

Planning Committee

Minutes of a Meeting of the Planning Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **19th September 2018**.

Present:

Cllr. Burgess (Chairman);

Cllrs. Bennett, Bradford, Buchanan, Clarkson (ex officio), Clokie, Dehnel, Feacey, Heyes, Hicks, Knowles, Krause, Ovenden, Waters, Wedgbury.

In accordance with Procedure Rule 1.2(iii) Councillor Feacey attended as a Substitute Member for Councillor Galpin.

Apologies:

Cllrs. Chilton, Galpin, Link.

Also Present:

Strategic Applications Team Leader, Chilmington and Design Team Leader, Head of Planning and Development, Principal Solicitor (Strategic Development); Member Services Officer.

164 Declarations of Interest

Councillor	Interest	Minute No.
Bennett	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	
Burgess	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	
Clarkson	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	
Clokie	Made a Voluntary Announcement as he was a Member of the Weald of Kent Protection Society.	

165 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 15th August 2018 be approved and confirmed as a correct record.

166 Amendment to Minute 107/7/18 – Waterbrook Park, Waterbrook Avenue, Sevington – Application Number 18/00098/AS

The Principal Solicitor (Strategic Development) advised the Committee that the proposed amendment would not alter the decision taken at the meeting in July, it was simply to rectify an error in the Minutes in respect of four revised Pay Regardless sums from the Update Report that had been inserted into the incorrect column of Table 1.

Resolved:

That within Minute 107/7/18, Table 1 in the Waterbrook resolution (ref. 18/00098/AS), Heads of Terms numbers 2 (Primary Schools), 3 (Secondary Schools), 5 (Local primary and community health service) and 10 (Outdoor Sports Pitches), on pages 228, 229, 230 and 232 respectively, be rectified as follows:-

- (i) insert in the column headed “Amount(s) required by policy” the text from Table 1 in the original Report;**
- (ii) move the fixed sum per dwelling from that column and insert it in the column headed “Impact of Viability – Amount proposed for this application” immediately after the words “Pay regardless”.**

167 Schedule of Applications

Resolved:

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

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

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

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

Application Number	18/00410/AS
Location	Pett Farm, Pett Lane, Charing, Ashford, TN27 0DS
Grid Reference	596125/148972
Parish Council	Charing
Ward	Charing
Application Description	Change of use of land for the stationing of a residential mobile home in connection with a farm and equestrian business.
Applicant	Mr B Roberts
Agent	Mrs H Whitehead. Price Whitehead Chartered Surveyors
Site Area	0.05ha
(a)	10/5R 2S
(b)	Charing PC X
(c)	KEM X

The Chilmington and Design Team Leader drew Members' attention to the Update Report. Since the publication of the report the development had been carried out and permission was now being sought retrospectively. Photographs were on display detailing the location of the mobile home in relation to the buildings on the site. A further representation had been received and a copy of this was contained at Appendix 1. Three further letters of support had also been received. Further to the commencement of works prior to the grant of planning permission the rewording of four conditions was proposed.

In accordance with Procedure Rule 9.3 Mr Hurst, a local resident, spoke in objection to the application. He advised that he resided at Pett Place a Grade I Listed Building and objected to the application. The undertaking of work without planning permission showed, in his opinion, contempt of the process and this very Committee. He had analysed the alleged need for a home on the site and felt that this had not been proven. 15 valid and important points of objection had been raised and should be taken into account. The failure to meet an overwhelming number of adopted policies should result in refusal of the application, additionally the Case Officer noted in the report that an application of this type would normally be refused. The case put forward by the applicant was spurious and specious and so aimed to override Ashford Planning Policies and those of the NPPF. Referring to the comments made by Rural Planning Ltd he felt these were beyond credible. He would demonstrate the deficiencies in the arguments put forward relating to essential need; of the 100 acres in the ownership of the applicant 60 of these were rented to a neighbouring farmer with the remainder being meadowland for sheep and horses. No arable use was undertaken by the applicant. There was no need for out of hours attendance at the

site as the livery business was operated on a DIY basis and had been so for the previous four years. In conclusion, Mr Hurst questioned whether a need for the mobile home had been demonstrated. Ashford Borough Council and the Planning Committee were custodians of the landscape and he urged the Committee not to permit an application that was contrary to those policies.

In accordance with Procedure Rule 9.3 Mr Roberts, the applicant, spoke in support of the application. He advised the Committee that he would read a statement prepared by his agent, who had been unable to attend due to ill health. The application before the Committee was for a mobile home to be sited at Pett Farm for three years. There was no living accommodation at the farm and this proposal would enable a presence on the site to look after live-stock. Significant investment had been made in the farm and the applicant had regularised a number of planning breaches from the previous ownership of the site. The Council's Rural Advisor had agreed that the proposal was sound and supported the assertion that a presence would be necessary for the security of the liveries on site. A number of thefts had occurred on the site, with the most recent being the theft of a stock trailer. The nearest neighbour to the site was over 60m away and was currently screened by fencing and additional hedging had also been proposed to further mitigate any impact that the proposal may have. The home would be of single storey and would cause no visual harm as it would be grouped with other buildings on the site. The proposal was consistent with Policies TRS1 and TRS2 and paragraphs 17, 38 and 79 of the NPPF, along with a number of other key adopted and emerging policies. Additionally the Parish Council also supported this application. In conclusion Mr Roberts advised that the revised target date for the determination of the application had passed. He wished to apologise to the Committee personally for constructing the building prior to the determination of the application. He accepted that he had made an error of judgement.

