

## Ashford Borough Council: Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on **13<sup>th</sup> July 2022**.

### Present:

Cllr. Burgess (Chairman);

Cllr Blanford (Vice-Chairman);

Cllrs Forest, Harman, Howard, Iliffe, Meaden, Mulholland, Ovenden, Shorter, Spain, Sparks, C Suddards and Walder

In accordance with Procedure Rule 1.2(iii), Cllrs Spain and C Suddards were in attendance as substitutes for Cllrs L Suddards and Chilton respectively.

### Apologies:

Cllrs N Bell (ex-Officio), Chilton, L Suddards

### In Attendance:

Assistant Director, Planning & Development; Strategic Development and Delivery Manager; Interim Planning Applications and Building Control Manager; Deputy Team Leader – Strategic Development; Deputy Team Leader – Strategic Development; Deputy Team Leader – Development Management; Principal Solicitor (Strategic Development); Member Services Officer

## 89 Declarations of Interest

Councillor	Interest	Minute No.
Blanford	Made a Voluntary announcement that she was a Member of the Weald of Kent Protection Society (WKPS) and the Campaign to Protect Rural England. Declared that she was a member of WKPS's planning committee, but she did not take part in WKPS's planning discussions affecting Ashford borough sites. She had not been consulted on, and had not given an opinion on, the application.	21/01406/AS
Burgess	Made a Voluntary announcement that he was a Member of the Weald of Kent Protection Society. Stated that his views on the application were widely known in Wittersham, and the Vice-	21/01406/AS

Chair would chair the item. He left the meeting after his speech as Ward Member, and took no further part in discussions or decision-making on the application.

Forest	Declared he was the Portfolio Holder for Environment, Property and Recreation but had had no previous involvement in the application.	22/00540/AS
Meaden	Made a Voluntary announcement that he was a member of the Campaign to Protect Rural England's planning group.	
C Suddards	Declared he was the Ward Member for Victoria Ward	20/00947/AS 21/02216/AS

## 90 Public Participation

The Member Services Officer advised that at this meeting registered public speakers had been invited either to address the Committee in person, or to have their speeches read out by a designated Council Officer not from the Planning Department. For this meeting, there were five public speakers, all of whom were to deliver their speeches in person.

## 91 Officers' Deferral/Withdrawal of Reports

The Strategic Development and Delivery Manager reported that the applicant had made a formal request to defer Item 6b 21/01250/AS Oakleigh House, Watercress Lane, Ashford, for future consideration, which was agreed by the Planning Officers.

## 92 Minutes

**Resolved:**

**That the Minutes of the Meeting of this Committee held on 15 June 2022 be approved and confirmed as a correct record.**

## **93 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 Parish/Town/Community Council's views**
- (c) The views of Statutory Consultees and Amenity Societies etc. (abbreviation for consultee/society stated)**

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

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<b>Application Number</b>	20/00947/AS	
<b>Location</b>	1 to 11 New Rents, Ashford, TN23 1LE	
<b>Parish Council</b>	NA	
<b>Ward</b>	Victoria (Central Ashford)	
<b>Application Description</b>	Full planning permission for a 92-bedroom hotel with associated servicing, car parking and bar/restaurant (for public access) together with the provision of 10 apartments following the demolition of existing buildings.	
<b>Applicant</b>	SPPF Ltd.	
<b>Agent</b>	DHA Planning, Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, ME14 3EN	
<b>Site Area</b>	0.18ha	
(a)	77/8 - 2 'R', 5 'S', 1 'X'	(b) NA
		(c) KCCH&T 'X', KCC Archaeology 'X', KCC EDEV 'X', EH 'X', EA 'X', POL 'X', KCC LLFA 'X', HE 'X', SW 'X'

The Deputy Team Leader – Strategic Applications gave a presentation and referred the Committee to the Update Report which detailed an amended description of development to remove any ambiguity regarding the height of the development. He drew Members' attention to the location in an historic part of Ashford, the included retail unit, the diligence of the architects to provide a varied and blended street scene whilst adhering to the restrictions of the Conservation Area, the preservation of views of St Mary's Church and the sustainable elements of the application.

