

Ashford Borough Council: Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on **5th July 2023**.

Present:

Cllr Blanford(Chair)
Cllr Heyes (Vice-Chair)

Cllrs Betty, Brunger-Randall, Dean, Forest, Gathern, Harman (ex-Officio, non-voting), Ledger, McGeever, Mulholland, Nilsson, Roden, Spain, and Walder

Apologies:

Cllr Chilton, Cllr Iliffe.

In accordance with Procedure Rule 1.2(c), the substitutes in attendance for Cllr Chilton and Cllr Iliffe were Cllr Dean and Cllr Roden respectively.

Also Present:

Cllr Chilton (who explained that his re-training for the Planning Committee had not yet taken place so he was unable to formally attend), and Cllrs Giles, Hayward, Hicks, Leavey, Shilton, C Suddards, L Suddards

In Attendance:

Director of Place, Space and Leisure; Assistant Director, Planning and Development; Strategic Development and Delivery Manager; Planning Applications and Building Control Manager; Team Leader, Planning Applications; Deputy Team Leader – Strategic Applications; Deputy Team Leader, Planning Applications; Planning and Enforcement Officer (Technical); Graduate Planner; Principal Solicitor (Strategic Development); Senior Planning and Development Solicitor; Member Services Officer.

60 Declarations of Interest

Councillor	Interest	Minute No.
Cllr Betty	Declared that he was the Portfolio Holder for Economic Growth and Investment into which the properties fall, and would leave the meeting during discussions.	21/1890/AS PA/2023/0714
Cllr Blanford	Made a Voluntary Announcement that she was a Member of the Weald of Kent Protection Society (WKPS) and the Campaign to Protect	15/00856/AS

	Rural England (CPRE). She had not been involved in any discussions regarding their comments on the application.	
Cllr Dean	Made a Voluntary Announcement that he was the Ward Member for Bybrook but had no prior knowledge of the application until the agenda was published.	PA/2023/0218
Cllr Gathern	Made a Voluntary Announcement that she had commented on the applications as a Parish Councillor, and would leave the room during discussions.	15/00856/AS PA/2022/2851
Cllr Harman	Made a Voluntary Announcement that she was the Chair of Aldington and Bonnington Parish Council but had not been involved in the Parish Council discussions on these applications, and would speak as the Ward Member.	PA/2022/2544 PA/2022/2950
Cllr Ledger	Made a Voluntary Announcement that he was a Member of Shadoxhurst Parish Council, who had objected to the application, but he had not been involved in any of the discussions.	15/00856/AS
Cllr McGeever	Declared an Other Significant Interest and an Other Announcement, as he had previously objected to the application, and also lived on the boundary of the site. He would leave the room for the discussion; and he did so after speaking as Ward Member.	15/00856/AS PA/2022/2851
Cllr Mulholland	Declared an Other Announcement as he had previously objected to the application. He would stay in the room for the discussion. Made a Voluntary Announcement that he was a member of Tenterden Town Council.	
	Declared he had received a direct communication very recently regarding the application, but that it would not influence his decision.	PA/2023/0888

61 Public Participation

The Member Services Officer advised that registered public speakers had been invited either to address the Committee in person, or to have their speech read out by a designated Council Officer who was not from the Planning Department. On this occasion there were 15 registered speakers, three of whom had requested their speeches be read out by an Officer not from the Planning team.

62 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on 7 June 2023 be confirmed as a correct record.

63 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 '-'

Application Number	PA/2023/0888
Location	Willow Trees, Pluckley Road, Smarden, TN27 8ND
Grid Reference	Easting (x) 588432 / Northing (y) 142533
Parish Council	Smarden
Ward	Weald Central
Application Description	Proposed demolition of existing porch and erection of front and side extension with dormers to form rooms in the roof.
Applicant	Mr & Mrs A & H Arlott
Agent	Mr Simon Hoyle
Site Area	0.064 Hectares

The Graduate Planner confirmed that there were no amendments to the report in the Update Report.

In accordance with Procedure Rule 9.3, Mr Simon Hoyle, agent, had registered to speak in support of the application. He had elected to have his speech read by the Member Services Officer.

Resolved:

REFUSE

on the following grounds:

1. The proposed extensions to the property by virtue of their size, scale, mass, bulk, design and appearance, would appear as unsympathetic, intrusive and incongruous additions which would fail to respect the character and appearance of the existing dwelling and surrounding locality and, therefore, would cause detriment to the visual amenity. The development is contrary to policies SP6 and HOU8 of the Local Plan, SPG Note 10 'Domestic Extensions in Urban and Rural Areas' and the aims and objectives set out in the National Planning Policy Framework 2021.
2. By virtue of its siting and design, the development has a harmful impact upon the residential amenity of adjacent residential occupiers at Little Jubilee, causing overlooking and an invasion of privacy. Therefore, it does prejudice the quality of the living environment enjoyed by the existing occupants at Little Jubilee. The development is contrary to policy HOU8 of the Local Plan, SPG Note 10 'Domestic Extensions in Urban and Rural Areas' and the aims and objectives set out in the National Planning Policy Framework 2021.

Note to Applicant

1. Working with the Applicant

Application Number	15/00856/AS
PINS Appeal Reference	APP/E2205/W/23/3320146
Location	Land at Pound Lane, Magpie Hall Road, Bond Lane and Ashford Road, Kingsnorth, Kent
Grid Reference	Easting: 600153 Northing: 139125

Parish Council	Kingsnorth
Ward	Kingsnorth Village & Bridgefield
Application Description	Outline application for a development comprising of up to 550 dwellings in a mix of size, type and tenure. Provision of local recycling facilities. Provision of areas of formal and informal open space. Installation of utilities, infrastructure to serve the development including flood attenuation, surface water attenuation, water supply, waste water facilities, gas supply, electricity supply (including sub-station, telecommunications infrastructure and renewable energy). Transport infrastructure including highway improvements in the vicinity of Ashford Road/Magpie Hall Road/Steeds Lane, Pound Lane and Bond Lane, plus an internal network of roads and junctions, footpaths and cycle routes. New planting and landscaping both within the proposed development and on its boundaries as well as ecological enhancement works. Associated groundworks. **SUBJECT TO AN ENVIRONMENTAL IMPACT ASSESSMENT**
Applicant	Pentland Homes Ltd & Jarvis Homes Ltd
Agent	Ian Bull Consultancy Ltd
Site Area	51 Hectares

The Strategic Development and Delivery Manager summarised the amendments to the report in the Update Report. He drew Members' attention to the errata, now corrected, regarding Areas 3 and 4, and to additional comments made by ABC's Environmental Protection team, with regard to potential noise from the proposed waste water plant being as yet unspecified; the design and operation details would require an assurance that noise was below background levels at existing and proposed dwellings. An updated odour assessment was recommended as an additional planning condition, once the design was known, although overall no objection was raised to the current proposals by EP Officers. A further planning condition was also recommended, to require a landscaping scheme for the remodeled junction of Magpie Hall Road, Ashford Road and Steeds Lane, to incorporate a pedestrian and cycle access. The recent comments received from a Member were noted, and seven further objections had been raised by local residents; he believed that the residents' concerns had been answered in the report. Another Member's comments, which had already been circulated, were noted and included in the Update Report for transparency. There was one deletion and one

addition to two paragraphs. There was also an amended paragraph regarding deferred contributions, for clarity and to be suitably referenced against policy IMP2. The Table 1 - Heads of Terms for Section 106 Agreement/Undertaking had been amended. He added two further amendments which were to be made; to Item 8, where the word 'outdoor' was to be replaced by 'indoor', and Item 6, column 3, where the figure of 0.46 hectares was to be amended to 0.63 hectares.

In accordance with Procedure Rule 9.3, Ms Viv Davies, resident, had registered to speak in objection to the application. She had elected to have her speech read by the Member Services Officer.

In accordance with Procedure Rule 9.3, Cllr James Ransley, on behalf of Kingsnorth Parish Council, had registered to speak in objection to the application. He was present and delivered his speech in person.