In accordance with Procedure Rule 9.3 Mrs Leyland from Charing Parish Council spoke in support of the application. She advised that this was the first time she had addressed the Committee since Gladman had withdrawn their appeal. She wanted to take the opportunity to express the Parish Councils thanks to both the Legal and Planning Departments for all of their work on the appeal. Moving to the application before the Committee for determination she advised that employment in Charing was declining and the Parish Council supported existing and potential employment in their Parish. Those that used Mr Roberts' livery also used other shops in the village. In the time he had owned Pett Farm, the applicant had made many improvements to the farm. A number of Public Rights of Way ran through the site with the pigs and piglets being visited by residents of all ages, and in turn becoming a public asset. Additionally pigs required constant attention. Rural crime was a serious issue, with a number of incidences occurring at Pett Farm, including pigs having been attacked with a catapult, someone entering the area where the Boar was housed, gates being left open and thefts. The proposed home had been designed to blend in with the buildings on the site. The applicant had demonstrated a need to live on the site, for the security and care of the animals. There was no harm to either visual or residential amenity and the Parish Council supported this application. She urged the

Committee to not delay the decision, as the target date for a decision had passed four months previously.

Resolved:

That a Site Visit be undertaken prior to determining the application at the next meeting of the Planning Committee.

The Chairman advised that this would occur prior to that meeting.

Application Number	18/00029/AS	
Location	Land south of the Swan Hotel, Maidstone Road, Charing, Kent	
Grid Reference	94744/49482	
Parish Council	Charing	
Ward	Charing	
Application Description	Submission of an outline planning application for up to 135 dwellings (including up to 40% affordable housing) introduction of structural planting and landscaping, informal public open space and children's play area (LEAP), vehicular access from the A20/Maidstone Road and associated ancillary works. All matters reserved with the exception of access from the A20/Maidstone Road.	
Applicant	Gladman Developments Ltd c/o agent	
Agent	Cater Jonas LLP, One Chapel Place, London, W1G 0BG	
Site Area	7.9 hectares	
(a) 134/61R	(b) PC - R	(c) HS1-X, EMH-X, KFR-X, EA-X, NE-X, KCC Bio-X, KP -X, OSSS-X, KCC SuDS-X, HE-X, NR-X, KCC Arch-X, SW-X, KCC Prow-X, Ram-X, KWT-X, ABC Housing-X, KCC developer contributions-X, WKPS-R, North Downs AONB-R, KCC Highways-X

The Strategic Applications Team Leader drew Members' attention to the Update Report. Since the publication of the report the main modifications to the Local Plan 2030 had been compiled and were out for consultation, there were changes to Policy S55 which meant some changes were required to the report. A further letter of

objection had been received from a local resident in respect of ecological matters and a letter had been forwarded by Charing Parish Council from Socium (highway consultants) in respect of highway matters. Finally there was an update in respect of Table 1 and the S106 agreement.

In accordance with Procedure Rule 9.3 Mr Lake, a local resident, spoke in objection to the application. He advised that he had moved to Poppyfields over two years previously. The site in question was adjacent and had streams, underground springs and similar topography to the site on which Poppyfields had been constructed. Southern Water had yet to adopt the drains from David Wilson Homes, intervention had been carried out by Damian Green MP, but to date this was still to be resolved. The gardens in Poppyfields had drainage issues, there were areas of dry and boggy land right next to one another, along with water ingress to garages. He was concerned that the origins of the water on the site had not been thoroughly investigated or understood. He questioned whether the Committee had the confidence that this would not be repeated on this site. If the Committee were minded to permit the application, Mr Lake requested that an amenity strip be retained between the site and neighbouring Poppyfields to ensure a sprawling residential mass was not created.

In accordance with Procedure Rule 9.3 Mr Gregson, the agent, spoke in support of the application. He advised the Committee that the proposal before them was for 135 dwellings, 40% of which would be affordable. The proposal complied with revised Policy S55 and due to the advanced stage of the Local Plan this should bear significant weight. Discussions regarding the site had commenced in 2017 and it had become apparent through the Council's Strategic Housing and Employment Land Availability Assessment that the site was sustainable and was included in the Council's Local Plan 2030. The Inspector had noted that the site allocation would be a continuation of the built form and not encroach on sensitive areas. The application before the Committee was recommended for approval, subject to a Section 106 Agreement and would ensure that the Council met its Five Year Housing Land Supply target. Additionally the development would provide for a footpath along the A20, payment of the New Homes Bonus and the creation of 125 jobs directly and 136 indirectly. In conclusion this was a suitable and sustainable location, with no technical objections having been raised.

In accordance with Procedure Rule 9.3 Mrs Leyland from Charing Parish Council spoke in objection to the application. She advised that whilst the Parish Council accepted that houses were needed within the Borough and Charing had its part to play this was not the right site, for three reasons; the site had many issues, the level of development and the access. Drawing attention back to the statement made by Mr Lake and the written submission from Jacky Langton, there were issues surrounding water levels on this and adjacent sites, rare plants on site, and additional tree planting would be required for landscaping. The protection of drinking water would need to be ensured with water from the area draining into the aquifer. There would be serious consequences should contamination occur and she questioned what could be done to prevent this. Mrs Leyland referred to the previous Gladman application on Pluckley Road and the reasons for refusal of that

application; she felt that all of those reasons were appropriate for this site. More sustainable sites were available with windfall sites coming forward and others in the pipeline. Development spread throughout the village would be more suitable than this large scale development. Finally, in respect of the access, Mrs Leyland advised that to create separate accesses onto the A20 for this site and the one following it on the agenda was crazy. The A20 was dangerous and two accesses in close proximity was not a wise course of action. She requested that the Committee refuse the application.

