

# Officer's Assessment Sheet

## Policy Monitoring Required

**Application Number:** 17/00446/AS

**Stat. Class:** MIND

Application Date: 22 March 2017

Case Officer: Stephanie Andrews

Registration Date: 24 March 2017

**8/13 week Date:** 19 May 2017

Applicant: Jarvis Homes c/o Agent

Correspondent: Guy Hollaway Architects  
Guy Hollaway Architects The Tramway Stables  
Rampart Road, Hythe, Kent, CT21 5BG

**Location:** Land between Beechwood Farm and London Beach Golf Club, Ashford Road, St Michaels, Tenterden, Kent

**Proposal:** Erection of three new dwellings and creation of access

### **MATERIAL CONSIDERATIONS (Case Officer to complete)**

<b>Ashford Borough Local Plan</b>	GP10 GP12 EN31 EN32
<b>LDF Core Strategy</b>	CS1 CS9 CS11 CS20
<b>Tenterden &amp; Rural Sites Development Plan</b>	TRS2 TRS17 TRS18
<b>Ashford Local Plan 2030</b>	SP1 SP2 SP6 S42 HOU5 HOU12 HOU15 EMP6 ENV1 ENV3 ENV4 ENV5 ENV9 ENV15
Government Guidance	NPPF NPPG Technical Housing Standards - nationally described standards
SPG/SPD/VDS/Neighbourhood Plans	Sustainable Drainage Residential Parking Residential space & layout (external space standards) Landscape Character Assessment Dark Skies SPD
Other	'None'

## SAFEGUARDING

Conservation Area	<b>Not in a Conservation Area</b>
Listed Building	<b>Not a listed building</b>

### Monitoring Information

Required on all permitted Full, Change of use, Conversions and Amendment Applications if they change residential unit numbers or employment floorspace.

For mixed use applications please fill in all relevant tables.

**Residential** – MUST be completed for any gain or loss of residential units

Existing units	Lost units	New units	NET UNITS	Affordable Hsg units	PDL Y/N?
0	0	3	3	N	N

**Extra information** (Please complete a new row for each type of Housing if information available)

HOUSING TYPE: (1) Private Sector (2) Registered Social Landlord (3) Local Authority	Amount of Houses/ bungalow	Amount of Flats/ Apartment	1 bed	2 bed	3 bed	4 or more bed	Total units
1	3	0				3	3

### Residential Space Standards SPD - Essential

Does the scheme comply? **YES**  
If not why not? *(please state reasons below)*

### Residential Space Standards SPD - Advocated

Does the scheme comply with any advocated standards? **YES**  
If YES how many are complied with? *(Please state number below)*

## ENVIRONMENTAL IMPACT ASSESSMENT

Is an E/A required?	Reason for Decision:
NO	Not Schedule II development
Is formal screening opinion required? Y/N	N
Has screening opinion been issued? Y/N	N

Net Housing Density (where applicable)= (no. of dwellings per hectare)  
No. of car parking/ garage spaces (housing only) =

## ASSESSMENT (See site visit notes)

### Site and Surroundings

- Rural** – the application site is located within ribbon development running along the A28 on the outskirts of St Michaels, Tenterden in the countryside for Development Plan purposes. The site comprises two sections: a narrow pasture to the east and a larger pasture to the west on land sloping down to the south west, separated by a belt of TPO woodland trees following a former dismantled railway line (with which potential contamination and an area of archaeological potential is associated), and hedgerow trees enclose the site (with a hedgerow dividing the eastern section into two). The eastern section is fairly flat, but the land levels fall away significantly in the western section towards the adjacent golf course. Immediately north of the site is the access to the adjacent London Beach Golf Club and immediately to the south is the dwelling Beechwood Farm. The site falls within the Biddenden and High Halden Farmlands (Low Weald) Landscape Character Area, in which a key characteristic is the undulating landscape, its condition and sensitivity is moderate and the objectives in this area are to conserve and improve.

### Site Constraints

- **Road Class** A28 - principle A single carriageway
- **Landfill/Contamination** associated with former dismantled railway line running through middle of site
- **Ecology** number of ponds within and in close proximity to the site and number of trees within site and along site boundaries
- **Trees** belt of TPO trees (No. 23 1996) through middle of site
- **Any others** archaeological potential around former dismantled railway line running through middle of site

## **Proposal**

Full planning permission is sought for the erection of three dwellings on the site (Plot 1 on the eastern section and Plots 2 and 3 on the western section) and the creation of an access onto the A28.