In accordance with Procedure Rule 9.3, Mr Guy Hollaway, agent, was in attendance and delivered a speech in support of the application.

Resolved:

## Permit

- A. Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations detailed in Table 1 below in terms agreeable to the Development Management Manager or the Strategic Development and Delivery Manager in consultation with the Solicitor to the Council, with delegated authority to either the Development Management Manager or the Strategic Development and Delivery Manager to make or approve changes to the planning obligations and planning conditions and notes (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit; and,

Table 1  
Heads of Terms for Section 106 Agreement/Undertaking

Planning Obligation			
	Detail	Amounts (s)	Trigger Points (s)
<b>Applies to sites of 10 dwellings or more</b>			
Planning Obligation			
	Detail	Amounts (s)	Trigger Points (s)
	<p><b><u>Community Learning</u></b></p> <p>Project: Towards additional resources and equipment at Ashford AEC for the additional learners from development.</p>	£16.42 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
	<p><b><u>Libraries</u></b></p> <p>Contribution towards additional resources, services and book stock for Ashford library for the new borrowers generated by this development.</p>	£48.02 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings

	<p><b><u>Adult Social Care</u></b></p> <p>Project: Extra Care accommodation in Ashford.</p>	<p>£47.06 per dwelling.</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
	<p><b><u>Primary Schools</u></b></p> <p>Project: Towards new 2FE Conningbrook Primary School and site acquisition cost.</p>	<p>£1700 (education) plus £590.98 (land) per applicable flat (x3)</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
	<p><b><u>Secondary Schools</u></b></p> <p>Project: Towards Norton Knatchbull expansion.</p>	<p>£1135 per applicable flat (x3)</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
	<p><b><u>Youth Services</u></b></p> <p>Project: Towards additional resources for the Youth service in Ashford.</p>	<p>£27.91 per flat</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
<b>Applies to all</b>			
	<p><b><u>Monitoring Fee</u></b></p> <p><i>Applies in all cases</i></p> <p>Contribution towards the Council's costs of monitoring and reporting compliance with the agreement or undertaking</p>	<p>£1000 one-off payment</p>	<p>First payment upon commencement of development</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 and Kent County Council's legal costs in connection with the deed must be paid.</p> <p><b>If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.</b></p>			

- B. Subject to the applicant first submitting information to enable an Appropriate Assessment under the Habitats Regulations 2017 (as amended) to be adopted by the Head of Planning and Development which identifies suitable mitigation proposals such that, in his view, having consulted the Solicitor to the Council and Natural England, the proposal would not have a significant adverse effect on the integrity of the Stodmarsh SAC, SPA and Ramsar Site alone or in combination with other plans or projects; and with delegated authority to the Development Management Manager or the Strategic Development and Delivery Manager, in consultation with the Solicitor to the Council, to enter into a section 106 agreement/undertaking to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation and any associated issues relating thereto,**
- C. subject to planning conditions and notes, including those dealing with the subject matters identified below (but not limited to that list) and those necessary to take forward stakeholder representations, with wordings and triggers revised as appropriate and with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018.**

Conditions:

1. Standard time implementation condition
2. Development carried out in accordance with approved plans
3. Details and samples of external materials
4. Fine details (at scale 1:20 or 1:5 as appropriate)
5. No vents or flues other than in accordance with details to be approved
6. Details of archaeological field evaluation, investigation and recording works
7. Investigation, remediation and verification of contaminated land
8. Reporting of unexpected contamination
9. Details of piling and prevention of infiltration of surface water into the ground
10. Details of extraction equipment (for extraction/treatment of fumes/odours)
11. Details of noise/vibration of plant
12. Sound mitigation (new dwellings)
13. Provision and retention of vehicle parking onsite and off-site

14. Details and provision of EVC
15. Details and provision of secure cycle parking
16. Construction Management Plan to include details of routing of construction and delivery vehicles to / from site, parking and turning areas for construction and delivery vehicles and site personnel, timing of deliveries, provision of wheel washing facilities, temporary traffic management / signage etc.
17. Pre and post highway conditions surveys
18. Details of temporary and permanent replacement street lighting
19. Details of street tree planting (Drum Lane)
20. Details and provision of refuse storage
21. Details of foul sewerage disposal
22. Details and provision of SuDS scheme including verification
23. Details of any necessary diversions of public sewers
24. Water use not to exceed 110 litres per person per day
25. Details of renewable energy strategy, including solar PV
26. Details of hard and soft landscaping
27. Details and provision of external lighting strategy
28. Details and provision of biodiversity enhancement measures
29. Details of provision of Fibre to the Premises
30. Site Inspection