Resolved:

- (A) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations as detailed in Table 1, in terms agreeable the Head of Development Management and Strategic Sites or the Joint Development Control Manager in consultation with the Head of Legal and Democratic Services, with delegated authority to either the Head of Development Management and Strategic Sites or the Joint Development Control Manager to make or approve minor changes to the planning obligations and planning conditions (for the avoidance of doubt including adding additional planning conditions/obligations, amending planning conditions or obligations or deleting planning conditions or obligations) as he/she sees fit.**

Table 1

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
1.	<p><u>Affordable Housing</u></p> <p>Provide not less than 40% of the units as affordable housing, comprising 10% affordable / social rent units and 30% Affordable Home Ownership Products (including a minimum of 20% shared ownership) in the locations and with the floorspace, wheelchair access (if any), number of bedrooms and size of bedrooms as specified.</p> <p>The affordable housing shall be managed by a</p>	<p>Up to 54 units comprising:</p> <p>10% affordable/social rent units and 30% Affordable Home Ownership Products (including a minimum of 20% shared ownership)</p>	<p>Affordable units to be constructed and transferred to a registered provider upon occupation of 75% of the open market dwellings.</p>

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	registered provider of social housing approved by the Council. Shared ownership units to be leased in the terms specified. Affordable rent units to be let at no more than 80% market rent and in accordance with the registered provider's nominations agreement.		
2.	Children's and Young People's Play Contribution towards local play area project. Details to be confirmed.	£649 per dwelling for capital costs £663 per dwelling for maintenance	Before completion of 75% of the dwellings
3.	<u>Outdoor Sports</u> Contribution towards local outdoor sports provision. Project to be confirmed.	£1,589 per dwelling for capital costs £326 per dwelling for maintenance	Before completion of 75% of the dwellings
4.	Strategic Parks Contribution towards local outdoor sports provision. Project to be confirmed.	£146 per dwelling for capital costs £47 per dwelling for maintenance	Before completion of 75% of the dwellings
5.	<u>Informal/Natural Space</u> On site provision and ongoing maintenance	To be provided up to the value of £434 per dwelling for capital costs and £325 per dwelling for maintenance 0.65 ha in area; if the open space is sub-	Scheme for provision and maintenance to be submitted and agreed by the LPA Completed before occupation of 50% of the dwellings.

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
		divided then individual open spaces must be a minimum of 0.25ha. Public open space smaller than 0.25 ha will not be acceptable.	
6.	Allotments Contribution towards – project to be confirmed	£258 per dwelling for capital costs £66 per dwelling for future maintenance	Before completion of 75% of the dwellings
7.	Cemeteries Project to be confirmed.	£284 per dwelling for capital costs £176 per dwelling for maintenance	Before completion of 75% of the dwellings
8.	Primary Schools Contribution towards the expansion of Charing Primary School	£3,324 per applicable house £831 per applicable flat	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
9.	Secondary Schools Project: Phase 2 Expansion of Highworth Secondary School	£5,091.60 per applicable house £1,272.90 per applicable house	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
10.	Libraries Contribution for additional bookstock for Charing library	£48.02 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
11.	Health Care Extension to Charing Surgery.	£504 for each 1-bed dwelling	Half the contribution upon occupation of 25% of the dwellings and

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
		£720 for each 2-bed dwelling £1,008 for each 3-bed dwelling £1,260 for each 4-bed dwelling £1,728 for each 5-bed dwelling or larger	balance on occupation of 50% of the dwellings
12.	<u>Community Learning and Skills</u> Contribution towards the reconfiguration of services at Ashford Gateway.	£34.45 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
13.	<u>Youth Services</u> Contribution towards Ashford street based and community activities.	£27.91 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
14.	<u>Footpath Upgrade</u> Upgrade to the surface of AW35 to a cycle track.	Amount to be confirmed for capital costs and maintenance.	On occupation of 25% of the dwellings.
15.	<u>Monitoring Fee</u> Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking.	£1,000 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years
<p>Regulation 123(3) compliance: Fewer than five planning obligations which provide for the funding or provision of the projects above or the types of infrastructure above have been entered into.</p> <p>Notices must be given to the Council at various stages in order to aid monitoring. All contributions are index linked in order to maintain their value, unless otherwise agreed in writing. The Council's legal costs in connection with the deed must be</p>			

Planning Obligation		
Detail	Amount(s)	Trigger Point(s)
paid.		
If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.		

(B) Grant Outline Planning Permission

Subject to the following conditions and notes:

Implementation

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

Reason: To comply with the provisions of Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

Reason: To comply with the provisions of Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

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

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

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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.

Architecture

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

Reason: In the interest of visual amenity.

Highways

6. No dwelling shall be occupied until the vehicular access and associated visibility splays identified on drawing number 152082/A/04 G and hereby approved have been provided in accordance with that plan. The access and visibility splays shall thereafter be retained in accordance with those plans and the area within the visibility splays shall be permanently maintained with no obstructions over 0.9 metres above carriageway level within these splays.

Reason: In the interest of highway safety.

7. The details submitted in pursuance of Condition 1 shall show adequate land, reserved for parking and/or garaging to meet the needs of the development and in accordance with the Council's adopted Residential Parking and Design guidance SPD or any adopted guidance or policy which may have superseded it. The approved area shall be provided, surfaced and drained in accordance with the approved details before the buildings are occupied and shall be retained for the use of the occupiers of, and visitors to, the premises. Thereafter, no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on the land so shown as to preclude vehicular access to this reserved parking area

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

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

Reason: To protect the amenity of local residents.

9. No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction and Transport Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The Construction and Transport Management Plan shall include, but not be limited to the following:

- a) Routing of construction and delivery vehicles to / from site;
- b) Details of areas for the parking, loading and unloading of plant and materials, and provision on-site for turning for personnel, delivery and construction vehicles;
- c) Details of areas for the storage of plant and materials;
- d) Details of facilities, by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances; and
- e) Provision of measures to prevent the discharge of surface water onto the highway.

The approved Management and Transport Plan shall be adhered to throughout the duration of the demolition and construction period.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in the interest of the amenity of local residents.

10. No dwelling shall be occupied until the following works between that dwelling and the adopted highway have been completed in accordance with details approved prior to the first occupation of the dwelling

- a) Footways, with the exception of the wearing course
- b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway furniture(if any).
- c) All wearing courses shall be completed within a year of the occupation of the dwellings to which they relate.