Resolved:

(A)

That in the light of the appeal against non-determination the Planning Inspectorate be advised that, had the Borough Council been able to determine the application, it would have been minded to grant outline planning permission, subject to:-

- i. the applicant first entering into a section 106 agreement/undertaking in respect of the planning obligations detailed in Table 1, to reflect the viability of the scheme and to ensure that reasonable and proper contributions are made by the development bearing in mind the viability position and the requirement for further reviews of viability in the future to secure an increased affordable housing contribution up to the policy compliance 30% should viability improve in the future in terms agreeable to the Strategic Development & Delivery Manager or the Development Management Manager in consultation with the Director of Law and Governance (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),**

Table 1 - Heads of Terms for Section 106 Agreement/Undertaking

Obligation No.	Planning Obligation Detail	Amounts (s)	Trigger Points (s)
Ashford Borough Council Planning Obligations			
1	<p><u>Affordable Housing</u></p> <p>Provide not less than 10% of the residential units on site as affordable housing, comprising 40% affordable / social rent and 60% shared ownership.</p> <p>An Affordable Housing Scheme for each phase to be submitted to and approved in writing by the Council prior to the submission of a reserved matters application for the relevant phase.</p> <p>The affordable housing shall be managed by a registered provider of social housing approved by the Council, which has a nomination agreement with the Council.</p> <p>Shared ownership units to be leased in the terms specified.</p> <p>Affordable rented units to be let at no more than 80% market rent and in accordance with the registered provider's nomination agreement.</p>	<p>Not fewer than 10% dwellings in each phase, comprising:</p> <p>40% dwellings for affordable / social rent</p> <p>60% dwellings for shared ownership</p>	<p>An affordable housing scheme for each phase to be submitted to and approved in writing by the Council before commencement of development of the relevant phase</p> <p>Affordable housing to be constructed and transferred to Registered Provider before occupation of 50% of the general market units in each phase] and in accordance with the approved Affordable Housing Scheme</p>
1a	<p><u>Financial Viability Review Mechanism</u></p> <p>An updated viability appraisal to be submitted with each reserved matters application to determine whether the development can deliver an increased level of affordable housing,</p>	<p>Up to 30% affordable housing provision.</p>	<p>To be delivered on site if the circumstances prevail.</p>

	<p>up to the policy complaint level of 30%.</p> <p>An updated viability appraisal to be submitted during the course of construction and occupation of each reserved matters parcel (trigger point to be agreed) to determine whether the development can deliver an increased level of affordable housing, up to the policy complaint 30%.</p>		
2	<p><u>Accessible and Adaptable Dwellings</u></p> <p>Amount to be secured in accordance with Policy HOU14:</p> <p>At least 20% [total of 110 dwellings] of all homes shall be built in compliance with building regulations M4(2) as a minimum standard.</p> <p>Wheelchair accessible housing [totalling 7.5% of dwellings] built in compliance with building regulations M4(3b) standards shall be provided within the affordable rented element of the scheme.</p>	<p>20% M4(2) across the whole site.</p> <p>Not fewer than 7.5% M4(3b) of the affordable rented dwellings in each phase</p>	<p>All accessible and adaptable homes to be constructed before the occupation of any dwellings.</p>
3	<p><u>Allotments</u></p> <p>Project detail (on site):</p> <p>To provide the Allotment Facilities on site within Area 3 in accordance with the relevant reserved matters approval.</p> <p>The developer to ensure the Allotment Facilities land is free from</p>	<p>On site:</p> <p>A minimum of 0.26 hectares. + £66.00 per dwelling for maintenance.</p> <p>Indexation: BCIS General Building Cost index 2012</p>	<p>The Allotment Facilities to be provided and transferred to the Stewardship Body before the occupation of 75% of the dwellings in Area 3.</p> <p>The maintenance contribution to be paid to the Council before the occupation of 75% of the dwellings in Area 3 (or</p>

	<p>contamination, pollution and protected species that would prevent or limit the intended use.</p> <p>The Stewardship Body to appoint an 'Appointed Professional', at the developers cost, to inspect and advise the Stewardship Body as to whether the Allotment Facilities have been satisfactorily completed.</p> <p>The Allotment Facilities to be transferred to the Stewardship Body to manage and maintain.</p> <p>The developer to repair any defects which occur within 12 months of the Allotment Facilities being transferred to the Stewardship Body</p>		<p>upon completion of the allotment facilities, if earlier).</p> <p>The Council to transfer the maintenance contribution to the Stewardship Body.</p>
<p>4</p>	<p><u>Amenity Open Space Land</u> Project detail:</p> <p>To provide the Amenity Open Space Land in each phase in accordance with the relevant reserved matters approval.</p> <p>The developer to ensure the Amenity Open Space Land is free from contamination, pollution and protected species that would prevent or limit the intended use.</p> <p>The Stewardship Body to appoint an 'Appointed Professional', at the developers cost, to inspect and advise the Stewardship Body as to</p>	<p>On site:</p> <p>all those parts of the site comprising verges and all areas (not privately owned) in and around dwellings excluding public open space/play space</p>	<p>The Amenity Open Space Land to be provided and transferred to the Stewardship Body before the occupation of 75% of the dwellings in the relevant phase.</p>

	<p>whether the Amenity Open Space Land has been satisfactorily completed.</p> <p>The Amenity Open Space Land to be transferred to the Stewardship Body to manage.</p> <p>The developer to repair any defects which occur within 12 months of the Amenity Open Space Land being transferred to the Stewardship Body</p>		
5	<p><u>Art and Creative Industries</u> Project detail:</p> <p>Contribution towards the provision of public art or the delivery/enhancement of a facility on or off site within the Kingsnorth Parish.</p>	<p>£338.40 per dwelling for capital costs</p> <p>Indexation: BCIS General Building Cost index 2019</p>	<p>Before the occupation of 75% of the dwellings.</p>
6	<p><u>Children and Young People's Play Space</u> Project detail (on site):</p> <p>To provide the Children's and Young People's Play Space Facilities on site (Policy S4 site) in accordance with the relevant reserved matters approval.</p> <p>The developer to ensure the Children's and Young People's Play Space Facilities land is free from contamination, pollution and protected species that would prevent or limit the intended use.</p> <p>The Stewardship Body to appoint an 'Appointed Professional', at the developers cost, to inspect</p>	<p>On site:</p> <p>a minimum of 0.63 hectares + £663.00 per dwelling for maintenance.</p> <p>Indexation: BCIS General Building Cost index 2012</p> <p>Off site:</p> <p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p> <p>Indexation: BCIS General Building Cost index 2012</p>	<p>On site:</p> <p>The play facilities to be provided and transferred to the Stewardship Body before the occupation of 75% of the dwellings in Area (TBC).</p> <p>The maintenance contribution to be paid to the Council before the occupation of 75% of the dwellings in Area (TBC) (or upon completion of the facilities in the relevant phase, if earlier). The Council to transfer the maintenance contribution to the Stewardship Body.</p> <p>Off site:</p> <p>Payment of the total</p>

	<p>and advise the Stewardship Body as to whether the Children's and Young People's Play Space Facilities have been satisfactorily completed.</p> <p>The Children's and Young People's Play Space Facilities to be transferred to the Stewardship Body to manage.</p> <p>The developer to repair any defects which occur within 12 months of the Children's and Young People's Play Space Facilities being transferred to the Stewardship Body</p> <p>Project detail (off site):</p> <p>Contribution towards new play provision (Policy S5 site) within the Parish of Kingsnorth.</p>		<p>amount (Capital and Maintenance) to the Council before occupation of 75% of the dwellings in Area 1</p>
7	<p><u>Community Building</u> Project detail (off site):</p> <p>Contribution towards an existing facility in the Parish of Kingsnorth</p>	<p>Off site:</p> <p>£1870.83 per dwelling for capital costs</p> <p>£528.33 per dwelling for maintenance</p> <p>Indexation: Indexation applied from the date of resolution to grant permission.</p>	<p>50% of the total amount due will be payable before the occupation of 50% of the dwellings, with the remainder being payable upon occupation of 75% of the dwellings</p>
8	<p><u>Indoor Sports Provision</u> Project detail (off site):</p> <p><i>Schemes in the Ashford Urban Area:</i></p> <p>Contribution towards indoor sports pitch</p>	<p>Off site:</p> <p>£83,08 per dwelling for capital costs (3G pitches)</p> <p>£527.32 per dwelling for capital</p>	<p>50% of the total amount due will be payable before the occupation of 50% of the dwellings, with the remainder being payable upon occupation of 75% of the dwellings</p>

