. These families would need to make their new houses into homes and the new homeware hub would help them do this. The scheme would provide 150 new jobs and it was a vote of confidence in Ashford that people wanted to invest in retailing and open new stores.

Resolved:

- (A) **Subject to the notification to the Secretary of State in accordance with Circular 02/2009 in terms of the quantum of retail floorspace proposed in an out of centre location for retail uses and the development not being in accordance with one or more of the provisions of the development plan for the area and to his having indicated in writing that he is content for the Council to determine the application, or not responded within the period set out in the Circular, and**
- (B) **Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations detailed in Table 1, in terms agreeable to the Head of Development Management and Strategic Sites or the Joint Development Control Managers in consultation with the Director of Law and Governance, with delegated authority to either the Head of Development Management and Strategic Sites or the Joint Development Control Managers to make or approve changes to the planning obligations and planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit,**

Table 1

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
1.	Town Centre Projects A financial contribution towards substantial environmental based projects to achieve tangible benefits to	(Index-linked) £150,000	On commencement of development

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
	<p>off-set the retail impact of the development on the Town Centre through making that Centre a more attractive destination for visitors such as enhancements to the public realm, improved signage and comfort facilities for visitors, digital and promotional projects designed to increase town centre footfall, remodelling of or provision of additional car parking, provision of free Wi-Fi in certain locations, installation of public art, transport improvements, creation of heritage and tourism town centre trails etc.</p> <p>N.B. If the s.106 agreement is signed while pooling restrictions remain in force, these uses shall all be either projects for which not more than 5 contributions have been secured or authorised, or non-infrastructure expenditure)</p>	One-off payment	
2.	<p>Monitoring Fee</p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement</p>	£5000	Upon commencement of development
3.	<p>Travel Plan Monitoring fee</p> <p>Contribution towards the cost of monitoring compliance with the travel plan and helping to</p>	Index linked £1,000 p.a. for 5 years	£1,000 to be paid to the Council upon submission of the draft Travel Plan and £1,000 on the anniversary thereof

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
	ensure its success		for a period of 4 years.
4	<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>Notices must be given to the Council at various stages in order to aid monitoring. All contributions are index linked in order to maintain their value. The Council's legal costs in connection with the deed must be paid.</p> <p>If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.</p>		
5	<p>The contributions to KCC are to be <u>index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment</u> (Oct-16 Index 328.3) and are valid for 3 months from the date of KCC's request after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.</p>		

(C) PERMIT

subject to planning conditions and notes, including those dealing with the subject matters identified below, with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018

1. Standard implementation time condition.
2. Development carried out in accordance with the approved plans
3. Construction Environment Management Plan
4. Condition to be applied to Unit 1 (The Range):

The [insert net sales area floorspace figure for Unit 5 sqm net sales floorspace of Class A1 non-food retail floorspace associated with Unit 1 (ground floor and mezzanine floor) subject to this permission shall be limited to the sale of the following categories of goods and for no other purpose in Class A1 of the Town & Country Planning (Use Classes) Order 1987 as amended:

- DIY, hardware and home improvements products and materials;
- garden equipment, products and plants;
- electrical and gas items; furniture, furnishings, fabrics, curtains and household textiles;
- carpets and floor coverings;
- automotive and cycle products and accessories;
- computers and accessories;
- pets, pet food and supplies;
- seasonal bulky products,
- and the sale of goods and accessories ancillary to these categories. In addition, the sale of leisure products, housewares and hobbies and office/stationary products is permitted provided that the combined floorspace devoted to the sale of such products does not exceed 15% of total floorspace.

5. Condition to be applied to remaining retail units (Units 2 to 6)

The *[insert net sales area floorspace figure for remaining retail units]* sqm net sales floorspace of Class A1 non-food retail floorspace associated with Units 2 to 6 (ground floor and mezzanine floor) hereby permitted shall only be used for the sale and the display of the following goods: furniture, carpets & floor coverings; bathrooms and kitchens; building goods and materials; and DIY and home improvement; plus ancillary items (e.g. home furnishings) up to a maximum of 10% of the net floorspace of each unit. The sale of food for consumption off the premises; clothing and footwear; fashion accessories; sportswear and sports equipment and sports accessories; beauty products; and toys will not be permitted from the development even as an ancillary items.