Reason: In the interests of Highway and pedestrian Safety.

11. No dwelling shall be occupied until space has been laid out and equipped within the site for covered bicycle storage on each dwelling plot (or communal space in the case of apartment buildings) in accordance with approved details that shall be submitted to the Local Planning Authority for approval at the same time as the details required pursuant to Condition 1. Such approved covered bicycle parking shall be retained in perpetuity.

Reason: To ensure the provision and retention of adequate off-street parking and storage facilities for bicycles in the interests of highway safety and to promote cycle use in the interests of facilitating more sustainable patterns of movement related to local trips.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, any car barns provided in accordance with the details required to be submitted in accordance with Condition 1 shall not be further altered through the addition of further doors or any other structure that would preclude their use for the parking of vehicles without the prior permission of the Local Planning Authority in writing.

Reason: To ensure that the covered space is retained available for the storage of a vehicle when not in use in order to prevent the displacement of car parking and subsequent inappropriate car parking.

13. Prior to the first occupation of any of the units hereby permitted the following shall be carried out in accordance with details previously submitted to and approved in writing by the Local Planning Authority:

- A 2m wide footpath along the southern frontage of the A20 linking the junction of the proposed development to the roundabout as shown on approved drawing 152082/A/04 G

Reason: In the interest of highway & pedestrian safety and to ensure the development is integrated with the village and accessible by sustainable modes of transport

Drainage

14. The details required by Condition 1 (layout) shall demonstrate that requirements for surface water drainage can be accommodated within the proposed development layout. A detailed sustainable surface water drainage strategy shall at this stage be submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 10 year

storm) can be accommodated and discharged from the site at a controlled discharge rate not exceeding 4 litres per second per hectare and in accordance with Ashford Borough Council's Sustainable Drainage SPD. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

15. No building hereby permitted in any phase shall be occupied until an operation and maintenance manual for the proposed sustainable drainage scheme is submitted to (and approved in writing) by the local planning authority. The manual at a minimum shall include the following details:

- A description of the drainage system and its key components
- An as-built general arrangement plan with the location of drainage measures and critical features clearly marked
- An approximate timetable for the implementation of the drainage system
- Details of the future maintenance requirements of each drainage or SuDS component, and the frequency of such inspections and maintenance activities
- Details of who will undertake inspections and maintenance activities, including the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime

The drainage scheme as approved shall subsequently be maintained in accordance with these details.

Reason: To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of the NPPF and its associated Non-Statutory Technical Standards.

16. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable operation of the drainage system such that

flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with the National Planning Policy Framework.

17. Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason. To protect controlled waters, including groundwater and to comply with the National Planning Policy Framework.

18. The details submitted pursuant to Condition 1 shall show the provision of a water-butt to all dwelling houses and any single flats provided with a private amenity space.

Reason: To allow for the storage of rainwater on site for watering of soft landscaping and thereby reduce the demand for mains water on site.

Environmental protection

19. If unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken prior to the commencement of development, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2.

Following completion of the remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors (LDF Core Strategy Policy CS1 and CS4).

20. Light trespass into the windows of any sensitive premises (e.g. residential properties, hospitals) shall not have a Vertical Luminance greater than 5 Lux.

Reason: In the interests of the amenities of neighbouring light-sensitive development

21. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

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

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

23. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason. To protect controlled waters, including groundwater and to comply with the National Planning Policy Framework.

Hard and Soft Landscaping/Trees

24. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the buildings for their permitted use.

- a. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned, thinned or reduced other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority.
- b. If any tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

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

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

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

Reason: In the interest of visual amenity.

26. Before any development above foundation level, details of the design of boundary treatments to include gates, boundary walls and fences to all front, side and rear boundaries and open space within the development shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided prior to the first occupation of any part of the approved development in strict accordance with the approved details. Thereafter these approved boundaries shall be retained and maintained.

Reason: In the interests of visual amenity

27. No dwelling shall be occupied until an adoption / landscape management plan, including management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens as well as details relating to the adoption of the public highway and sewerage system shall be submitted to and approved in writing by the Local Planning Authority. The approved adoption/landscape management plan shall be adhered to unless previously agreed otherwise, in writing by the Local Planning Authority.

Reason: To ensure the new landscaped areas, sewerage systems and the public highway are provided in an acceptable manner are properly maintained in the interest of the amenity of the area and to maximise the scope of their ecological value.

28. No development shall take place until full plan and cross-section details of any proposed earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed grading and mounding of land areas including the existing and proposed levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation, surrounding landforms, fences and buildings. Development shall only be carried out in accordance with the approved details.

Reason: In the interests of the amenity of the area

Ecology

29. Prior to the first occupation of any dwelling hereby permitted, a Landscape and Ecological Mitigation Plan (LEMP) covering the whole site shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

a) Description and evaluation of features to be managed;

b) Ecological trends and constraints on site that might influence management;

c) Aims and objectives of management;

d) Appropriate management options for achieving aims and objectives;

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- e) *Prescriptions for management actions, together with a plan of management compartments;*
 - f) *Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period);*
 - g) *Details of site inspections to ensure the management plan has been implemented and identify any ongoing repairs;*
 - h) *Dates of ongoing monitoring and management plan review;*
 - i) *Details of the body or organisation responsible for implementation of the plan;*
 - j) *Ongoing monitoring or remedial works.*

The works shall be carried out in accordance with the approved details and shall thereafter be maintained as such.

Reason: in the interests of Ecology and biodiversity

30. No external lighting shall be installed until details have been submitted to, and approved in writing by the Local Planning Authority. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: In the interest of visual amenity, residential amenity and for matters of ecological interest.

31. Prior to the occupation of the development hereby approved, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details unless otherwise agreed in writing by the LPA.

Reason: To ensure that the development will enhance the ecological value of the site/surroundings.