Plot 1 is rectangular in planform (running perpendicular to the road) and two storey in scale, with a flat sedum roof. Its elevational treatment is made up of red brick, horizontal timber louvres, full height glazing and glass balustrading. Its accommodation would comprise an open plan lounge/dining area/kitchen, study, snug, WC, store, two bay garage, cycle store and bin store at ground floor level and to first floor five bedrooms (two of which would be served by ensuite bathrooms), a family bathroom, WC, two bay garage and bin store.

Plots 2 and 3 would sit within the sloping hillside under a sedum roof, with the majority of the exposed western elevation made up of full height glazing. The accommodation would comprise an open plan snug/dining area/kitchen/lounge, study and store on the lower floor and on the ground floor five bedrooms (four of which would be served by ensuite bathrooms), a family bathroom, WC, two bay garage and bin store. Artificial mounds would conceal the garages and cycle/bin stores to the eastern side and to the western side would be patio areas.

In support of the application, the following technical documents have been submitted:

- **Ecological Assessment**: this found that a very low population of great crested newts (a single one was found in the pond on site), commuting and foraging bat activity to the boundary hedgelines, a small number of trees having the potential to support roosting bats, a good population of slow works, a low population of grass snakes, dormice nests, suitable bird nesting habitat, and suitable foraging opportunities for badgers are present on the site. It recommends a mitigation strategy in relation to these species and makes a number of other recommendations re: roosting bats, breeding birds, foraging badgers and biodiversity enhancements.
- **Biodiversity Mitigation Strategy**: this outlines the mitigation strategy for conserving re: great crested newts, reptiles, bats, breeding bird and dormice and biodiversity enhancements/management including the improvement of the grassland, the planting of a wildflower meadow (in addition to using wildflower species on the sedum roofs of the proposed dwellings), the planting of new trees and hedgerow and the creation of a waterbody.
- **Tree Constraints**: this states that part of the belt of TPO trees would need to be removed to provide the vehicular access to the western section of the site and this loss would be mitigated with management of the remainder of the TPO and additional landscaping.

## **Relevant History**

No relevant planning history.

## **Representations**

Ward Member

## **HAS WARD MEMBER REQUESTED APPLICATION GO TO COMMITTEE ?**

**NO**

**Tenterden Town Council** - supports the application.

**High Halden Parish Council** - supports the application.

**26 Neighbours** - 0 representations received.

**Kent Highways** - raise no objection, subject to conditions re: wheel washing facilities, access point for HGVs and site personnel, provision of site personnel and visitor parking, provision of parking, turning and unloading facilities for delivery vehicles, dust suppression methods, plan and noise generated, fencing/hoarding, lighting, HGV routing, hours of operation, temporary traffic management/signage, provision and retention of cycle and vehicle parking facilities/spaces/garages, use of a bound surface for first 5m of access, any gates to be set back a minimum of 5m from the carriageway and provision and maintenance of visibility splays.

**Drainage** - no representation received.

**Environmental Health** - requests conditions re: contamination be attached to any permission granted.

**Weald of Kent Protection Society** - support the application on the following grounds:

- the site is within the emerging Local Plan and would enhance the upper end of the housing market;
- the development is based on good architectural design for its location; and,
- the development incorporates green ecological principles into its design.

**KCC Ecology** - originally commented on the need for a mitigation strategy and suggested conditions re: lighting and biodiversity enhancements. Upon receipt of a mitigation strategy, they comment that the biodiversity mitigation strategy provides sufficient protective measures for the outlined protected species and recommend a condition re: ecological design strategy is attached to any permission granted.

**KCC Archaeology** - comment that in view of the earlier archaeological interest on the site, some level of formal archaeological observation and recording would be appropriate and recommend a condition re: watching brief be attached to any permission granted.