- 5A. Conditions on Costa (to make sure it remains a drive-through etc.)
- 5B. Conditions on Vets unit
- 5C. The rest of conditions referred to in para. 53 of the report – no mezzanines; control of non-sales floorspace & storage; sub-division; etc. - and what are we doing about prohibiting Town Centre brands
- 6. Parking implementation and permanent retention
- 7. Bicycle storage facilities and permanent retention
- 8. Staff Shower and Changing Facilities

9. Travel plan to be submitted prior to first occupation
10. Fine details of external appearance
11. Hard and soft landscaping
12. Landscape management plan
13. Landscaping implementation
14. Protection of trees and hedgerow
15. Detailed SUDs strategy to be submitted, including requiring an independent verification report and details of future maintenance
16. Southern Water
17. No infiltration to the ground permitted
18. Archaeology
19. Archaeological field evaluation
20. Site wide biodiversity mitigation strategy
21. Biodiversity Enhancement Strategy
22. Landscape and Ecological Management Plan
23. Lighting
24. Electric charging points
25. Sustainable Construction
26. Contamination
27. Details of landscaping to the Fougères Way Embankment to be submitted and installed before the first opening of any store.

Notes to Applicant

1. S.106 agreement
 2. Working with the applicant
-

Application Number	17/01913/AS		
Location	Land between 82-120 Front Road, Woodchurch		
Grid Reference	4340 / 4324		
Parish Council	Woodchurch		
Ward	Weald South		
Application Description Applicant	Erection of 10 no. 2 storey dwellings together with access, parking, landscaping and ancillary works Tiffany Ryan, Southern Space Ltd, Fleet House, 59 – 61 Clerkenwell Road, London EC1M 5LA		
Agent	Mr P Mills, Clague, 62 Burgate Canterbury CT1 2BH		
Site Area	0.6 ha		
(a) 49/28R/1S	(b) Woodchurch PC R	(c)	SW X; KCC H&T X; KCC Bio X; WKPS R; Streetscene X

The Joint Development Control Manager drew Members' attention to the Update Report. Further letters had been received from Woodchurch Parish Council and a neighbour, and Cllr Feacey had commented on the application in his capacity as Chairman of the Air Quality Task Group.

In accordance with Procedure Rule 9.3, Mr Stafford, a local resident, spoke in objection to the application. He said he represented Woodchurch residents, who were not opposed to development on this site, but objected to certain elements of this proposal, which were considered unacceptable. Southern Water had recently told the Parish Council that improvements to the Front Road sewerage were unlikely in the short term due to other priorities. The residents endorsed the Parish Council's view that before any construction could begin, Southern Water should present its future improvement plan for the lower village. It was highly unsatisfactory that the proposed condition on sewerage allowed the new houses to be built before the improvements took place. This gave the developer leverage for unconditional connections to the detriment of the properties in the lower part of the village. The many objections illustrated that residents were totally opposed to tandem parking for 6 of the 10 units because the only option for overspill parking was on the busy thoroughfare of Front Road. Local opinion was that shared entrances and shared visitor parking, in addition to tandem parking, would be a catalyst for on-street parking in Front Road, creating a future accident black spot on the blind bend. It was felt that residents' concerns had been taken into account in the 2030 plan, which reduced the number of dwellings from 10 to a maximum of 8. Residents acknowledged the attraction of 10 units to the housing department but wished to highlight the increased risk of accidents by extending into the blind bend the already

problematic effects on two-way traffic of existing on-street parking. The major shortcoming of this proposal was the excessive space given over to the two 4-bed units occupying one third of the site. The covenanted strip between them expanded the existing modest field gate into a major feature, which was not shown in WOOD1 or emerging policy S40. The developer should reduce the number of houses accordingly rather than burdening Woodchurch village with long-term problems in Front Road. The plan view showed that the driveways to plots 7-10 were very cramped and awkward. Plot 10, with its raised elevation and position off the building line, severely impacted on the residential amenity of 120 Front Road. Residents considered that there was harm to residential amenity. This major development was not in the best interests of Woodchurch village. An 8 unit proposal would create the additional space to ameliorate the problems and provide a development of which all could be truly proud.