Heritage

32. Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:

- archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
- further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

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

Space Standards/Access

33. The details submitted pursuant to Condition 1 of this permission shall show buildings which are a maximum 2-storey height and form. Where second floor accommodation is proposed this must be provided wholly within the roof space. The details shall also show how each unit accords with the National Prescribed Space Standards for internal space and the Council's adopted Residential Space & Layout SPD for external space or any other standard agreed by the Local Planning Authority.

Reason: To ensure that the scale of new residential development remains appropriate for the site and in the interest of visual amenity and the residential amenity of future residents.

34. The layout details required to be submitted pursuant to Condition 1 of this permission shall be accompanied by layout plans (together with other plans and sections as may be necessary) to demonstrate the provision of level thresholds to all dwellings (and/or thresholds with shallow ramps where level thresholds cannot be provided).

Reason: To ensure that dwellings will be accessible

Development restrictions

35. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, the dwellings hereby approved shall only be occupied as single dwelling houses as described by Use Class C3 of the Town and Country Planning Use Classes Order 1987 as amended.

Reason: To ensure that car parking provided within the development remains adequate to meet the needs of the occupiers of the development and to protect the amenities of future occupiers of the development.

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

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

37. Details submitted pursuant to condition 1 above shall show a housing mix that is consistent with the local housing needs of Charing.

Reason: In order to ensure the development provides an appropriate housing mix to reflect the housing needs of Charing in accordance with policy CS13 of the Core Strategy.

Refuse

38. Full details of facilities to accommodate the storage of refuse and material for recycling for each dwelling and its collection by refuse vehicles shall be submitted at the same time as details required to be submitted pursuant to Condition 1 and approved by the Local Planning Authority in writing. The approved details shall be implemented before the occupancy of dwellings to which they relate. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any other Order or any subsequent Order revoking or re-enacting that Order, such approved facilities shall be retained and maintained and access thereto shall not be precluded.

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

Sustainability

39. Prior to the first occupation of each new dwelling with a designated parking space provided by means of a driveway, carport, or garage, the dwelling shall be provided with at least one electric vehicle charging point. The charging point may be a dedicated electric vehicle charging socket, or a suitably rated three-pin socket capable of safely providing a slow charge to an electric vehicle via a domestic charging cable. The charging point shall thereafter be retained available, in a working order for the charging of electric vehicles.

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

40. No dwelling shall be occupied, until it has been constructed and fitted out to ensure that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day, as measured in accordance with a methodology approved by the Secretary of State, and a copy of the Notice required by the Building Regulations 2010 (as amended) confirming this, shall be submitted to the Local Planning Authority.

Reason: In order to set a higher limit on the consumption of water by occupiers as allowed by regulation 36 of the Building Regulations 2010 and increase the sustainability of the development and minimise the use of natural resources pursuant to Core Strategy policies CS1 and CS9 and guidance in the NPPF.

Broadband

41. Before development commences details shall be submitted (or as part of reserved matters) for the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (minimal internal speed of 100mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure shall be laid out in accordance with the approved details and at the same time as other services during the construction.

Reason: In the interests of providing good broadband connections

Notes to Applicant

1. This development is also the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990 which affects the way in which the property may be used.
2. The Borough Council would wish to see opportunities fully explored to deliver sensible linkages to the adjoining Poppyfields development located to the east, including pedestrian and cycle connectivity and opportunities for the owners/developers of Poppyfields and this site to work together in surface water drainage terms.
3. Working with the Applicant

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

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

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

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
 - 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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Application Number	17/01926/AS
Location	Land rear of Charing Motors Ltd, Northdown Service Station, Maidstone Road, Charing TN27 0JS
Grid Reference	94637/49690
Parish Council	Charing
Ward	Charing
Application Description	Outline application for the erection of up to 17 dwellings and associated infrastructure with means of access from Maidstone Road to be considered in detail
Applicant	Charing Motors Ltd
Agent	Lee Evans Planning, St Johns Lane, Canterbury, Kent CT1 2QQ
Site Area	1.04 hectares

- (a) 9/2R & 1+ (b) Charing - R (c) KH&T – X; KCC SuDS – X; SWS – X; KCCE – X; EA – X; SSOS – X; KCCDC – X, PO (Drainage) – X; Housing – ; EH – X, ES – X, , NHS –; KWT – R; AONB Unit - +; KCC Minerals – X; KCC Heritage – X; Charing Arch Group – R; KCC PROW -; Kent Police - +

The Chilmington and Design Team Leader drew Members’ attention to the Update Report. Since the publication of the report the main modifications to the Local Plan 2030 had been compiled and were out for consultation, there were changes to Policy S28 which meant some changes were required to the report, including an additional paragraph. An additional informative and condition were also requested.

In accordance with Procedure Rule 9.3 Mrs Leyland from Charing Parish Council spoke on the application. She advised the Committee that as the previous application on the agenda had been permitted it would be absurd to object to this one. The Parish Council did not have as many objections to this application and therefore no longer objected to the proposal. She did, however, wish to raise a number of points for the Committee to consider. As with the previous application, the access to the site was of utmost concern. It was considered that one access to serve both sites would be safer. Additional tree planting was requested to protect the Area of Outstanding Natural Beauty. As with the previous application there was a need to protect drinking water and she proposed that drainage and water management be dealt with at Reserved Matters stage.