## **Government Guidance/Development Plan Policy/SPG/Other**

The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites and Infrastructure DPD 2012, the Chilmington Green AAP 2013 and the Wye Neighbourhood Plan 2015-30. On 9 June the Council approved a consultation version of the Local Plan to 2030. Consultation commenced on 15 June 2016 and ended on 10 August 2016. At present the policies in this emerging plan can be accorded little or no weight.

## **Government Guidance**

NPPF

NPPG

Technical Housing Standards - nationally described standards.

## **DP Policy**

See the policy sheet for relevant policies.

**SPD-** (These were all subject to public consultation prior to being adopted by the Council)

Sustainable Drainage

Residential Parking

Residential space & layout (external space standards)

## **Assessment**

- **Principle**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraphs 2 and 11 of the NPPF state that planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Paragraph 14 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development and this should be seen as a “golden thread running through decision-taking”. There are three dimensions to sustainable development: economic, social and environmental and to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

The mechanism for applying the presumption in favour of sustainable development is set out in paragraph 14 and states that for decision-taking this means:

- approving development proposals that accord with the development plan without delay; and,
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or,
  - specific policies in this Framework indicate development should be restricted.

Assessing the development against policy TRS1 of the Tenterden and Rural Sites DPD, the site falls outside the built confines of a settlement suitable for minor residential development or infill and the development would not fall within one of the 'exception' criteria listed in policy TRS2 of the Tenterden and Rural Sites DPD for new residential development in the countryside.

However, the Council cannot demonstrate a five year supply of deliverable housing sites and in accordance with paragraph 14 of the NPPF, its relevant policies for the supply of housing cannot be considered up-to-date. This does not, however, lead to an automatic assumption that planning permission should be granted for residential development in locations that would otherwise have conflicted with Development Plan policies. Rather, in situations where the existing development plan policies have failed to secure a sufficient supply of deliverable housing sites, the NPPF seeks to ensure that the 'presumption in favour of sustainable development' is duly applied. If the adverse impacts of the proposal significantly and demonstrably outweigh the benefits, then planning permission should still be refused.

Paragraph 55 of the NPPF states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances, to promote sustainable development in rural areas. The site cannot be described as isolated or unsustainable, given its location within ribbon development running along the A28 on the outskirts of St Michaels, Tenterden between the access to the London Beach Golf Club to the north and the dwelling Beechwood Farm to the south. Furthermore, the eastern section of the site is a site allocated under policy S42 of the emerging Ashford Local Plan to 2030 for an 'exclusive' residential development of up to three dwellings of exceptional design quality and innovative nature.

The agent submits that the larger site proposed (comprising the allocated site and adjoining land to the west) would be better suited to deliver the Council's objective in the above policy of delivering low density 'high quality' housing in that it can provide larger dwellings within significant residential curtilages and I agree with this point. This, together with the sustainability of the site, weighs in favour of supporting the principle of the development, subject to the design quality of the dwellings proposed and other planning considerations.

- **Visual Amenity**

The front northern elevation of Plot 1 takes the form of a long garden wall (reminiscent of the walled

gardens of large estates in the surrounding area) with a contemporary facade above that sits back and cantilevers forwards over the wall, with contrasting high quality traditional materials found on nearby buildings. The rear southern elevation has a number of full height glazed openings, maximising the natural daylight entering the living room and bedrooms on this elevation. The setback of Plot 1 behind the hedging along the middle of this eastern section means that it is not readily visible from the road. Plots 2 and 3 would sit within the curving contours of the land, taking advantage of the screening afforded by the existing sloping topography of the site. The land falls away to the west, allowing the dwellings to step down within the landscape, whilst the curving hillside allows the dwellings to curve, responding to the natural land formation - the sedum roof also aids with the blending of these dwellings into the landscape. Artificial mounds would conceal the garages to the east and the patio areas to the west would be concealed within the landscape.

Subject to the finer details of construction and the use of high quality materials (which would be controlled by condition), I consider the interesting innovative design of the proposed dwellings would not be harmful to the visual amenity of the area or the character and appearance of the landscape.

- **Residential Amenity**

Given its distance from and relationship with neighbours, I consider that the development would not be overbearing or result in overlooking harmful to the residential amenity of their occupiers.

The internal and external accommodation proposed complies with national standards and the Council's residential space standards and the relationship between the proposed dwellings is such that it would not result in overbearing/overlooking development. All dwellings would have high performance glazing and thermally broken frames, maximising the solar benefits without overheating the accommodation in the summer months. Given this, I consider that the development would not result in harm to the residential amenity of future occupiers.