### Notes

1. Recommend early engagement with Crime Prevention Design Advisor
2. Working with the Applicant

### **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,
- working with the applicant to present the proposals to Design Review
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance

- the applicant/agent was updated of any issues after the initial site visit,



- was provided with pre-application advice,
- The applicant was provided with the opportunity for design review,
- 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.

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<b>Application Number</b>	21/01406/AS	
<b>Location</b>	Land between Tyle House Farm and Mount Pleasant, Stocks Road, Wittersham	
<b>Grid Reference</b>	90236/27409	
<b>Parish Council</b>	Wittersham	
<b>Ward</b>	Isle of Oxney	
<b>Application Description</b>	Erection of 28 no. dwellings and 2 self-build plots with associated parking, access and landscaping	
<b>Applicant</b>	DHA Planning	
<b>Agent</b>	DHA Planning	
<b>Site Area</b>	2.52ha	
(a) 57R	(b) S	c) HW AONB Unit - R, WT- R, EA- X, ABC Housing- X, KHS- X, KCC Arch- +, KCC Drainage- X, KCC Ecology- X, NHS- X, KCC

The Deputy Team Leader gave a presentation, in which she outlined the planning history of the site, its location outside the village confines in an AONB and its proximity to ancient woodland. She summarised the complex reasoning behind the recommendation. She drew Members' attention to the Update Report, which contained details of further objections received resulting in an amended reason for refusal, and the Officers' response to a rebuttal to the recommendation from the applicant's agent.

In accordance with Procedure Rule 9.3, Mr Greg Penoyre, local resident, delivered a speech in objection to the application.

In accordance with Procedure Rule 9.3, Ms Emma Hawkes, agent, delivered a speech in support of the application.

In accordance with Procedure Rule 9.3, Cllr Jeremy Smith, Chairman of Wittersham Parish Council, delivered a speech in support of the application.

**Resolved:**

**Defer**

To allow the applicant and Officers further opportunity for discussion and negotiation in order to establish whether the application can be amended in any way to enable the development to be acceptable in planning terms.

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<b>Application Number</b>	21/02216/AS	
<b>Location</b>	The Old Flour Mills, East Hill, Ashford, Kent	
<b>Grid Reference</b>	01536/42785	
<b>Parish Council</b>	-	
<b>Ward</b>	Victoria Ward	
<b>Application Description</b>	Redevelopment comprising the conversion of the existing Flour Mill, demolition of existing structures, and the erection of four ancillary blocks to provide a total of no. 53 apartments (Use Class C3), ancillary residential facilities (including residents' gym and 'super lounge'), 1 x office (Use Class E(g)(i)), retained access from East Hill, parking, and associated landscaping and infrastructure.	
<b>Applicant</b>	Oliver Davis Homes, C/O Agent	
<b>Agent</b>	Mr A Hume, Hume Planning Consultancy Ltd, Innovation House, Discovery Park, Innovation Way, Sandwich, CT13 9ND	
<b>Site Area</b>	0.56 hectares	
(a) 80/7R	(b) -	(c) EA- X, NE- X, ABC OSS- X, KCC ED- X, KFR- X, Police- X, CACF – X, KHS- X, KCC Arch- X, EHM- X, CCG- X, ABC Housing – X, SGN- X, KCC Suds- X, ABC Refuse-X

The Deputy Team Leader – Strategic Applications gave a presentation, explaining the historical and much-loved landmark site was situated in the Green Corridor between two rivers. She drew Members' attention to its current dilapidated condition and previous unsympathetic additions, which would be restored and removed respectively in the proposed mixed-use development; the intention was to match and

enhance the existing architecture. Measures were included to improve cycle and walking routes and enhance biodiversity. There were no updates.