Resolved:

- (A) Subject to the applicant first entering into a Section 106 agreement/undertaking in respect of planning obligations as detailed in table 1, in terms agreeable the Head of Development Management and Strategic Sites or the Joint Development Control Managers in consultation with the Director of Law and Governance, with delegated authority to either the Head of Development Management and Strategic Sites or the Joint Development Control Managers to make or approve changes to the planning obligations and planning conditions (for the avoidance of doubt including adding additional planning conditions or deleting conditions, and deleting planning obligations in the event that no relevant project is identified) as she sees fit.**

Table 1

Planning Obligation		
Detail	Amount(s)	Trigger Point(s)

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
1.	<p><u>Affordable Housing</u></p> <p>Provide not less than 40% of the units as affordable housing, comprising 10% affordable/social rent units and 30% Affordable Home Ownership Products (including a minimum of 20% shared ownership) in the locations and with the floorspace, wheelchair access (if any), number of bedrooms and size of bedrooms as specified.</p> <p>The affordable housing shall be managed by a registered provider of social housing approved by the Council. Shared ownership units to be leased in the terms specified. Affordable rent units to be let at no more than 80% market rent and in accordance with the registered provider's nominations agreement.</p>	7 units	Affordable units to be constructed and transferred to a registered provider upon occupation of 75% of the open market dwellings.
2.	<p><u>Children's and Young People's Play</u></p> <p>Contribution towards outdoor gym equipment for children and young people within Charing</p>	<p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p>	Before completion of 75% of the dwellings
3.	<p><u>Informal/Natural Space</u></p> <p>Contribution towards – project to be confirmed</p>	<p>£434 per dwelling for capital costs</p> <p>£325 per dwelling</p>	Before completion of 75% of the dwellings

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
		for maintenance	
4.	<u>Outdoor Sports</u> Contribution towards outdoor gym equipment within Charing	£1,589 per dwelling for capital costs £326 per dwelling for maintenance	Before completion of 75% of the dwellings
5.	Strategic Parks Contribution towards a new BBQ area at Victoria Park, Ashford	£146 per dwelling for capital costs £47 per dwelling for maintenance	Before completion of 75% of the dwellings
6.	Allotments Contribution towards – project to be confirmed	£258 per dwelling for capital costs £66 per dwelling for future maintenance	Before completion of 75% of the dwellings
7.	Primary Schools Contribution towards the expansion of Charing Primary School	£3324 per applicable house £831 per applicable flat	
8.	Secondary Schools None	£0 KCC do not wish to seek contributions from this scheme due to the CIL Reg 123 restrictions	N/A
9.	Libraries Contribution for additional bookstock for Charing	£48.02 per dwelling	Half the contribution upon occupation of 25% of the

Planning Obligation			
	Detail	Amount(s)	Trigger Point(s)
	library		dwellings and balance on occupation of 50% of the dwellings
10.	Health Care Project to be confirmed	£504 for each 1-bed dwelling £720 for each 2-bed dwelling £1,008 for each 3-bed dwelling £1,260 for each 4-bed dwelling £1,728 for each 5-bed dwelling or larger	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings
11.	<u>Monitoring Fee</u> Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking.	£1,000 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years (if not one-off payment)
<p>Regulation 123(3) compliance: Fewer than five planning obligations which provide for the funding or provision of the projects above or the types of infrastructure above have been entered into.</p> <p>Notices must be given to the Council at various stages in order to aid monitoring. All contributions are index linked in order to maintain their value, unless otherwise agreed in writing. The Council's legal costs in connection with the deed must be paid.</p> <p>If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.</p>			

(B) Grant Outline Planning Permission

Subject to the following conditions and notes:

Implementation

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

Reason: To comply with the provisions of Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

Reason: To comply with the provisions of Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. No dwelling the subject of this permission shall be occupied until the petrol filling station and shop (granted planning permission for redevelopment under ref 17/00865/AS) has ceased trading and the buildings on the site demolished.

Reason: To ensure a comprehensive development across the whole of this allocated site and in the interests of residential amenity.

Approved Plans

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

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

5. 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.

Architecture

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

Reason: In the interest of visual amenity.

Highways

7. No dwelling shall be occupied until the vehicular access and associated visibility splays identified on drawing number 08347-(00)210 – 1st and hereby approved have been provided in accordance with that plan. The access and visibility splays shall thereafter be retained in accordance with those plans and the area within the visibility splays shall be permanently maintained with no obstructions over 0.9 metres above carriageway level within these splays.

Reason: In the interest of highway safety.

8. The details submitted in pursuance of Condition 1 shall show adequate land, reserved for parking and/or garaging to meet the needs of the development and in accordance with the Council's adopted Residential Parking and Design guidance SPD or any adopted guidance or policy which may have superseded it. The approved area shall be provided, surfaced and drained in accordance with the approved details before the buildings are occupied and shall be retained for the use of the occupiers of, and visitors to, the premises. Thereafter, no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on the land so shown as to preclude vehicular access to this reserved parking area.

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

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

Reason: To protect the amenity of local residents.

10. No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction and Transport Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The Construction and Transport Management Plan shall include, but not be limited to the following:
- a) Routing of construction and delivery vehicles to/from site;
 - b) Details of areas for the parking, loading and unloading of plant and materials, and provision on-site for turning for personnel, delivery and construction vehicles;
 - c) Details of areas for the storage of plant and materials;
 - d) Details of facilities, by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances; and
 - e) Provision of measures to prevent the discharge of surface water onto the highway.

The approved Management and Transport Plan shall be adhered to throughout the duration of the demolition and construction period.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in the interest of the amenity of local residents.

11. No dwelling shall be occupied until the following works between that dwelling and the adopted highway have been completed in accordance with details approved prior to the first occupation of the dwelling
- a) Footways, with the exception of the wearing course
 - b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway furniture (if any).
 - c) All wearing courses shall be completed within a year of the occupation of the dwellings to which they relate.

Reason: In the interests of Highway and pedestrian Safety.

12. No dwelling shall be occupied until space has been laid out and equipped within the site for covered bicycle storage on each dwelling plot (or communal space in the case of apartment buildings) in accordance with approved details that shall be submitted to the Local Planning Authority for approval at the same

time as the details required pursuant to Condition 1. Such approved covered bicycle parking shall be retained in perpetuity.