- **Parking and Highway Safety**

The development would make sufficient provision for off-road parking/turning facilities and adequate visibility splays can be achieved from the proposed access. Kent Highways raise no objection and subject to the suggested conditions, I consider that the development would not result in harm to highway safety.

- **Trees**

The Tree Constraints document submitted is solely a tree survey and does not indicate the trees that would be affected by the development. However, it does state that the hawthorn forming part of the belt of TPO trees would need to be removed to provide the vehicular access to the western section of the site and this is acceptable. It also states that three large poplars in the belt of TPO trees are a constraint to the development but it is not clear what works if any are proposed to them. The Council's Landscape Officer considers these trees to have a very significant landscape presence and should they be lost, suggest that they are replaced with trees of a similar scale, planted on or immediately adjacent to the belt of TPO trees, to provide more space between the development and planting. Given this and the likely groundworks associated with the construction of the dwellings, conditions requiring an arboricultural impact assessment, tree protection plan, method statement and landscaping scheme should be attached to identify which trees would be lost/replaced and to ensure the protection of retained trees. Subject to these conditions, I consider the development would not be significantly harmful to trees.

- **Ecology**

The Ecological Assessment found a number of or potential for species on the site. A biodiversity mitigation strategy has since been submitted and KCC Ecology raise no objection to the development subject to conditions re: lighting, biodiversity enhancements (some of which could involve the sedum roof of the proposed dwellings) and an ecological design strategy (which have been attached). Subject to the development being carried out in accordance with the approved details, I consider that the development would not be harmful to protected species or ecology.

- **Other Issues**

### **Drainage**

No drainage details have been provided with the application (but it is stated that the sedum roof of the proposed dwellings would help attenuate water run-off from the roof), however this can be controlled by condition to ensure that this meets the requirements of policy CS20 of the Core Strategy and the Council's Sustainable Drainage SPD.

### **Contamination**

The site contains potential contamination associated with the former dismantled railway line - Environmental Health have recommended a number of conditions to investigate this and remediate if necessary - subject to these conditions, I do not consider contamination to be a constraint to the development.

### **Archaeology**

The site lies in an area of archaeological potential associated with Roman and later activity, with a roman road known to the north, and there is some potential for Roman activity to extend into the site. There are also indications of post medieval and later activity with quarrying and the Tenterden to Headcorn branch line and one of the ponds is identifiable as a quarry on the 1st Edition OS map. KCC Archaeology comment that the preservation of the Tenterden to Headcorn branch line is to be encouraged and its alignment should be conserved where possible - in view of the earlier archaeological interest on the site, they recommend a watching brief condition to ensure some level of formal archaeological observation and recording during the construction of the development (attached). Subject to this condition, I consider that the development would not have an adverse impact on archaeology.

### **Working with the applicant**

In accordance with paragraphs 186 and 187 of the NPPF, Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner as explained in the note to the applicant included in the recommendation and the decision notice.

### **Conclusion**

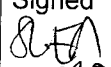
Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Whilst the development is contrary to DP policy, the Council cannot demonstrate a five year supply of deliverable housing sites and so its relevant policies for the supply of housing cannot be considered up-to-date in accordance with paragraph 14 of the NPPF - housing applications should therefore be considered in the context of the presumption in favour of sustainable development in accordance with paragraph 49 of the NPPF.

The site is not isolated or unsustainable in terms of the NPPF. Furthermore, part of the site is allocated under policy S42 of the emerging Ashford Local Plan to 2030 for an 'exclusive' residential development of up to three dwellings of exceptional design quality and innovative nature. Whilst the site is larger than the emerging site allocation, it is better suited to delivering the low density 'high quality' housing sought by the policy and so meeting the criteria of the policy. Weighing these material considerations against the Development Plan, I consider these, along with the interesting, high quality and innovative design of the proposed dwellings, to justify my recommendation to approve the application.

### **Human Rights**

I have also taken into account the human rights issues relevant to this application. In my view the "Assessment" section above and the Recommendation below represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties) and the wider public interest.