	<p>provision at Ashford to be targeted towards quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.</p>	<p>costs (sports hall)</p> <p>(capital only – contributions are derived from the latest Sport England Calculator).</p> <p>Indexation: BCIS General Building Cost index 2019</p>	
9	<p><u>Informal Natural Green Space</u> Project detail (on site):</p> <p>To provide the Informal Natural Green Space and habitat buffers in accordance with the relevant reserved matters approval</p> <p>The developer to ensure the Informal Natural Green Space and habitat buffers is free from contamination, pollution and protected species that would prevent or limit the intended use.</p> <p>The Stewardship Body to appoint an 'Appointed Professional', at the developers cost, to inspect and advise the Stewardship Body as to whether the Informal Natural Green Space and habitat buffers has been satisfactorily completed.</p> <p>The Informal Natural Green Space and habitat buffers to be transferred to the Stewardship Body to manage.</p> <p>The developer to repair any defects which occur</p>	<p>On site:</p> <p>2.65 hectares to be provided on site + £325.00 per dwelling for maintenance</p> <p>Indexation: BCIS General Building Cost index 2012</p>	<p>The Informal Natural Green Space to be provided and transferred to the Stewardship Body before the occupation of 50% of the dwellings in Area 1, 2, 3 & 4.</p> <p>The maintenance contribution to be paid to the Council before the occupation of 50% of the dwellings in Areas 1, 2, 3 and 4 (or upon completion of the informal natural greenspace and habitat buffers (if earlier). The Council to transfer the maintenance contribution to the Stewardship Body.</p>

	within 12 months of the Informal Natural Green Space and habitat buffers being transferred to the Stewardship Body		
10	<p><u>Outdoor Sports Provision</u></p> <p>Project detail (off site):</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>£404.70 per dwelling for capital costs (pitches)</p> <p>£582.47 per dwelling for maintenance (pitches)</p> <p>£570.28 per dwelling for</p> <p><i>(For capital contributions - calculations are derived from the latest Sports England Calculator)</i></p> <p>Indexation: BCIS General Building Cost index 2019</p>	Before the occupation of 75% of the dwellings.
11	<p><u>Quality Monitoring</u></p> <p>Contribution towards monitoring, to ensure that the approach to design quality is delivered on site in accordance with the details approved as part of the planning permission, including any subsequent details approved pursuant to any conditions related to the planning permission.</p>	<p>One off payment of the following:</p> <p>£90.00 per dwelling</p> <p>£45.00 per flat</p> <p>Total amount capped at £350,000 in relation to development provided for by any single outline/full planning permission.</p> <p>Indexation: Indexation applied from the date of the resolution to grant permission.</p>	25% of the total amount due will be payable on commencement of the development, with the remainder being payable before the occupation of 50% of the total number of dwellings.
12	<u>Self/Custom Build</u>	Up to 28 serviced	Each reserved matters

	<p><u>Housing</u> Amount to be secured in accordance with Policy HOU6:</p> <p>Up to 28 serviced plots for use by custom/self-builders to be made available and marketed.</p> <p>Full details of the serviced custom / self-build plots, a Design Brief and marketing strategy to be submitted to and approved in writing by the Council prior to submission of the first reserved matters application.</p> <p>If, following a marketing period of no less than 12 calendar months, it is demonstrated that there is no interest from a Self-Build / Custom House Builder, the plots can be developed as open market housing.</p>	plots (5% of total dwellings). To be provided across the site.	application to be accompanied by a Self/Custom Build Housing proposal.
13	<p><u>Strategic Parks</u></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 per dwelling for capital costs</p> <p>£47 per dwelling for maintenance</p> <p>Indexation: BCIS General Building Cost index 2012</p>	50% of the total amount due will be payable before the occupation of 50% of the dwellings, with the remainder being payable upon occupation of 75% of the dwellings.
14	<p><u>Voluntary Sector</u></p> <p>Project detail:</p> <p>Project: off-site provision with the Kingsnorth Parish</p>	<p>£87 per dwelling</p> <p>Indexation: BCIS General Building Cost index 2019</p>	Before the occupation of 75% of the dwellings.
Kent County Council Planning Obligations			
15	<u>Adult Social Care</u>	£146.88 per	Half the contribution

	<p>Project detail:</p> <p>Specialist Housing Provision in the District, adaptation of community facilities, technology to promote independence, multi-sensory facilities and changing place facilities in the vicinity of the development</p>	<p>dwelling</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings.</p>
16	<p><u>Community Learning</u></p> <p>Project detail:</p> <p>Contributions towards additional equipment and resources for Adult Education Centres locally</p>	<p>£16.42 per dwelling</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings.</p>
17	<p><u>Education Land for Primary</u></p> <p>Project detail:</p> <p>Contribution towards the delivery of the new 2FE Primary School at the Court Lodge site (Local Plan Policy S3 site).</p>	<p>£590.95 per flat</p> <p>£2363.93 per house</p> <p>£0 for any 1-bed dwelling with less than 56 m² gross internal area.</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings.</p>
18	<p><u>Libraries</u></p> <p>Project detail:</p> <p>Contribution towards additional Library equipment, stock, services including digital infrastructure, shelving and resources for the new borrowers at Libraries in the Ashford Urban Area</p>	<p>£55.45 per dwelling</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings.</p>
19	<p><u>Primary Schools</u></p> <p>Project detail:</p> <p>Contribution towards the delivery of the new 2FE</p>	<p>Per Flat £1134.00 (New Build)</p> <p>Per House</p>	<p>Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the</p>

	Primary School at the Court Lodge site (Local Plan Policy S3 site).	<p>£4535.00 (New Build)</p> <p>£0 for any 1-bed dwelling with less than 56 m² gross internal area.</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	dwelling
20	<p><u>Public Rights of Way (PROW)</u></p> <p>Project detail:</p> <p>Project 'A' Financial contribution towards creation of a cycle link to Church Hill</p> <p>Project 'B' Financial contribution towards surfacing bridleway AW384, AW385 and AW207 which forms higher rights connectivity East to West across Kingsnorth.</p> <p>Permit KCC and its staff and contractors upon request to have access to site and reasonable facilities for prospecting preparing carrying out and maintaining the works.</p>	<p>Project 'A' £26,000.00 total financial contribution</p> <p>Project 'B' £10,000 total financial contribution</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Project 'A' The total amount payable before the occupation of 100 dwellings</p> <p>Project 'B' The total amount payable before the occupation of 200 dwellings.</p>
21	<p><u>Secondary Schools</u></p> <p>Project detail:</p> <p>Contribution towards new school provision at the Chilmington Green Secondary school or alternative new provision in the planning group</p>	<p>Per Flat £1172.00 (New Build)</p> <p>Per House £4687.00 (New Build)</p> <p>£0 for any 1-bed dwelling with less</p>	Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings.

		than 56 m ² gross internal area. Indexation: BCIS General Building Cost Index from Oct 2016	
22	<u>Travel Plan Monitoring Fee</u> Project details: Contribution towards the cost of monitoring compliance with the Travel Plan.	£1000 per annum from commencement until 5 years after completion of the development. Indexation: Indexation applied from the date of the resolution to grant permission.	First payment before the first occupation of the development and on the anniversary thereof in subsequent years.
23	<u>Youth Services</u> Project detail: Contribution towards additional resources for the Ashford Youth Service to enable outreach work in the vicinity of the development	£65.50 per dwelling Indexation: BCIS General Building Cost Index from Oct 2016	Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings.
Other Obligations			
24	<u>Health Care (NHS)</u> Project detail: To develop capacity within the Ashford Stour Primary Care Network (PCN) either via new development, extension of current sites or land for new building	£769.10 per dwelling. Indexation: Indexation applied from the date of the resolution to grant permission.	Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings.
25	<u>Strategic Highways</u> Project 'A' Junction 10A* - Financial contribution towards construction of junction 10A of the M20 And	Project 'A' £191,791.60 Indexation: ROADcon date TBC And	50% on commencement of construction, 25% before the occupation of 1/3 of the dwellings and 25% before the occupation of 3/4 of the dwellings.

