

20 August 2024

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NOTIFICATION OF DECISION OF THE LOCAL PLANNING AUTHORITY: Town and Country Planning Act 1990

Case Reference **PA/2023/2232**

Site Address **Glendale House, Coopers Lane, Aldington Frith, TN25 7HH**

Proposal **Erection of 4no. dwellings with associated access, parking, landscaping and infrastructure, following the demolition of existing units and hardstanding.**

DECISION: PLANNING PERMISSION IS GRANTED in accordance with the application and plans subject to the following conditions:

Conditions:

- 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 hereby permitted shall be carried out in accordance with the following approved plans and documents:

Description	Date
Visibility Splays - H-01	30 November 2023
Street Elevation - 20-52-37	30 November 2023
Location Plan - 20-52-21	30 November 2023
Proposed Site Elevations - 20-52-35 A	11 December 2023
Elevations & Plans Plots 1 & 2 - 20-52-36 A	11 December 2023
Elevations & Plans Plots 3 & 4 - 20-52-38 B	11 December 2023
Roof Plan - 20-52-34 B	11 December

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No development including any 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) Details of areas on site for parking and turning for site personnel;
- b) Details of areas on site for parking loading and unloading of plant and materials, and provision of on-site for turning for delivery and construction vehicles including HGVs;
- c) Details of facilities, by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances;

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

Reason: To prevent obstruction of the highway and to protect the residential amenity of the occupiers of neighbouring properties.

- 4 Prior to above ground works taking place, details (including source/manufacture and colour) and samples (where required) of all materials to be used on the external surfaces of the buildings, including but not limited to brick, tiles and cladding shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved and retained for the lifetime of the development.

Reason: In the interests of the visual amenity of the locality

- 5 Prior to above ground works taking place, the following fine details (at a scale of 1:20 or 1:50 as may be appropriate) shall be submitted to, and approved in writing by, the Local Planning Authority:

- (i) windows and doors and other external joinery (including depth of reveals within openings, materials and final finish colour);
- (ii) any entrance canopies (including materials, supports and final finish colour);
- (iii) external extracts/vents/terminals, including any proposed venting to roofs (including materials and final finish colour);
- (iv) details of concealed rain water goods systems and any external rain water goods gutters and down-pipes (including materials and final finish colour);

The development shall be carried out in accordance with the fine details so approved and retained for the lifetime of the development.

Reason: No such fine details have been submitted and to ensure that the fine detailing

of new buildings works well with approved materials and is of a high quality in the interests of visual amenity, townscape impacts and the protection of heritage assets

- 6 Prior to the first occupation of the development, a Landscape and Ecological Management Plan (LEMP) will be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP will be based on the recommendations of the Preliminary Ecological Appraisal (Fellgrove, March 2024) and Bat Emergence Survey Report (Fellgrove, July 2024) associated with the planning application and shall include details of the following:

- Landscaping to be incorporated into the development which shall include plants of native origin/which are beneficial to wildlife (including a planting schedule, species and numbers);
- The provision of four durable bat boxes on site;
- The provision of three durable bird boxes on site; and
- External lighting to be installed so that it can be clearly demonstrated that areas to be lit shall not disturb bat activity.

The approved plan shall be implemented in accordance with the approved details.

Reason: To contribute to and enhance the natural and local environment by providing net gains for biodiversity in line with the NPPF 2023 180(d).

- 7 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 before the adjoining part of the development or dwelling is occupied 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.

- 8 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 Tree Protection Plan and any approved Arboricultural Method Statement, 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 25mm 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.

(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 i

- 9 Prior to the first occupation of each dwelling with a designated car parking space, at least 1 space per dwelling shall be fitted with an Electric Vehicle Charging point. All Electric Vehicle charger points shall be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). The charging point shall thereafter be retained available, in a working order for the charging of electric vehicles. Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>.

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

- 10 The area shown on the drawing number 20-52-32 as vehicle parking space and turning shall be provided, before the dwellings are occupied, 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

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within Classes A, AA, B, C, D and E of Part 1 of Schedule 2 of that Order or any Order revoking and re-enacting that Order.

Reason: To protect the visual amenity of the locality and to safeguard the immediate setting of the neighbouring listed buildings.

- 12 Part 1

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 guidance in LRCM "Land and Contamination: Risk Management" (and CLR11 "Model Procedures for the Management of Contaminated Land" where relevant) published by the Environment Agency. Where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2.

Part 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.

Informatives:

- 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 positively and proactively 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 suggest solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal before a decision and,

In this instance,

- the applicant/agent was updated of any issues after the initial site visit,
- the applicant/ agent responded by submitting amended plans, which were found to be acceptable and permission was granted.
- the applicant/agent was provided the opportunity to submit amendments to the scheme/ address issues.

- The applicant is reminded of the need for the development to satisfy the requirements of the Building Regulations and in respect of climate change in particular the following documents:
 - Approved Document L (Conservation of fuel and power)
 - Approved Document F (Ventilation)
 - Approved Document O (overheating)
 - Approved Document S (Infrastructure for electric charging vehicles)

Signed



Simon Cole
Assistant Director - Planning and Development

Important Notes

1 Limitation of Permission

This decision is for planning purposes only and for no other purpose including Building Regulations. Separate approval may be required for these works.

Advice is available from the Building Control Section - 01233 330282 Email

building.control@ashford.gov.uk

Where plans for the erection or extension of a building are submitted for Building Regulations approval, Section 53 of the County of Kent Act 1981 requires that the Plans are rejected unless they show;

- a. adequate means of access for the Fire Brigade to the building or buildings as extended and;
- b. that the building and extension will not render inadequate, existing means of access for the Fire Brigade to a neighbouring building.

The Fire Prevention Officer can be contacted at Ashford Fire Station Henwood, Ashford, Kent TN24 8YF

This grant of planning permission does not give any legal right to carry out the development on, over or under the land of another person or contrary to the rights of any such person. If there is any doubt the applicant should seek his/her own independent legal advice before implementing the planning permission. Your attention is also drawn to the Party Walls Act

2 **Appeals to the Secretary of State**

If you are unhappy with the disclosed Decision to grant permission subject to conditions, you may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Details of how to appeal can be obtained from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or via their website at <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>

3 **Beneficial Use**

If permission to develop land is granted subject to conditions, whether by the Borough Council or by the Secretary of State and you, as owner of the land, claim that it has become incapable of reasonable beneficial use, you may serve on the Borough Council a Purchase Notice requiring the Borough Council to purchase your interest in the land in accordance with the provision of Part IV of the Town and Country Planning Act 1990.

Before following this course of action it is suggested that you seek the advice of a Planning Consultant or a Solicitor.

4 **Discharging of Conditions**

Some conditions attached to the grant of permission may require you to submit details and/or information before you start work. The necessary forms can be found on the Council's website. Please note that we aim to deal with these requests within 8 weeks.

There is a fee for 'Approval of details reserved by a condition'. These fees are set by Government and the current level can be found at <https://1app.planningportal.co.uk/FeeCalculator/Standalone?region=1>