Reason: To ensure the provision and retention of adequate off-street parking and storage facilities for bicycles in the interests of highway safety and to promote cycle use in the interests of facilitating more sustainable patterns of movement related to local trips.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, any car barns provided in accordance with the details required to be submitted in accordance with Condition 1 shall not be further altered through the addition of further doors or any other structure that would preclude their use for the parking of vehicles without the prior permission of the Local Planning Authority in writing.

Reason: To ensure that the covered space is retained available for the storage of a vehicle when not in use in order to prevent the displacement of car parking and subsequent inappropriate car parking.

14. Prior to the first occupation of any of the units hereby permitted the following shall be carried out and opened for public use in accordance with details previously submitted to and approved in writing by the Local Planning Authority:
- A 2m wide footpath/cycleway along the southern frontage of the A20 linking the junction of the proposed development to the roundabout as shown on approved drawing 08347-(00) 209 Rev A

Reason: In the interest of highway & pedestrian safety and to ensure the development is integrated with the village and accessible by sustainable modes of transport

Drainage

15. A detailed sustainable surface water drainage scheme for the site shall be submitted to (and approved in writing by) the local planning authority either at the same time as the submission of the reserved matters or prior their submission. The detailed drainage scheme shall demonstrate that due consideration has first been given to the possibility of utilising infiltration techniques and that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. Should the use of infiltration prove to be beyond being reasonably practical then any surface water leaving site shall not exceed the discharge rates specified within Ashford Borough Council's Sustainable drainage SPD. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and

construction can be adequately managed to ensure there is no pollution risk to receiving waters. The development shall then be carried out in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

16. Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

17. No building hereby permitted shall be occupied until an operation and maintenance manual for the proposed sustainable drainage scheme is submitted to (and approved in writing) by the local planning authority. The manual at a minimum shall include the following details:

- A description of the drainage system and its key components
- A general arrangement plan with the location of drainage measures and critical features clearly marked
- An approximate timetable for the implementation of the drainage system
- Details of the future maintenance requirements of each drainage or SuDS component, and the frequency of such inspections and maintenance activities
- Details of who will undertake inspections and maintenance activities, including the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime

The development shall then be carried out in strict accordance with the drainage scheme as approved and shall subsequently be maintained in accordance with these details.

Reason: To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 103 of the NPPF and its associated Non-Statutory Technical Standards.

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18. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with the National Planning Policy Framework.

19. Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The development shall then be carried out in strict accordance with the details approved and shall subsequently be maintained in accordance with these details.

Reason. To protect controlled waters, including groundwater and to comply with the National Planning Policy Framework.

20. The details submitted pursuant to Condition 1 shall show the provision of a water-butt to all dwelling houses and any single flats provided with a private amenity space.

Reason: To allow for the storage of rainwater on site for watering of soft landscaping and thereby reduce the demand for mains water on site.

Environmental protection

21. If unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken prior to the commencement of development, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 22.

Following completion of the remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors (LDF Core Strategy Policy CS1 and CS4).

22. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

a). A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- conceptual model of the site indicating sources, pathways and receptors; and
- potentially unacceptable risks arising from contamination at the site.

b). A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the National Planning Policy Framework.

(Note: The submitted Phase I Environmental Assessment (ref. 07544/23), dated 25 May 2017, prepared by Soiltec Laboratories Ltd. Is sufficient to discharge part (a) of the above condition. The report recommends that intrusive site investigations to be carried out. We concur with these recommendations;

however, groundwater sampling and analysis should also be undertaken in order to assess the risk to groundwater.)

23. Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reasons: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 109 of the National Planning Policy Framework.

24. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework. Foul drainage should be discharged to mains sewers where possible. Only clean uncontaminated surface water may be discharged to ground. We would require details of all proposed foul and surface water drainage to be submitted with any application made for a specific site

25. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason. To protect controlled waters, including groundwater and to comply with the National Planning Policy Framework.

- 25A. In accordance with the Able Acoustics Report P1269/01 1.8 metre garden barrier/fences are to be installed around the perimeter of any external amenity areas. These barriers/fences shall be completed before the approved dwellings are occupied, and thereafter shall be retained as effective protection.

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

26. Prior to the commencement of development, a final glazing/ventilation scheme for protecting the dwellings from noise from the PFS, workshop and traffic noise (in accordance with the Able Acoustics Report P1269/01) shall be submitted to and approved in the Local Planning Authority. The approved protection measures shall thereafter be completed before the approved dwellings/development are occupied, and thereafter shall be retained as effective protection.

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

Hard and Soft Landscaping/Trees

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

raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.

- h. No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

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

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

Reason: In the interest of visual amenity.

29. Before any development above foundation level, details of the design of boundary treatments to include gates, boundary walls and fences to all front, side and rear boundaries and open space within the development shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided prior to the first occupation of any part of the approved development in strict accordance with the approved details. Thereafter these approved boundaries shall be retained and maintained.

Reason: In the interests of visual amenity

30. No dwelling shall be occupied until an adoption/landscape management plan, including management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens as well as details relating to the adoption of the public highway and sewerage system shall be submitted to and approved in writing by the Local Planning Authority. The approved adoption/landscape management plan shall be adhered to unless previously agreed otherwise, in writing by the Local Planning Authority.

Reason: To ensure the new landscaped areas, sewerage systems and the public highway are provided in an acceptable manner are properly maintained

in the interest of the amenity of the area and to maximise the scope of their ecological value.

31. No development shall take place until full plan and cross-section details of any proposed earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed grading and mounding of land areas including the existing and proposed levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation, surrounding landforms, fences and buildings. Development shall only be carried out in accordance with the approved details.

Reason: In the interests of the amenity of the area

Ecology

32. No external lighting shall be installed until details have been submitted to, and approved in writing by the Local Planning Authority. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: In the interest of visual amenity, residential amenity and for matters of ecological interest.