Dated:

Signed  
  
08/06/17

Case Officer



# **Recommendation Sheet** Application Number: 17/00446/AS

Location: Land between Beechwood Farm and London Beach Golf Club, Ashford Road, St Michaels, Tenterden, Kent  
Proposal: Erection of three new dwellings and creation of access

Decision Level: **DEL** Decision Code: **PERM** Date cleared by officer: **05/06/17**  
(a) 26/- (b) Parish Council - both S (c) KH&T - X  
IDB -  
EH (EP) - +  
WKPS - S  
KCC Eco - +  
KCC Arch - +

## **RECOMMENDATION**

### **Permit**

#### **Conditions on grant**

- 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.

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

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

- 5 The development hereby permitted shall not commence until a scheme to deal with contamination of land and/or groundwater has been submitted and approved in writing by the Local Planning Authority and until the measures approved in that

scheme have been implemented. The investigation report shall be conducted and presented in accordance with the guidance in CLR11 "Model Procedures for the Management of contaminated land" published by the Environment Agency. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

1. A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The requirements of the Local Planning Authority shall be fully established before the desk-top study is commenced and it shall conform to any such requirement. Two full copies of the desk-top study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.
2. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:
  - i) A desk-top study has been completed, satisfying the requirements of paragraph (1) above,
  - ii) The requirements of the Local Planning Authority for site investigations have been fully established, and,
  - iii) The extent and methodology have been agreed in writing with the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to the Local Planning Authority without delay upon completion.
3. A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. Two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works shall be submitted to the Local Planning Authority.

**Reason:** To control pollution of land or water in the interests of the environment and public safety.

- 6 If unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 5 and where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of condition 5.

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).

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

1. Wheel washing facilities/measures to prevent debris and spoil and the discharge of surface water onto the public highway,
2. Access point for HGV's (no HGV's shall reverse onto the highway without the assistance of a banksman) and site personnel,
3. Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction,
4. Provision of parking, turning and unloading facilities for delivery vehicles,
5. Dust suppression methods,
6. Plant and noise generated from operation of vehicles and machinery,
7. Fencing/hoardings,
8. Lighting,
9. HGV routing,
10. Hours of operation, and,
11. Any temporary traffic management/signage required

All details of the approved construction management plan shall be adhered to during the construction period.

**Reason:** To ensure provision of adequate parking, loading and turning facilities for vehicles, no gravel or other material is taken from the site onto the neighbouring highway by wheels of vehicles leaving the site and the protection of amenity during and following development in the interests of highway safety and to protect the amenities of local residents in accordance with policy.

8 No development shall take place until details of the bicycle storage facilities showing a covered and secure space have been submitted to and approved in writing by the Local Planning Authority. The approved bicycle storage shall be completed prior to the first occupation of the dwellings hereby approved and shall thereafter be retained.

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

9 The area shown on approved Drawing No. 10 Revision 00 as vehicle parking space, garages and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the first occupation of the the dwellings hereby approved and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

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

- 10 The first 5m of the access hereby approved from the edge of the highway shall be constructed of a bound surface, the details of which shall be submitted to and approved in writing by the Local Planning Authority. The access shall then be constructed in accordance with the approved detail prior to its first use and maintained as such.

**Reason:** To ensure that no gravel or other material is taken from the site onto the neighbouring highway by wheels of vehicles leaving the site to the detriment of highway safety.

- 11 No gates or barriers shall be erected across the access within 5.5m metres from the back of the carriageway used by vehicular traffic.

**Reason:** In the interests of highway safety.

- 12 The visibility splays shown on approved Drawing No. 152047/A/04, within which there shall be no obstruction in excess of 0.9m in height above the carriageway edge, shall be provided at the access before the first occupation of the dwellings hereby approved and the splays shall be so maintained at all times.

**Reason:** In the interests of highway safety.

- 13 Prior to its erection on site, details of any external lighting proposed (including height, design, location, intensity and light spillage) shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall then be carried out in strict accordance with the approved details and thereafter maintained. No external lighting shall be installed on the site other than that approved without the prior written consent of the Local Planning Authority.

**Reason:** In the interests of visual and residential amenity and biodiversity.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within Classes A-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.