	<p>Road network improvements comprising:</p> <p>'Project 'B'</p> <p>The 'Flanders' Roundabout (A2042 Avenue Jacques Faucheux, A2042 Bad Munstereifel Road, Malcolm Sargent Road junction) - Financial contribution towards junction capacity improvements.</p>	<p>Project 'B' £1,871,229.00</p> <p>Indexation: BCIS General Building Cost Index from October 2016</p>	
26	<p><u>Sustainable Travel</u></p> <p>A financial contribution towards improvements to bus services between the site and Ashford Town Centre</p> <p>Permit bus services procured by KCC to have access to unadopted roads where reasonably required by KCC</p>	<p>£400,000.00</p> <p>Indexation: BCIS General Building Cost Index from October 2016.</p>	<p>£120,000 in year 1</p> <p>£100,000.00 in year 2</p> <p>£80,000.00 in year 3</p> <p>£60,000.00 in year 4</p> <p>£40,000.00 in year 5</p>
27	<p><u>Stodmarsh Mitigation - SuDS</u></p> <p>If the Inspector, as the competent authority, is satisfied that there is no adverse effect on the integrity of the designated sites, the Council requests that the mitigation measures necessary to achieve that outcome are robustly and fully secured. The following heads of terms are suggested subject to any amendments advised by AECOM or Natural England.</p> <p>To provide SuDS on-site</p>		<p>To submit to and be approved in writing by the LPA the SuDS Proposal before the commencement of development.</p> <p>To complete and transfer to the approved body the SuDS on site before the occupation of any dwelling.</p> <p>The SuDS to be monitored, managed and maintained in accordance with the SuDS Proposal, as long as the development</p>

	<p>that will satisfy the objectives and requirements of the Appropriate Assessment in order to secure nitrogen and phosphorous neutrality for the Development and result in an absence of significant effects of the Development upon the integrity of the Stodmarsh Designated Sites taking account of the Natural England Nutrient Neutrality Guidance.</p> <p>To submit to the LPA for approval in writing the detailed design of the SuDS, including a monitoring, management and maintenance scheme (SuDS Proposal) to include funding mechanism.</p> <p>The developer to appoint an Appointed Professional', at the developers cost, to inspect and advise the Council as to whether the SuDS have been satisfactorily completed</p> <p>The SuDS to be transferred to an approved body to monitor, manage and maintain in accordance with the SuDS Proposal, as long as the development remains in use.</p>		remains in use.
28	<p><u>Stodmarsh Mitigation – Waste Water Treatment Works</u></p> <p>If the Inspector, as the competent authority, is satisfied that there is no adverse effect on the integrity of the designated sites, the Council requests</p>	The WwTW to be delivered on site in accordance with the reserved matters approval	<p>To obtain the relevant environmental permits from the Environment Agency before the commencement of development.</p> <p>To complete and transfer to the</p>

	<p>that the mitigation measures necessary to achieve that outcome are robustly and fully secured. The following heads of terms are suggested subject to any amendment advised by AECOM or Natural England.</p> <p>To provide a waste water treatment works (WwTW) on site that will satisfy the objectives and requirements of the Appropriate Assessment in order to secure nutrient neutrality for the Development and result in an absence of significant effects of the Development upon the integrity of the Stodmarsh Designated Sites taking account of the Natural England Nutrient Neutrality Guidance.</p> <p>To obtain the relevant environmental permits from the Environment Agency to allow the discharge of treated waste water from the on-site WwTW within the Whitewater Dyke water body prior to commencement development</p> <p>To transfer the WwTW to an appropriately regulated waste water operator who will manage and maintain the WwTW in perpetuity.</p>		<p>approved body and bring into operation the WwTW on site before the occupation of any dwelling (or temporary arrangements to bridge the gap are in place before the occupation of the first dwelling whilst the WWTW is coming on-line, the temporary arrangements to be agreed with the LPA before the commencement of the development).</p>
Site Specific Obligations			
29	<p><u>Archaeology</u></p> <p>Financial contribution to provide heritage interpretation measures and funding for a part time</p>	<p>£60,000 for heritage interpretation measures</p> <p>£40,000 for a part</p>	<p>The triggers for the payments to be agreed with KCC.</p>

	community archaeologist for two years	time community archaeologist	
30	<p><u>Closure of Bond Lane</u></p> <p>Bond Lane to be closed in accordance with the Transport Assessment via a S278 Highway Agreement with Kent County Council</p>	Bond Lane to be closed in the location shown on plan (to be provided)	<p>Section 278 agreement to be completed before the grant of the first reserved matters)</p> <p>Timing of the road closure to be agreed with KCC</p>
31	<p><u>Link between Kingsnorth Green and Court Lodge sites</u></p> <p>To safeguard land 'without ransom strips' and facilitate the delivery of (if agreement is reached with neighbouring land owner(s) vehicle /cycle/pedestrian links between the application site and neighbouring allocated development sites - Local Plan Policy S3 area (Court Lodge) and Local Plan Policy S5 Area (Land South of Pound Lane) to ensure the land is not used for any other purpose</p> <p>To safeguard land 'without ransom strips' and facilitate the delivery of (if agreement is reached with neighbouring land owner(s) vehicle /cycle/pedestrian links between the application site and neighbouring allocated development sites - Local Plan Policy S3 area (Court Lodge) and Local Plan Policy S4 Area (Land North of Steeds Lane and Magpie Hall Road) to ensure the land is not used for any other purpose</p>	In accordance with reserved matters approvals	<p>The reserved matters application for Areas 1 & 2 shall identify land and provide a detailed design for safeguarding, up to the site's boundary, and the delivery of a vehicle / cycle / pedestrian connection to Local Plan Policy S3 area</p> <p>The site to be laid out in accordance with the relevant reserved matters approval upon occupation of 75% of the dwellings in Areas 1 & 2 and to be maintained as such for as long as the development exists.</p>

	To enter into S.278 Agreements and construct the links on the application site and to open them in conjunction with the opening of the connecting links on the adjoining sites.		
32	<p><u>Community Stewardship Body</u> A Community Stewardship model of governance to be established to manage and maintain the Allotments; Amenity Open Space Land; Children's' and Young People's Play Space; and Informal Natural Green Space. To be taken forward by either:</p> <p>Option 'A' : the Chilmington CMO, or</p> <p>Option 'B': the formation of a separate independent stewardship organisation that aligns with the long term stewardship arrangements for Chilmington Green and the wider South Ashford Garden Community. The developer to submit a strategy, business plan and governance structure for the stewardship body.</p> <p>In both options there will be an annual charge payable by each household</p>	<p>If Option A is taken forward then a Start-up contribution to be paid to the Council and transferred to the CMO - amount (with indexation) to be agreed.</p> <p>If Option B is taken forward, the developer to fund the start up of the stewardship organisation directly.</p>	<p>Prior to submission of the first reserved matters, a decision to be agreed between the Council, developer and CMO as to whether to proceed with Option 'A' or Option 'B'.</p> <p>For Option A & Option B The submission by the developer and approval by the Council of the strategy, business plan and governance structure for the stewardship body prior to commencement of development.</p> <p>For Option A The triggers of payment of the Start-up grant to be agreed in the business plan.</p> <p>The Stewardship arrangement to be in place prior to first marketing of the dwellings.</p>
Monitoring			
33	<p><u>Monitoring Fee</u> Contribution towards the Council's costs of monitoring and reporting.</p>	<p>£500 per annum until development is completed</p> <p>Indexation: Indexation applied</p>	<p>First payment before the commencement of development and on the anniversary thereof in subsequent years.</p>

		from the date of the resolution to grant permission.	
<p><u>Notices</u> 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>PLEASE NOTE:</p> <ul style="list-style-type: none"> • Depending upon the time it takes to complete an acceptable deed the amounts specified above may be subject to change 			