33. Prior to any works commencing on site a reptile mitigation and management plan shall be submitted and approved by the LPA. It must include the following information:

- Updated ecological surveys (if over 2 years old)
- Aims and Objectives of the report
- Methodology to carry out the precautionary mitigation
- Timing of the works.
- Details of enhancements (shown on a plan)
- Management plan for green space/reptile mitigation area
- Monitoring

The works must be implemented in accordance with the submitted details / plans

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

34. Prior to the occupation of the development hereby approved, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details unless otherwise agreed in writing by the LPA.

Reason: To ensure that the development will enhance the ecological value of the site/surroundings.

35. Prior to any works commencing (including vegetation clearance) a detailed precautionary mitigation strategy and enhancement plan must be submitted to the LPA for written approval. The submitted information must include the following:

- Details of species to be used within the enhancement planting
- Methodology to clear vegetation
- Time of year works are to be carried out.
- Details of information to be provided to residents on hedgerow management

The works must be implemented as detailed within the approved report

Reason: In the interest of ensuring the preservation of protected species and their habitat.

Heritage

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

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

Space Standards/Access

37. The details submitted pursuant to Condition 1 of this permission shall show buildings which are a maximum 2-storey height and form. Where second floor accommodation is proposed this must be provided wholly within the roof space. The details shall also show how each unit accords with the National Prescribed Space Standards for internal space and the Council's adopted Residential Space & Layout SPD for external space or any other standard agreed by the Local Planning Authority.

Reason: To ensure that the scale of new residential development remains appropriate for the site and in the interest of visual amenity and the residential amenity of future residents.

38. The layout details required to be submitted pursuant to Condition 1 of this permission shall be accompanied by layout plans (together with other plans and sections as may be necessary) to demonstrate the provision of level thresholds to all dwellings (and/or) thresholds with shallow ramps where level thresholds cannot be provided).

Reason: To ensure that dwellings will be accessible

Development restrictions

39. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, the dwellings hereby approved shall only be occupied as single dwelling houses as described by Use Class C3 of the Town and Country Planning Use Classes Order 1987 as amended.

Reason: To ensure that car parking provided within the development remains adequate to meet the needs of the occupiers of the development and to protect the amenities of future occupiers of the development.

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

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

41. Details submitted pursuant to condition 1 above shall show a housing mix that is consistent with the local housing needs of Charing.

Reason: In order to ensure the development provides an appropriate housing mix to reflect the housing needs of Charing in accordance with policy CS13 of the Core Strategy.

Refuse

42. Full details of facilities to accommodate the storage of refuse and material for recycling for each dwelling and its collection by refuse vehicles shall be submitted at the same time as details required to be submitted pursuant to Condition 1 and approved by the Local Planning Authority in writing. The approved details shall be implemented before the occupancy of dwellings to which they relate. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any other Order or any subsequent Order revoking or re-enacting that Order, such approved facilities shall be retained and maintained and access thereto shall not be precluded.

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

Sustainability

43. Prior to the first occupation of each new dwelling with a designated parking space provided by means of a driveway, carport, or garage, the dwelling shall be provided with at least one electric vehicle charging point. The charging point may be a dedicated electric vehicle charging socket, or a suitably rated three-pin socket capable of safely providing a slow charge to an electric vehicle via a domestic charging cable. The charging point shall thereafter be retained available, in a working order for the charging of electric vehicles.

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

44. No dwelling shall be occupied, until it has been constructed and fitted out to ensure that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day, as measured in accordance with a methodology approved by the Secretary of State, and a copy of the Notice required by the Building Regulations 2010 (as amended) confirming this, shall be submitted to the Local Planning Authority.

Reason: In order to set a higher limit on the consumption of water by occupiers as allowed by regulation 36 of the Building Regulations 2010 and increase the sustainability of the development and minimise the use of natural resources pursuant to Core Strategy policies CS1 and CS9 and guidance in the NPPF.

Broadband

45. Before development commences details shall be submitted (or as part of reserved matters) for the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (minimal internal speed of 100mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure shall be laid out in accordance with the approved details and at the same time as other services during the construction.

Reason: In the interests of providing good broadband connections

Notes to Applicant

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

2. Working with the Applicant

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

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

In this instance;

- The applicant requested pre-application advice.
- The applicant responded positively to matters raised in relation to drainage, landscaping, parking and highways.
- 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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3. The applicants attention is drawn to the informatives as set out in the Environment Agency's letter dated 09/01/2018 and the comments made by Kent Police dated 16/01/18
 4. The applicant is advised that well considered additional structural planting will be required on the site boundaries, particularly in respect of the western boundary.
 5. The applicant is advised that the Borough Council expect to see a cohesive development of this site (S28) with the adjacent site located to the south and east (S55). Both sites are allocated in the Ashford Local Plan 2030 for residential development. Alongside appropriate provision of a suitable emergency access, a single main access serving both sites from the A20 would be supported.
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Application Number	18/00947/AS	
Location	Two Oaks Farm, Bourne Road, Aldington, Ashford, TN25 7AW	
Grid Reference	04845/36026	
Parish Council	Bonnington	
Ward	Saxon Shore	
Application Description	Part First Floor Extension	
Applicant	Mrs Sarah Hartles, Two Oaks Farm, Bourne Road, Bonnington, Ashford	
Agent	Ian Upton Architects Ltd, The White House, Bonnington, Ashford, TN25 7BP	
Site Area	Approximately 0.25 Hectare	
(a) 5/0	(b) X	(c)

Resolved:

Permit

Subject to the following Conditions and Note:

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

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

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

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

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

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

Note to Applicant

1. Working with the Applicant

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

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

- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance ...

- the agent was updated of issues after the initial site visit,
 - The applicant was provided the opportunity to submit amendments to the scheme and address design issues.
 - The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
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Queries concerning these Minutes? Please contact Member Services
membersservices@ashford.gov.uk or 01233 330499
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