- 15 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, the dwelling hereby approved shall only be occupied as a single dwelling house as described by Use Class C3 of the Town and Country Planning Use Classes Order 1987.

**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.

- 16 Prior to the commencement of the development, details of drainage works, designed in accordance with the principles of sustainable urban drainage, shall

been submitted to and approved in writing by the Local Planning Authority and the works shall be carried out and maintained in accordance with these details.

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

- 17 Details of walls and fences to be erected within the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The walls and fences shall then be erected in accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

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

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

**Reason:** To avoid pollution of the surrounding area.

- 19 A landscaping scheme for the site (including the planting of 3 no. large scale trees of a size 18-20cm on or immediately adjacent to the former dismantled railway line and a number of oak trees along the road frontage) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Thereafter, the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

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

- 20 The development shall be carried out in accordance with the mitigation strategies and biodiversity enhancements/management outlined in the approved Biodiversity Mitigation Strategy by Greenspace Ecological Solutions dated May 2017 and any license issued by Natural England unless otherwise agreed in writing by the Local Planning Authority and Natural England and the approved replacement habitats shall remain in situ.

**Reason:** To protect existing populations of protected species on the site.

- 21 Details of the measures to enhance biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works and shall be implemented prior to occupation of the development and thereafter maintained.

**Reason:** In order to enhance biodiversity of the site.

- 22 No development shall take place until an arboricultural impact assessment, tree protection plan and method statement have been submitted to and approved in writing by the Local Planning Authority. The development shall only then be carried

out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of tree preservation and amenity.

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

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

- 24 The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:
- (a) All trees to be preserved 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) and in accordance with the approved arboricultural impact assessment, tree protection plan and method statement pursuant to condition 21, to the satisfaction of the Local Planning Authority. Such tree protection measures shall remain throughout the period of construction,
  - (b) No fires shall be lit within the spread of branches or downwind of the trees and other vegetation,
  - (c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation,
  - (d) 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,
  - (e) 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, and,
  - (f) 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:** Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

25 Prior to the commencement of development, the following details shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

- Details and location of rainwater goods;
- Details of any flues, grilles and vents to be installed including location, dimensions, colour and material;
- Details of electricity and gas meter boxes and any external pipe work including their location on the building;
- Joinery details;
- Sectional details through glazed balustrade, sedum roof, curving roof form, horizontal timber louvres and pop-out window; and,
- Sections through the folding landscape, artificial mounds to the east and lower patios of Plots 2 and 3.

**Reason:** In order to maintain the design quality of the development and protect the visual amenity of the locality.

27 Details of final levels for the development, including slab levels of the dwellings hereby approved, shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of works and the development shall be carried out in accordance with the approved levels.

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

28 Prior to the completion of development, an Ecological Design Strategy addressing ecological enhancement of the site shall be submitted to and approved in writing by the Local Planning Authority. The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works;
- b) Review of site potential and constraints;
- c) Detailed design(s) and/or working method(s) to achieve stated objectives;
- d) Extent and location/area of proposed works on appropriate scale maps and plans;
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) Persons responsible for implementing the works;
- h) Details of initial aftercare and long term maintenance;
- i) Details for monitoring and remedial measures;
- j) Details for disposal of any wastes arising from works (where relevant).

The Ecological Design Statement shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

**Reason:** To enhance biodiversity.

29 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written 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 in accordance with NPPF.

## Notes

### 1 **Working with the Applicant**

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

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

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- the applicant/agent responded by submitting additional information, which was found to be acceptable and permission was granted,

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

- 2 It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

### Plans/Documents approved

Drawing No. 10 Revision 00

Drawing No. 01 Revision 00

Drawing No. 15 Revision 00

Drawing No. 16 Revision 00

Drawing No. 17 Revision 00

Drawing No. 12 Revision 00

Drawing No. 20 Revision 00

Ecological Assessment and Appendices by JFA Environmental Planning JFA Ref: KEN 2002 dated October 2016

Tree Constraints and Appendices by JFA Environmental Planning JFA Ref: KEN2002 dated 04.03.16

Drawing No. 152047/A/04



Biodiversity Mitigation Strategy by Greenspace Ecological Solutions dated May 2017

AGREED	
SPO	
JDCM	

*[Handwritten signature]* 7/6  
SZA  
07/06/17