- ii. the applicant submitting information to enable an **Appropriate Assessment under the Habitats Regulations 2017 (as amended)** to be adopted by the **Head of Planning and Development** identifying 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 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, and
- iii. 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 and refined as appropriate (in particular, the suggested triggers in proposed planning conditions for the completion of certain highway works are to be further reviewed by Officers in liaison with Kent Highways & Transportation, in terms of whether the works can be brought forward) and with any 'pre-commencement' based planning conditions to have been the subject of agreement with the applicant, and

(B) The Strategic Development & Delivery Manager or the Development Management Manager in consultation with the Solicitor to the Council and Monitoring Officer be authorised to present the Council's case to the Planning

Inspectorate in accordance with (A) above with authority delegated to the Strategic Development & Delivery Manager or the Development Management Manager to add/amend/delete/approve obligations and/or planning conditions as he/she considers necessary.

Conditions

Standard Conditions

1. Standard outline condition A
2. Standard outline condition B
3. Development carried out in accordance with the approved plans
4. Development shall accord with ES as submitted, unless agreed in writing
5. Site shall be made available for enforcement inspection when required.

Reserved Matters

6. Phasing Plan to be submitted prior to first RM
7. Detailed Masterplan to be submitted prior to first RM
8. RM to accord with parameter plans
9. Delivery of and Connection to Waste Water Treatment Works
10. Submission of Contour Plan - Levels & Earthworks
11. Climate Change - WwTW emissions

Highways/Parking/PROW

12. Proposed roads between Areas 1 and 2 and the Court Lodge development
13. PROW Management Scheme
14. Parking Details
15. Highway Design

16. EV Charging Points

17. Pound Lane/Church Hill/Ashford Road signal junction to be provided prior to the commencement of Area 2 or by occupation of the 151st dwelling, whichever is earlier.
18. Magpie Hall Road/Ashford Road/Steeds Lane junction realignment to be provided prior to the commencement of Area 2 or by occupation of the 151st dwelling, whichever is earlier.
19. Bus stops, raised kerbs and shelter to be provided on Ashford Road prior to commencement of Area 2 or by occupation of 151st dwelling, whichever is earlier
20. Existing bus stop and shelter on Ashford Road to be moved north prior to commencement of Area 2 or by occupation of 151st dwelling whichever is earlier.
21. Ashford Road Site Area 1 Access Junction and Visibility splays to be provided prior to the occupation of any dwellings in Area 2 or 3.
22. Ashford Road Site Area 2 and 3 Access Junction and Visibility splays to be provided prior to the occupation of any dwellings in Area 2 or 3.
23. Visibility splays and Bond Lane widening to be provided prior to occupation of any dwellings in Area 3 served off Bond Lane or Area 4.
24. Steeds Lane access and visibility splays to be provided prior to occupation of any dwelling in Area 4.
25. Travel plan to be submitted prior to occupation of first dwelling
26. Completion of works between a dwelling and the adopted Highway
27. Bicycle storage

Landscape & Trees

28. Details of earthworks
29. Play space Strategy
30. WwTW Landscape Plan
31. Tree Root Protection
32. Soft landscaping (including advance planting)

33. Hard landscaping

34. Design and implementation of public amenity space and allotments.

35. Landscape management plan

36. Tree Protection

Ecology & Biodiversity

37. Site wide Ecological mitigation strategy (informed by updated surveys)

38. Detailed mitigation strategy for each phase (informed by updated surveys)

39. Habitat creation plan

40. Ecological Management and Monitoring Plan for the whole site

41. Ecological Management and Monitoring Plan for each phase

Foul and Surface Water Drainage

42. Detailed SUDs Scheme to be submitted

43. SuDS Operation and Maintenance

44. Details of foul drainage to be submitted.

45. Surface water Drainage Verification report to be submitted.

46. No infiltration to the ground permitted.

Archaeology

47. Archaeology – programme of building recording

48. Archaeological field evaluation

49. Historic landscape assessment

50. Fencing to protect heritage assets.

51. Heritage Conservation and Interpretation Strategy.

Environmental Protection

52. Construction Environment Management Plan

53. Dust Management Plan

54. Land Contamination

55. Internal sound levels – residential

56. WwTW Noise rating level – night

57. WwTW Noise rating level – day

58. WwTW Acoustic Enclosure

59. WwTW Lighting Scheme

60. WwTW Development in relation to odour contour

Visual Amenity & Detailed Design

61. High speed fibre optic broadband to be provided.

62. Site Levels

63. Services Plan

64. Details of Materials

65. Details of external appearance

66. Crime Prevention through Environmental Design

67. Level thresholds

68. Space standards

69. Refuse & Recycling

70. Lighting Strategy

71. Wate4r Usage Restriction

72. Fans, louvres, ducts, meter boxes

Additional

73. Updated odour assessment to be submitted with the reserved matters application for the WwTW to assess the impacts on existing and future residents once the final design of the WwTW is known and to identify any mitigation measures that may be required.

74. Magpie Hall Road/Ashford Road/Steeds Lane junction realignment - landscaping scheme for the old carriageway and adjacent open space to the north (as identified on drawing number 30292_5510_004 Rev F) that incorporates a pedestrian and cycle access, to be submitted.

Note to Applicant

1. S106 Agreement
2. Environment Agency
3. National Highways
4. PROW

Application Number	PA/2022/2851
Location	Land East of Ashford Road, Kingsnorth
Grid Reference	E600168 / N139123
Parish Council	Kingsnorth
Ward	Kingsnorth Village & Bridgefield
Application Description	Outline application for up to 15 dwellings, a replacement Medical Centre and Pharmacy, together with all necessary infrastructure to consider access.
Applicant	Malcolm Jarvis Homes Ltd
Agent	Mr Ian Bull
Site Area	5.10 Hectares

- (a) 62/ 2'S', 15'R' (b) PC - R (c) EA - +; NE - X; KCC Her - X;
KCC Bio - X; KCC EcoDev -
X; KCC Highways - X; KCC
SuDs - X; FC - +; KFR - +;
KP - X; NHS - +; IDB - X;
SWS - X; UKPN - +.

The Strategic Development and Delivery Manager drew Members' attention to the Update Report, where there were deletions and insertions in the Heads of Terms for Section 106 Agreement/Undertaking. He added that in Item 7, there was a need to amend the word 'outdoor' to 'indoor'.

In accordance with Procedure Rule 9.3, Ms Viv Davies, resident, had registered to speak in objection to the application. She had elected to have her speech read by the Member Services Officer.

In accordance with Procedure Rule 9.3, Cllr James Ransley, on behalf of Kingsnorth Parish Council, had registered to speak in objection to the application. He was present and delivered his speech in person.