In accordance with Procedure Rule 9.3, Mr Guy Hollaway, agent, delivered a speech in support of the application.

**Resolved:**

## Permit

- 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 Strategic Development and Delivery Manager or Development Management Manager in consultation with the Solicitor to the Council, with delegated authority to the Strategic Development and Delivery Manager or Development Management Manager 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  
Heads of Terms for Section 106 Agreement/Undertaking**

Obligation No.	Planning Obligation		
	Detail	Amounts (s)	Trigger Points (s)
<b>Ashford Borough Council Planning Obligations</b>			
1.	<p><b><u>Accessible and Adaptable Dwellings</u></b></p> <p>In accordance with Policy HOU14:</p> <p>At least 20% [total of 9 dwellings] of all new-build homes shall be built in compliance with building regulations M4(2) as a minimum standard.</p>	20% across the new-build parts of the site.	All accessible and adaptable homes to be constructed before the occupation of any dwellings.
2.	<p><b><u>Allotments</u></b></p> <p>Project detail (<b>off site</b>):</p>		

Obligation	Planning Obligation		
	<p>Capital contribution towards allotments and/or community garden within 1km of the development site, to provide a qualitative improvement, and/or quantitative improvement with provision of new allotments within the borough.</p>	<p><u>Off site:</u></p> <p>£258.00 per dwelling for capital costs</p> <p>£66 per dwelling for maintenance</p> <p><u>Indexation:</u> BCIS General Building Cost index 2012</p>	<p><i>Upon occupation of 75% of the dwellings</i></p>
3.	<p><b><u>Art and Creative Industries</u></b></p> <p>Project detail:</p> <p>Contribution towards provision within the town centre, including Revelation St Mary's Arts Trust and town centre events, with delivery which targets new residents in the development.</p> <p><i>The Local Plan identifies the following facilities strategic art spaces: Revelation at St Mary's, Rehearsal and Production Centre, Making and exhibiting workspaces, Arts use in community hubs.</i></p>	<p>£338.40 per dwelling for capital costs</p> <p><u>Indexation:</u> BCIS General Building Cost index 2019</p>	<p>Upon occupation of 75% of the dwellings.</p>
4.	<p><b><u>Children and Young People's Play Space</u></b></p> <p>Project detail (<b>off site</b>):</p> <p>When funding is available the investment will be towards a site in response to the Open Space Strategy and audit results, where a public open space is requiring improvement and/or where a gap in provision is identified. As a geographical location, within 600m of the site. The potential project will be towards provision and improvements at Queen Mothers Park and/or Stour Centre play space</p>	<p><u>Off site:</u></p> <p>£649.00 per dwelling for capital costs</p> <p>£663.00 per dwelling for maintenance</p> <p><u>Indexation:</u> BCIS General Building Cost</p>	<p>Upon occupation of 75% of the dwellings.</p>

Obligation	Planning Obligation		
5.	<p><b><u>Indoor Sports Provision</u></b></p> <p>Project detail (<b>off site</b>):</p> <p><i>Schemes in the Ashford Urban Area:</i></p> <p>Contribution towards outdoor sports pitch provision at Ashford to be targeted towards quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.</p>	<p>index 2012</p> <p><u>Off site:</u></p> <p>£543.81 per dwelling for capital costs</p> <p>(capital only – contributions are derived from the latest Sport England Calculator).</p> <p><u>Indexation:</u> BCIS General Building Cost index 2019</p>	<p>Upon occupation of 75% of the dwellings.</p>
6.	<p><b><u>Informal Natural Green Space</u></b></p> <p>Project detail (<b>off site</b>):</p> <p>When funding is available the investment will be towards a site in response to the Open Space Strategy and audit results, where a public open space is requiring improvement and/or where a gap in provision is identified. As a geographical location, within 600m of the site. The potential project will be towards improvements at Civic Park and/or Queen Mothers Park.</p>	<p><u>Off site:</u></p> <p>£362.00per dwelling for capital costs</p> <p>£325.00 per dwelling for maintenance</p> <p>Indexation: BCIS General Building Cost index 2012</p>	<p>Upon occupation of 75% of the dwellings.</p>
7.	<p><b><u>Outdoor Sports Provision</u></b></p> <p>Project detail (<b>off site</b>):</p> <p><i>Schemes in the Ashford Urban Area:</i></p> <p>Contribution towards outdoor sports pitch provision at Ashford to be targeted towards quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.</p>	<p><u>Off site:</u></p> <p>£873.47 per dwelling for capital costs</p> <p>£519.59 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings.</p>