In accordance with Procedure Rule 9.3, Mr Mills, the agent, spoke in support of the application. The predominance was for 2 and 3 bed units, although previous proposals for this site had been for large 4 bed detached houses. That was the reason the allocation was reduced from 10 to 8 dwellings. This scheme sought to provide 2, 3 and 4 bed units. The developer could propose no Affordable housing and provide 6 larger houses with exactly the same mass and composition, with more parking pressures due to increased bedroom numbers. This would be fully policy compliant. The applicant was looking to provide smaller, more affordable properties, to meet local need. Other proposals may include 4 to 5 bed executive style homes, as included in previous applications. The 2 bed houses would have 2 dedicated parking spaces, with 10 visitor spaces across the 10 units. The visibility met Kent Highways requirements, and it was considered that the access points were safe. The scheme met all the requirements of the current allocation, apart from the allocated number, and there was very good reason why 10 could be reasonably accommodated. There was significant plot separation, with a 3m landscape buffer to the open space to the rear, and most of the hedgerow to Front Road was retained. There was also additional landscaping. This would be a high-quality scheme. The applicant had worked closely with the Parish Council and the local authority for some time. 10 dwellings was the minimum number the current applicant could bring forward with the commitment of 60% shared ownership. The applicant was unable to guarantee 100% shared ownership on this site due to funding, although it was their aspiration to provide 10 affordable units on this site with a commitment to 40% through S106. In terms of drainage, Southern Water had an obligation to serve all new dwellings. The capacity requirement from this site was likely to be very small in terms of the size of the drainage system. This was a very good scheme and Mr Mills asked Members to support the Officer's recommendation.

Resolved:

- (A) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations detailed in Table 1 (and any section 278 agreement so required), in terms agreeable to the Head of Development Management and Strategic Sites or the Joint Development Control Managers in consultation with the Director of Law and Governance, with delegated authority to either the Head of Development Management and Strategic Sites or the Joint Development**

Control Managers to make or approve changes to the planning obligations and planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit,

Table 1

	Planning Obligation		
	Detail	Amount(s)	Trigger Point(s)
1.	Affordable Housing Provide 4 units as affordable housing, and to such standards, timings and other particulars as the Council specifies in an affordable housing scheme. The affordable housing shall be managed by a registered provider of social housing approved by the Council.	The units being shared tenure affordable housing approved by the Council.	To be agreed in the affordable housing scheme to be approved prior to commencement
2.	Monitoring Fee Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking	£500	Upon commencement of development
<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 (normally from the date of calculation) in order to ensure the value is not reduced over time. The costs, expenses and disbursements of the Council's Legal and Planning Departments incurred in connection with the negotiation, preparation and completion of the deed are also payable. The Kent County Council will also require payment of their legal costs.</p>			

(B) Permit

Subject to planning conditions and notes, including those dealing with the subject matters identified below, with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018