Resolved:

- (A) That in the light of the appeal against non-determination the Planning Inspectorate be advised that, had the Borough Council been able to determine the application, it would have been minded to grant outline planning permission, subject to:-**
- (i) the applicant first entering into a section 106 agreement/undertaking in respect of the planning obligations detailed in Table 1 in terms agreeable to the Strategic Development & Delivery Manager or the Development Management Manager in consultation with the Director of Law and Governance (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),**

Table 1 - Heads of Terms for Section 106 Agreement/Undertaking

Obligation No.	Planning Obligation Detail	Amounts (s)	Trigger Points (s)
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Ashford Borough Council Planning Obligations			
1	<p><u>Affordable Housing</u> Amount to be secured in accordance with Policy HOU1:</p> <p>30% affordable housing on-site, comprising:</p> <ul style="list-style-type: none"> • 10% for affordable or social rent. • 20% for affordable home ownership (of which 10% of the total dwellings should be shared ownership). <p>The affordable housing shall be managed by a registered provider of social housing approved by the Council, which has a nomination agreement with the Council.</p> <p>Shared ownership units to be leased in the terms specified.</p> <p>Affordable rented units to be let at no more than 80% market rent and in accordance with the registered provider's nomination agreement.</p>	<p>2 affordable rent units</p> <p>3 shared ownership units (2 units to be shared ownership and 1 to be either shared ownership or an affordable homes ownership product - to be agreed with ABC Development Partnership Manager)</p>	<p>To be constructed and transferred to Registered Provider before occupation of 75% of the general market units</p>
2	<p><u>Accessible and Adaptable Dwellings</u> Amount to be secured in accordance with Policy HOU14:</p> <p>At least 20% [total of 3 dwellings] of all homes shall be built in compliance with building regulations M4(2) as a minimum standard.</p>	<p>20% M4(2) across the whole site.</p>	<p>All accessible and adaptable homes to be constructed before the occupation of any dwellings.</p>
3	<p><u>Allotments</u> Project detail (off site):</p> <p>Financial contribution towards allotments within the Kingsnorth Parish or South Ashford Garden Community</p>	<p>£258.00 per dwelling for capital costs</p> <p>£66.00 per dwelling for maintenance</p> <p>Indexation: BCIS General Building Cost</p>	<p>Before occupation of 75% of the dwellings.</p>

		index 2012	
4	<p><u>Amenity Open Space Land</u> Project detail:</p> <p>To provide the Amenity Open Space Land, including footpaths to and through such spaces and the identified buffer zone in the northern area of the application site in accordance with the relevant reserved matters.</p> <p>The developer to ensure the Amenity Open Space Land is delivered available for use free from contamination, pollution and protected species that would prevent or limit the intended use.</p> <p>The Amenity Open Space Land to be managed/maintained in perpetuity with management arrangements to be agreed with the Council.</p>	<p>On site: all those parts of the site comprising verges and all areas (not privately owned) in and around dwellings/medical centre/pharmacy buildings, excluding public open space/play space</p>	<p>The Amenity Open Space Land relevant to the dwellings to be provided before occupation of 75% of the dwellings.</p> <p>The Amenity Open Space Land relevant to the /medical centre/pharmacy buildings to be provided before first occupation of the medical centre / pharmacy buildings.</p>
5	<p><u>Art and Creative Industries</u> Project detail:</p> <p>Project within the Kingsnorth Parish</p>	<p>£338.00 per dwelling for capital costs</p> <p>Indexation: BCIS General Building Cost index 2019</p>	<p>Before occupation of 75% of the dwellings.</p>
6	<p><u>Children and Young People's Play Space</u> Project detail (off site):</p> <p>Financial contribution towards a site within the Parish of Kingsnorth in response to the Play Strategy and audit results, where a public open space is requiring improvement and/or where a gap in provision is identified.</p>	<p>£649.00 per dwelling for capital costs</p> <p>£663.00 per dwelling for maintenance</p> <p>Indexation: BCIS General Building Cost index 2012</p>	<p>Before occupation of 75% of the dwellings.</p>
7	<p><u>Indoor Sports Provision</u> Project detail (off site):</p> <p>Contribution towards outdoor</p>	<p>£449.00 per dwelling for capital costs</p> <p>(capital only –</p>	<p>Before occupation of 75% of the dwellings.</p>

	sports pitch provision at Ashford to be targeted towards quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.	contributions are derived from the latest Sport England Calculator). Indexation: BCIS General Building Cost index 2019	
8	<u>Informal Natural Green Space</u> Project detail (off site): Financial contribution towards a site within the Parish of Kingsnorth 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.	£434.00 per dwelling for capital costs £325.00 per dwelling for maintenance Indexation: BCIS General Building Cost index 2012	Before occupation of 75% of the dwellings.
9	<u>Outdoor Sports Provision</u> Project detail (off site): 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.	£500.00 per dwelling for capital costs £358.00 per dwelling for maintenance <i>(For capital contributions - calculations are derived from the latest Sports England Calculator)</i> Indexation: BCIS General Building Cost index 2019	Before occupation of 75% of the dwellings.
10	<u>Quality Monitoring</u> Contribution towards monitoring, to ensure that the approach to design quality is delivered on site in accordance with the details approved as part of the planning permission, including any subsequent details approved pursuant to any conditions related to the planning permission.	One off payment of the following: £90.00 per dwelling Indexation: Indexation applied from the date of the resolution to grant permission.	The total amount due will be payable on commencement of the development.

11	<p><u>Strategic Parks</u> 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>Indexation: BCIS General Building Cost index 2012</p>	<p>Before occupation of 75% of the dwellings</p>
12	<p><u>Voluntary Sector</u> Project detail:</p> <p>Project within the Kingsnorth Parish</p>	<p>£87.00 per dwelling</p> <p>Indexation: BCIS General Building Cost index 2019</p>	<p>Before occupation of 75% of the dwellings.</p>
Kent County Council Planning Obligations			
13	<p><u>Adult Social Care</u> Project detail:</p> <p>Specialist Housing Provision in the District, adaptation of community facilities, technology and equipment to promote independence in the home, multi sensory facilities and changing place facilities in the vicinity of the development.</p>	<p>£146.88 per dwelling</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution before occupation of 25% of the dwellings and balance before occupation of 50% of the dwellings.</p>
14	<p><u>Community Learning</u> Project detail:</p> <p>Contributions towards additional equipment and resources for Adult Education Centres locally</p>	<p>£16.42 per dwelling</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution before occupation of 25% of the dwellings and balance before occupation of 50% of the dwellings.</p>
15	<p><u>Education Land for Primary</u> Project detail:</p> <p>Contribution towards a new primary school site at Court Lodge or alternative location in the planning group</p>	<p>£590.95 per flat</p> <p>£2363.93 per house</p> <p>£0 for any 1-bed dwelling with less than 56 m² gross internal area.</p> <p>Indexation:</p>	<p>Half the contribution before occupation of 25% of the dwellings and balance before occupation of 50% of the dwellings.</p>

		BCIS General Building Cost Index from Oct 2016	
16	<p><u>Libraries</u> Project detail:</p> <p>Towards additional Library equipment, stock, services including digital infrastructure, shelving and resources for the new borrowers at Libraries in the Ashford Urban Area</p>	<p>£55.45 per dwelling</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	Half the contribution before occupation of 25% of the dwellings and balance before occupation of 50% of the dwellings.
17	<p><u>Primary Schools</u> Project detail:</p> <p>Towards new education places at the new 2FE Primary school at Court Lodge and/or within the Planning Group or neighbouring planning group.</p>	<p>Per Flat £1134.00 (New Build)</p> <p>Per House £4535.00 (New Build)</p> <p>£0 for any 1-bed dwelling with less than 56 m² gross internal area.</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	Half the contribution before occupation of 25% of the dwellings and balance before occupation of 50% of the dwellings.
18	<p><u>Secondary Schools</u> Project detail:</p> <p>Towards the provision of new secondary places at Chilmington Green and/or within the Planning Group</p>	<p>Per Flat £1172.00 (New Build)</p> <p>Per House £4687.00 (New Build)</p> <p>£0 for any 1-bed dwelling with less than 56 m² gross internal area.</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	Half the contribution before occupation of 25% of the dwellings and balance before occupation of 50% of the dwellings
19	<p><u>Youth Services</u> Project detail:</p>	<p>£65.50 per dwelling</p> <p>Indexation:</p>	Half the contribution before