Obligation	Planning Obligation		
		<p><i>(For capital contributions - calculations are derived from the latest Sports England Calculator)</i></p> <p><u>Indexation:</u> BCIS General Building Cost index 2019</p>	
8.	<p><b><u>Strategic Parks</u></b></p> <p>Project detail:</p> <p>Contribution to be targeted towards quantitative and qualitative improvements at the strategic parks within the 'Hubs' identified in the Local Plan 2030.</p>	<p>£146.00 per dwelling for capital costs</p> <p>£47.00 per dwelling for maintenance</p> <p><u>Indexation:</u> BCIS General Building Cost index 2012</p>	<p>Upon occupation of 75% of the dwellings</p>
9.	<p><b><u>Voluntary Sector</u></b></p> <p>Project detail:</p> <p>Contribution towards volunteering in Ashford town centre, which relates to the Ashford Volunteer Centre and the new residents in the development</p>	<p>£87 per dwelling</p> <p><u>Indexation:</u> BCIS General Building Cost index 2019</p>	<p>Upon occupation of 75% of the dwellings.</p>

Kent County Council Planning Obligations			
10.	<p><b><u>Adult Social Care</u></b></p> <p>Project detail:</p> <p>Towards Specialist care accommodation, assistive technology systems, adapting Community facilities, sensory facilities, and Changing Places</p>	<p>£47.06 per dwelling</p> <p><u>Indexation:</u> BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of</p>



	within the Borough		50% of the dwellings
11.	<p><b><u>Community Learning</u></b></p> <p>Project detail:</p> <p>Towards additional resources and equipment at Ashford AEC for the additional learners from development</p>	<p>£16.42 per dwelling</p> <p><u>Indexation:</u> BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
12.	<p><b><u>Education Land</u></b></p> <p>Project detail:</p> <p>Towards the new Conningbrook Park Primary land acquisition</p>	<p>£590.98 per applicable flat (x29)</p> <p><u>Indexation:</u> BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
13.	<p><b><u>Libraries</u></b></p> <p>Project detail:</p> <p>Towards additional resources, services and bookstock for Ashford library for the new borrowers generated by this development</p>	<p>£48.02 per dwelling</p> <p><u>Indexation:</u> BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings.</p>
14.	<p><b><u>Primary Schools</u></b></p> <p>Project detail:</p> <p>Towards the new Conningbrook Park Primary School</p>	<p>£1134.00 per flat (x29) flats.</p> <p><u>Indexation:</u> BCIS General Building Cost</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on</p>

		Index from Oct 2016	occupation of 50% of the dwellings
15.	<p><b><u>Secondary Schools</u></b></p> <p>Project detail</p> <p>Towards the provision of new secondary school places in the Borough</p>	<p>£ 1172.00 per flat (x 29 applicable flats)</p> <p><u>Indexation:</u> BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
16.	<p><b><u>Youth Services</u></b></p> <p>Project detail:</p> <p>Towards additional resources for the Youth service in Ashford</p>	<p>£27.91 per dwelling</p> <p><u>Indexation:</u> BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings.</p>

### Other Obligations

17.	<p><b><u>Health Care (NHS)</u></b></p> <p>Project detail:</p> <p>Towards refurbishment reconfiguration and/or extension of Sydenham House Medical Centre and/or Hollington Surgery and/or Wye Surgery and/or towards new general practice premises development in the area</p>	<p>£32,976 in total</p> <p><u>Indexation:</u> Indexation applied from the date of the resolution to grant permission.</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings.</p>
<b>Site Specific Obligations</b>			