1. Standard time condition

2. Development carried out in accordance with the approved plans
3. Occupation of the development shall be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development.
4. SUDS
5. The reptile translocation and ecological mitigation measures outlined in the submitted Reptile Mitigation Strategy, PJC Consultancy, 14th June 2018; must be implemented prior to any works commencing on site. On completion of the works, a letter from the ecologist shall be submitted confirming that the reptile translocation and full mitigation has been implemented as detailed within the submitted plan.
6. No development shall take place until a “lighting design strategy for biodiversity” for the site boundaries has been submitted to and approved in writing by the local planning authority. The lighting strategy shall:
 - a) Identify those areas/features on site that are particularly sensitive for badgers and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
 - b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.
7. The GCN and badger precautionary measures outlined in the submitted Extended Phase 1 Habitat Survey, paragraph 5.15 and 5.11 must be implemented and checked by a suitable licensed ecologist prior to any works commencing on site.
8. Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity will be included within the site landscape plan and submitted to and approved in writing by the Local Planning Authority. The approved details will be implemented and thereafter retained.
9. Submission of a Construction Management Plan before the commencement of any development on site to include the following:

-
- (a) Parking and turning areas for construction and delivery vehicles and site personnel
 - (b) Provision of wheel washing facilities
 - (c) Temporary traffic management / signage
10. Provision of measures to prevent the discharge of surface water from the private drives onto the public highway.
 11. Provision and permanent retention of the vehicle parking spaces shown on the submitted plan (23214B_003 Revision H) prior to the occupation of each of the dwellings hereby permitted.
 12. Provision and permanent retention of the vehicle turning facilities shown on the submitted plan (23214B_003 Revision H) prior to the occupation of any of the dwellings hereby permitted.
 13. Provision and permanent retention of the cycle parking facilities shown on the submitted plan (23214B_003 Revision H) prior to the occupation of each of the dwellings hereby permitted.
 14. Completion and maintenance of the access details shown on the submitted plan (23214B_003 Revision H) prior to the occupation of any of the dwellings hereby permitted.
 15. Provision and maintenance of the visibility splays shown on the submitted plan (1936_SK009Revision C) with no obstructions over 0.6 metres above carriageway level within the splays, prior to each of the accesses hereby permitted being brought into use.
 16. Design details
 17. Hedgerow protection
 18. Hard and soft landscaping details in accordance with approved plans
 19. Landscaping details (soft works)
 20. Boundary treatment details
 21. Removal of PD rights
 22. Development available for inspection
 23. Electric vehicle charging points

24. Refuse

25. Consumption of wholesome water.

Notes to Applicant

1. S106
2. Working with the Applicant
3. Standard Highway Informative
4. Nesting birds

Working with the Applicant

In accordance with paragraphs 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner by;

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

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- the applicant/agent responded by submitting amended plans, which were found to be acceptable and permission was granted
- The 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	18/01467/AS		
Location	Swan Community Centre, Turner Close, Willesborough, Kent		
Grid Reference	01938/41268		
Parish Council	None		
Ward	South Willesborough		
Application Description	Proposed removal/demolition of existing Bromley Green FC changing & social facility, and construction of replacement modular facility & clubroom.		
Applicant	Cultural Services, Ashford Borough Council, Tannery Lane, Ashford, TN23 1PL		
Agent	Williams Architects, Office 7, The Garage Studios, 41-45 St Marys Gate, The Lace Market, Nottingham, NG1 1PU		
Site Area	0.063ha		
(a) 136/2X, 1R	(b) -	(c)	EA/-, Drainage/X, Sport England/X, KH&T/-, EHM/X; KCC Heritage/-

The Head of Development Management and Strategic Sites drew Members' attention to a letter of objection she had been handed by a local resident, which she read to Members.

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

Resolved:

Permit

Subject to the following Conditions and Note:

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

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

2. Written details including source/ manufacturer, and samples of thermowood cladding and roof sheeting/membrane to be used externally shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the modular building hereby approved and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity.

3. The premises shall not be open to the public after 2200 hours on any day unless prior written consent has been received from the Local Planning Authority.

Reason: To protect the residential amenity of the locality.

4. Prior to the erection of any boundary treatments, details of the boundary treatments including their height, design and location shall be submitted to and approved in writing by the Local Planning Authority. The walls and fences shall then be erected prior to the first use of the premises 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.

5. Details of the external lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such lighting and thereafter installed in accordance with the approved details unless otherwise agreed by the Local Planning Authority.