	Towards additional resources for the Ashford Youth service to enable outreach services in the vicinity	BCIS General Building Cost Index from Oct 2016	occupation of 25% of the dwellings and balance before occupation of 50% of the dwellings.
Other Obligations			
20	<p><u>Stodmarsh Mitigation - SuDS</u></p> <p>If the Inspector, as the competent authority, is satisfied that there is no adverse effect on the integrity of the designated sites, the Council requests that the mitigation measures necessary to achieve that outcome are robustly and fully secured. The following heads of terms are suggested subject to any amendments advised by AECOM or Natural England.</p> <p>To provide SuDS and Greenspace on-site that will satisfy the objectives and requirements of the Appropriate Assessment in order to secure nitrogen and phosphorous neutrality for the Development and result in an absence of significant effects of the Development upon the integrity of the Stodmarsh Designated Sites taking account of the Natural England Nutrient Neutrality Guidance.</p> <p>To submit to the LPA for approval in writing the detailed design of the SuDS and Greenspace, including a monitoring, management and maintenance scheme (SuDS and Greenspace Proposal) to include funding mechanism.</p> <p>The developer to appoint an Appointed Professional', at the developers cost, to inspect and advise the Council as to</p>		<p>To submit to and be approved by the LPA the SuDS and Greenspace Proposal before the commencement of development.</p> <p>To complete the SuDS and Greenspace on site before the occupation of any dwelling.</p> <p>The SuDS and Greenspace to be monitored, managed and maintained in accordance with the SuDS and Greenspace Proposal, as long as the development remains in use.</p>

	<p>whether the SuDS and Greenspace have been satisfactorily completed</p> <p>The SuDS and Greenspace to be transferred to an approved body to monitor, manage and maintain in accordance with the SuDS and Greenspace Proposal, as long as the development remains in use.</p>		
Monitoring			
21	<p><u>Monitoring Fee</u></p> <p>Contribution towards the Council's costs of monitoring and reporting.</p>		<p>First payment before commencement of development and on the anniversary thereof in subsequent years.</p>
<p><u>Notices</u> 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>PLEASE NOTE:</p> <ul style="list-style-type: none"> • Depending upon the time it takes to complete an acceptable deed the amounts specified above may be subject to change 			

(ii) the applicant submitting information to enable an Appropriate Assessment under the Habitats Regulations 2017 (as amended) to be adopted by the Head of Planning and Development identifying 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 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, and

(iii) 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 and refined as appropriate and with any 'pre-commencement' based planning conditions to have been the subject of agreement with the applicant.

(B) The Strategic Development & Delivery Manager or the Development Management Manager in consultation with the Solicitor to the Council and Monitoring Officer be authorised to present the Council's case to the Planning Inspectorate in accordance with (A) above with authority delegated to the Strategic Development & Delivery Manager or the Development Management Manager to add/amend/delete/approve obligations and/or planning conditions as he/she considers necessary.

- 1 Standard outline condition A
- 2 Standard outline condition B
- 3 Development carried out in accordance with the approved plans
- 4 Site shall be made available for enforcement inspection when required.
- 5 No construction shall commence on any of the dwellings prior to (i) the submission of full details to the LPA confirming that funding is in place and a contract has been let in respect of the construction of the medical centre and pharmacy and (ii) the LPA's written approval of such details.
- 6 Surface water drainage and foul water drainage details
- 7 Detailed sustainable surface water drainage scheme
- 8 Surface water drainage system verification report
- 9 Provision of a toucan crossing on Ashford Road
- 10 Construction Environmental Management Plan
- 11 Details of the proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall,

vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture on the site

- 12 Land, reserved for parking and/or garaging to meet the needs of the development.
- 13 Provision of secure, covered cycle parking facilities for the dwellings, medical centre and pharmacy.
- 14 Construction of site access
- 15 Construction of visibility splays
- 16 Works between dwellings and the adopted highway
- 17 EV Charging points
- 18 Archaeological field evaluation work
- 19 Arboricultural Impact Assessment and Tree Protection Plan.
- 20 Full details of all hard and soft landscaping
- 21 Landscape management plan
- 22 Tree protection
- 23 Reptile mitigation strategy
- 24 Biodiversity enhancement strategy
- 25 Lighting design plan for biodiversity
- 26 Refuse and recycling
- 27 Details of materials
- 28 Details of all boundary treatments, to include gates, boundary walls and fences.
- 29 Unexpected contamination
- 30 Water consumption – dwellings
- 31 Nationally Described Space Standards

32 Fibre broadband to the premises (FTTP)

33 Removal of PD rights – GDPO Classes A, B and E

Note to Applicant

1. S106

Application Number	PA/2022/2544
Location	Field to West of National Grid Converter Station, Church Lane, Aldington, Kent, TN25 6AF
Parish Council	Smeeth
Ward	Bircholt
Application Description	The laying out of a battery storage facility, intermediate substation, water storage tank, cabling, fencing, access tracks and associated drainage infrastructure on field to west of National Grid Sellindge Converter Substation.
Applicant	Pivot Power LLP
Agent	SLR Consulting, Floor 3, 86 Princess Street, Manchester, United Kingdom, M1 6NG
Site Area	2.04 ha
(a) 3 / 12 'R'	(b) Smeeth Parish Council 'X' (c) EA 'X', KCC ARCH 'X', KCC EAS 'X', KCCH&T 'X', KCC LLFA 'X', KFRS 'X', RSIDB 'X', NR 'X'

The Deputy Team Leader – Strategic Applications drew Members' attention to the correction in the Update Report, clarifying that the Member had called the application in for Committee decision in her role as Portfolio Holder for Planning. Although the site lay just inside the Smeeth Parish boundary, it had been noted that Aldington and Bonnington Parish was directly adjoining. Kent Highways and Transportation had made further comment, that they would not support a temporary closure of Church Lane while the works were undertaken, and had recommended that the Construction Management Plan was secured by planning condition, to ensure a co-ordinated approach to the access to this site, and the adjoining site also being decided at this

Committee, from both applicants. Pre-submission informal consultation with the Ward Member for Saxon Shore and with a Church Lane residents' representative was recommended.

In accordance with Procedure Rule 9.3, Mr Jonathan Tennant, resident, had registered to speak in objection to the application. He was present and delivered his speech in person.

In accordance with Procedure Rule 9.3, Ms Rhian Thomas, agent, had registered to speak in support of the application. She was present and delivered her speech in person.

In accordance with Procedure Rule 9.3, Cllr Stephen Wagstaff, on behalf of Aldington and Bonnington Parish Council as the adjoining Parish Council affected, had registered to speak in objection to the application. He was present and delivered his speech in person.

Resolved:

- A PERMIT, subject to the 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 with delegated authority to the Strategic Development and Delivery Manager or Development Management Manager to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit).**

Conditions:

1. Standard time implementation condition
2. Development carried out in accordance with approved plans
3. Temporary consent – operational life of 30 years and requirement for a detailed decommissioning strategy
4. Prior to commencement of works, Construction Management Plan to include details of routing of construction and delivery vehicles to / from site and measures to ensure compliance, parking and turning areas for construction and delivery vehicles and site personnel, timing of deliveries, provision of wheel washing facilities, temporary traffic management / signage, control of dust, evidence of a co-ordinated approach with adjacent development sites etc to be approved. *To be subject to consultation with KCCH&T, HS1, Ward Members of Bircholt and Saxon Shore Wards, a representative from Church Lane.*
5. Provision of tree protection measures
6. Before and after construction of the development, highway condition survey for section of Church Lane between the A20 and application site

7. Implementation of a phased programme of archaeological work in accordance with a written specification and timetable to be approved
8. Details of plant and requirement for it to be installed, serviced and operated according to the manufacturers recommendations
8. Details of the external finishing of the water tank to be submitted prior to installation
9. No construction activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no working activities on Sunday or Bank/Public Holidays
10. Details and provision of SuDS scheme including verification and details of the measures required to mitigate any pollution risk in the unlikely event of a fire
11. Details and provision of on-site hard and soft landscaping
12. Landscape and Ecological Management Plan (LEMP)
13. Ecological Mitigation and Management Plan (EMMP) in accordance with the recommendations of the Update Ecological Appraisal
14. Details and provision of external lighting strategy (construction phase)

Notes

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 as appropriate updating applicants/agents of any issues that may arise in the processing of their application.