18.	<p><b><u>Safeguarding pedestrian and cycle routes from Civic Park through to East Hill and Mace Lane</u></b></p> <p>Permissive public access to be provided to these areas</p>		<p>Timetable for permissive access to be agreed relating to agreed phasing of the scheme elements and thereafter implemented in accordance with that timetable and thereafter retained in perpetuity.</p>
19.	<p><b><u>Travel Plan</u></b></p> <p>Project:</p> <p>Provision of cycle vouchers, car share scheme, discounted bus tickets for scheme residents</p>	<p>Prior to first residential occupation</p>	
<b>Monitoring</b>			
20.	<p><b><u>Monitoring Fee</u></b></p> <p>Contribution towards the Council's costs of monitoring and reporting compliance with the agreement or undertaking</p>	<p>£1000 per annum until development is completed</p> <p><u>Indexation:</u> Indexation applied from the date of the resolution to grant permission.</p>	<p>First payment upon commencement of development and on the anniversary thereof in subsequent years (if not one-off payment)</p>
<p><b>Notices</b> 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 and Kent County Council's legal costs in connection with the deed must be paid.</p> <p><b>PLEASE NOTE:</b></p> <ul style="list-style-type: none"> <li><b>If an acceptable deed is not completed within 12 months of the committee's resolution, the application may be reported back to Planning Committee and subsequently refused.</b></li> </ul>			

- Depending upon the time it takes to complete an acceptable deed the amounts specified above may be subject to change

- B Subject to the applicant first submitting information to enable an Appropriate Assessment under the Habitats Regulations 2017 (as amended) to be adopted by the Head of Planning and Development which identifies suitable mitigation proposals such that, in his view, having consulted the Solicitor to the Council and Natural England, the proposal would not have a significant adverse effect on the integrity of the Stodmarsh SAC, SPA and Ramsar Site alone or in combination with other plans or projects; and with delegated authority to the Development Management Manager or the Strategic Development and Delivery Manager, in consultation with the Solicitor to the Council, to enter into a section 106 agreement/undertaking to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation and any associated issues relating thereto,**
- C 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**

Conditions

1. Standard time condition
2. Development carried out in accordance with the approved plans
3. Code of Construction practice
4. Hours of construction
5. Wheel washing, site set-up and contractor parking arrangements
6. Highways
7. Provision and retention of parking for the respective uses (residential, office, and Ashford School)
8. Provision of 50% active EV 7kw chargers and 50% passive including details of supporting infrastructure and its location
9. Provision and retention of secure cycle parking and bin storage
10. Details of bin storage
11. Contamination

12. Foul water sewerage disposal details
13. SUDs scheme including verification
14. Tree protection measures
15. Full details of hard and soft landscaping works within the site, including permeable paving
16. Tree pits
17. Water use not to exceed 110 litres per day
18. External bricks, roof tiles, feature bricks, metal cladding to elevations, balcony balustrading, entrance canopies and other external detailing such as rainwater goods, vents and flues and external materials all to be agreed prior to usage in the buildings.
19. Implementation of Travel Plan
20. Details of signage and art
21. Finished Floor Levels
22. Flood compensation
23. Ecological management plan
24. CEMP
25. Bat mitigation strategy
26. Ecological enhancements
27. Archaeological investigation and mitigation
28. Flooding – site evacuation plan
29. Noise mitigation
30. Details and locations of PV panels
31. Lighting strategy and details including sensitive lighting for bats
32. Green roof details
33. Available for inspection

## **Note to Applicant**

1. S106
2. Working with the Applicant

### **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,
- working with the applicant to present the proposals to Design Review
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance

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

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<b>Application Number</b>	22/00540/AS
<b>Location</b>	The Stour Centre, Tannery Lane, Ashford, TN23 1PL
<b>Grid Reference</b>	60144/14243
<b>Parish Council</b>	N/A
<b>Ward</b>	Victoria Ward
<b>Application Description</b>	New acoustic enclosure to existing air source heat pump
<b>Applicant</b>	Ashford Borough Council
<b>Agent</b>	N/A

(a) 7/1S                      (b) -                      (c) ESM- S

The Interim Planning Applications and Building Control Manager gave a presentation, explaining that the application had been made to address local residents' complaints regarding noise pollution. ABC's Parking Service had made no objections to the proposal, as documented in the Update Report.

**Resolved:**

## **Permit**

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

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

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

2. The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied.

**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.

**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.

### **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 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.



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