Reason: In the interests of amenity of adjoining residents.

6. 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. The submitted details shall include the following information:
 - Details to demonstrate that the surface water run off generated by the development can be accommodated and disposed of without an increase in on or off site flood risk (for all rainfall durations and intensities up to including the climate change adjusted critical 100 year storm);
 - Identification of the proposed discharge points from the system, and;
 - A timetable for provision of the system and arrangements for future maintenance (including type, frequency and responsibility for maintenance).

The works shall be carried out and maintained in working order in accordance with these approved details.

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

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, 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.

8. 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 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative 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 considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
-

Application Number	18/01390/AS
Location	The Joe Fagg Pop Inn Social Centre, St Johns Lane, Ashford, TN23 1QD
Grid Reference	601173/142716
Parish Council	Central Ashford
Ward	Victoria
Application Description	Demolition of the Joe Fagg pop in social centre and reinstatement to car parking
Applicant	Ms Victoria Couper, Corporate Property and Projects, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL
Agent	Ms Victoria Couper Corporate Property and Projects, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL
Site Area	0.03ha
(a) - / -	(b) - (c) EMS X

Resolved:

Permit

Subject to the following conditions:

1. Upon completion of demolition all materials shall be removed from the site and the site shall be restored in the manner described in the Design, Access and Heritage Statement and in accordance with the details set out on drawing number VLPCD-101.

Reason: In order not to prejudice the appearance of the surrounding Conservation Area and neighbours' amenities.

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. Demolition and site clearance works shall only be carried out between the hours of 0800 and 1800 Monday to Saturday, and not at all on Sundays and Bank Holidays.

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

4. The process of demolition shall be undertaken in accordance with the details set out in the Design, Access and Heritage Statement.

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

5. 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.

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

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

Notes to Applicant

Working with the Applicant

1. In accordance with paragraphs 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals

focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
 - as appropriate updating applicants/agents of any issues that may arise in the processing of their application
 - where possible suggesting solutions to secure a successful outcome,
 - informing applicants/agents of any likely recommendation of refusal prior to a decision and,
 - by adhering to the requirements of the Development Management Customer Charter.
 - In this instance the application was acceptable as submitted and no further assistance was required.
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
2. The applicant should note that it is illegal to burn any controlled wastes, which includes all waste except green waste/vegetation cut down on the site where it can be burnt without causing a nuisance to neighbouring properties.
 3. The applicant should take such measures as reasonably practical to minimise dust emissions from construction and demolition activities and for that purpose the applicant is referred to the IAQM guidance on controlling dust on construction sites.
 4. The proposed development entails the demolition of the existing building which is said to contain asbestos materials. The Control of Asbestos Regulations 2012 (CAR 2012) require that suitable and sufficient assessment is carried out. CAR 2012 requires that a suitable written plan of work must be prepared before any work is carried out and the work must be carried out in accordance with that plan.
-

Application Number 18/01604/AS

Location 25 Park Mall, Ashford, TN24 8RY

Grid Reference 00915/42871

Parish Council	None
Ward	Victoria
Application Description Applicant	Change of use from A1 (shops) to D1 (non-residential institutions) for relocation of One You Mrs E Everett, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, TN23 1PL
Agent	Mr D Scarsbrook, Project Delivery Team, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, TN23 1PL
Site Area	0.01 ha

Resolved:**Permit****Subject to the following Conditions and Notes:**

(with delegated authority to either the Head of Development Management and Strategic Sites or the Joint Development Control Managers to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit)

Proposed conditions:

1. Standard time condition
2. Carry out development in accordance with the approved plans
3. Restrict Use Class
4. Make premises available for inspection

Note to Applicant

1. Working with the Applicant

In accordance with paragraphs 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application

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

In this instance

- The application was dealt with 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.
-

Queries concerning these Minutes?

Please contact membersservices@ashford.gov.uk

Agendas, Reports and Minutes are available on: www.ashford.moderngov.co.uk