2. Expect applicant to continue liaising with Kent Fire and Rescue Service
3. Environmental Protection notes relating to burning of waste/control of dust
4. *The details pursuant to condition 4 above (Construction Management Plan) shall include, but not be limited to:*

- *Banksmen at RR/CL junction on 3rd party land or within the highway;*
- *Temporary highways signage both near to and at the RR/CL junction for the duration of any works clearly identifying no access for construction vehicles / construction-related traffic*
- *A requirement on the applicant to confirm in the Plan that all contractors / sub-contractors will be informed that access from RR/CL will not be acceptable*
- *Commitment to pre-construction commencement roll-out of information to contractors / sub-contractors showing the agreed access routes to and from the sites on CL via the A20 only*
- *Development and use of apps that override standard Google Maps information as a way for contractors to find site via the A20*
- *Potential temporary physical measures to the CL site access points so as to restrict the ability to enter into construction sites other than from travelling southwards along CL having turned into CL from the A20.*

The applicant is invited to enter into informal discussions prior to the submission of the CMP to the Council.

Application Number	PA/2022/2950
Location	Land to the west of Sellindge Substation, Sellindge, Ashford, Kent TN25 6AF
Grid Reference	608220 / 138494
Parish Council	Aldington & Bonnington, Smeeth
Ward	Bircholt, Saxon Shore
Application Description	Erection of a synchronous condenser plant with ancillary infrastructure, access, landscaping and other incidental works.
Applicant	C/o The Agent
Agent	Mr Henry Gomm, Lichfields, The Minster Building, 21 Mincing Lane, London EC3R 7AG
Site Area	4.85 hectares

The Team Leader – Planning Applications referred Members to the detail of the further comments from Kent Highways and Transportation, as contained in the Update Report. These mirrored and expanded upon their recommendations for the previous application, to be secured by planning condition.

In accordance with Procedure Rule 9.3, Mr Jonathan Tennant, resident, had registered to speak in objection to the application. He was present and delivered his speech in person.

In accordance with Procedure Rule 9.3, Mr Ian York, agent, had registered to speak in support of the application. He was present and delivered his speech in person.

In accordance with Procedure Rule 9.3, Cllr Stephen Wagstaff, on behalf of Aldington and Bonnington Parish Council, had registered to speak in objection to the application. He was present and delivered his speech in person.

Resolved:

APPROVE

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. 3 year condition
2. Approved plans
3. External materials as specified
4. Existing surfacing removed as shown on site plan overlay (PCI_SE_001 Rev 0)
5. Sustainable surface water drainage scheme to be submitted (including management onto the highway)
6. Verification Report to be submitted (pertaining to the surface water drainage system)
7. Off-site surface water drainage works (appropriately secured)
8. Construction Traffic Management Plan to be approved prior to commencement of works (to include details of routing of construction and delivery vehicles to/from site and measures to ensure compliance, and evidence of a co-ordinated approach with adjacent development sites). To be subject to consultation with KCCH&T, HS1, Ward Members of Bircholt and Saxon Shore Wards, and a representative from Church Lane.
9. Construction vehicles to access the site from Church Lane via the A20 and not from the south via Aldington village in accordance with the Construction Traffic Management Plan
10. Highway condition surveys
11. Provision and maintenance of the visibility splays
12. Provision and permanent retention of vehicle parking spaces
13. Provision and permanent retention of vehicle loading/unloading and turning facilities
14. Wheel washing in accordance with the Construction Traffic Management Plan
15. Use of a bound surface (for the first 10 metres)
16. Operational Phase Lighting Strategy to be approved
17. Lighting only to be operational when personnel need to attend the site for maintenance and at all other times the site will not be lit

18. Lighting to be activated by passive infrared sensor with a timer and light sensor so that they are automatically switched off
19. Details and provision of external lighting strategy (construction phase)
20. Archaeology
21. Acoustic mitigation measures
22. Landscaping to include new and retained hedgerows to be maintained at a minimum height of 2.5-3m.
- 23.
24. Development carried out in accordance with recommendations of PEA
25. Landscape and Ecological Management Plan
26. Lighting design plan for biodiversity
27. Protection of existing hedgerow during construction
28. Management plan for hedgerow
29. Reporting of Unexpected Contamination
30. Storage of Fuels/Chemicals
31. Code of practice hours
32. Dust emissions control
33. Decommissioning of infrastructure once operation has ceased and restoration of land to its previous agricultural use
34. Adjacent PROW not to be obstructed and access to be maintained at all times
35. Site inspection

Notes to Applicant

1. Working with the Applicant
2. The details pursuant to condition 8 (Construction Traffic Management Plan) shall include, but not be limited to:
 - *Banksmen at RR/CL junction on 3rd party land or within the highway;*
 - *Temporary highways signage both near to and at the RR/CL junction for the duration of any works clearly identifying no access for construction vehicles / construction-related traffic*
 - *A requirement on the applicant to confirm in the Plan that all contractors / sub-contractors will be informed that access from RR/CL will not be acceptable*
 - *Commitment to pre-construction commencement roll-out of information to contractors / sub-contractors showing the agreed access routes to and from the sites on CL via the A20 only*
 - *Development and use of apps that override standard Google Maps information as a way for contractors to find site via the A20*
 - *Potential temporary physical measures to the CL site access points so as to restrict the ability to enter into construction sites other than from travelling southwards along CL having turned into CL from the A20.*

The applicant is invited to enter into informal discussions prior to the submission of the CMP to the Council.
3. Re-use of Materials
4. Disposal of Soils
5. Environmental Permits information

-
6. Working affecting public highways
 7. Breeding Birds informative
 8. Public Rights of Way information
 9. Prior written consent from the River Stour (Kent) IDB to be obtained in accordance with the Land Drainage Act 1991 and IDB Byelaws
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Application Number	21/1890/AS
Location	Garages south west of 1, Harper Road, Ashford, Kent
Grid Reference	Easting (x) 599848; Northing (y) 141937
Parish Council	Central Ashford
Ward	Beaver
Application Description	Erection of 3 dwellings including associated parking and landscaping and the demolition of existing garages.
Applicant	Assistant Director Housing Sharon Williams (ABC)
Agent	Ms. Asri Asra
Site Area	0.10 hectares (approx. 1000sqm)

Due to time constraints on the duration of the meeting, it was RESOLVED that this application be deferred to a future Planning Committee meeting.

Application Number	PA/2023/0218
Location	15 Warwick Road, Kennington, Ashford, Kent, TN24 9EH
Grid Reference	Easting (x) 602243 / Northing (y) 144390
Parish Council	Kennington Community Council
Ward	Bybrook
Application Description	Proposed conversion of a 3-bedroomed house to No.2 self-contained 1-bedroomed flats
Applicant	Ashford Borough Council

Agent ABC - Housing Development and Regeneration
Site Area 0.03 Hectares

Due to time constraints on the duration of the meeting, it was RESOLVED that this application be deferred to a future Planning Committee meeting.

Application Number PA/2023/0714
Location Court Wurtin, Beaver Lane, Ashford, Kent, TN23 5NH
Grid Reference Easting (x) 600308 / Northing (y) 141279
Parish Council Central Ashford
Ward Beaver
Application Description Provision of 1 no. residential/commercial waste and storage compounds; refurbishment of the stairwell to include new roof structure, render, and cladding, provided gated residential area. Proposed works to residential properties 24-30 to include PV panels, rendering, and changes to fenestration
Applicant Mrs Sharon Williams, Ashford Borough Council
Agent Mr Colin Benton, Ashford Borough Council
Site Area 0.2935 Hectares

Due to time constraints on the duration of the meeting, it was RESOLVED that this application be deferred to a future Planning Committee meeting.

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