

NOTIFICATION OF DECISION OF THE LOCAL PLANNING AUTHORITY

Date of Decision 06 January 2017



ASHFORD
BOROUGH COUNCIL

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**Sellwood Planning
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**Town and Country Planning Act 1990 (as amended)
Application for Outline Planning Permission**

APPLICATION NO: 12/00400/AS

**PROPOSAL: Outline application for a Comprehensive Mixed Use Development
comprising:**

- up to 5,750 residential units, in a mix of sizes, types and tenures;**
- up to 10,000 m² (gross external floor space) of Class BI use;**
- up to 9,000 m² (gross external floorspace) of Class AI to A5 uses;**
- Education (including a secondary school of up to 8 ha and up to four primary schools of up to 2.1 ha each);**
- Community Uses (class DI) up to 7,000 m² (gross external floorspace);**
- Leisure Uses (class D2) up to 6,000 m² (gross external floorspace);**
- Provision of local recycling facilities;**
- Provision of areas of formal and informal open space;**
- Installation of appropriate utilities infrastructure as required to serve the development, including flood attenuation works, SUDS, water supply and wastewater infrastructure, gas supply, electricity supply (including substations), telecommunications infrastructure and renewable energy infrastructure (including CHP in the District Centre);**

- **Transport infrastructure, including provision of three accesses on to the A28, an access on to Coulter Road I Cuckoo Lane, other connections on to the local road network, and a network of internal roads, footpaths and cycle routes;**
- **New planting and landscaping, both within the Proposed Development and on its boundaries, and ecological enhancement works; and**
- **Associated groundworks**

where appearance, landscaping, layout and scale are reserved for future approval and where access is reserved for future approval with the exception of the three accesses on to the A28 and the access on to Coulter Road I Cuckoo Lane

LOCATION: Land at Chilmington Green, Ashford Road, Great Chart, Kent

APPLICANT: Hodson Developments Ltd Malcolm Jarvis Homes Ltd Pentland Homes Ltd Ward Homes

DECISION: **PLANNING PERMISSION IS GRANTED** in accordance with the application and plans

Subject to the following conditions:

Time limit for development that has detailed planning permission (the Detailed Development)

- 1 The development comprising of new access A to the site shown on drawing number 131065/A/01 Rev B, must be begun by no later than the expiration of 2 years from the date of this permission; the development comprising of new access B to the site shown on drawing number 131065/A/04 Rev B must be begun by no later than the expiration of 5 years from the date of this permission; the development comprising of new access C shown on drawing 131065/A/02 Rev B must be begun no later than the expiration of 10 years from the date of this permission; and the development comprising of new access D shown on drawing number 131065/A/15 must be begun by no later than the expiration of 4 years from the date of this permission .

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

Conditions relating to the outline planning permission

- 2 The development within each Reserved Matters Site within Main AAP Phase 1 (except for any Detailed Development within that Main AAP Phase) must be begun by no later than the expiration of 2 years from the date on which approval of the last Reserved Matter approved for that Reserved Matters Site within Main AAP Phase 1 is approved.

Reason: To comply with the provisions of Section 92 of the Town and

Country Planning Act 1990 as amended, to allow for the progressive implementation of the development in accordance with a reasonable timescale and the AAP and to ensure that development within each area of Main AAP Phase 1 is commenced within a reasonable period of Reserved Matters being approved for each such area.

- 3 All submissions for the approval of Reserved Matters for Reserved Matters Sites within Main AAP Phase 1 must be made by no later than the expiration of 6 years from the date of this permission.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended and to allow for the progressive implementation of the development in accordance with a reasonable timescale and the AAP.

- 4 The development within each Reserved Matters Site within Main AAP Phase 2 (except for any Detailed Development within that Main AAP Phase) must be begun by no later than the expiration of 2 years from the date on which the last Reserved Matter to be approved for that Reserved Matters Site within Main AAP Phase 2 is approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended, to allow for the progressive implementation of the development in accordance with a reasonable timescale and the AAP and to ensure that development within each area of Main AAP Phase 2 is commenced within a reasonable period of Reserved Matters being approved for each such area.

- 5 All submissions for the approval of Reserved Matters for Reserved Matters Sites within Main AAP Phase 2 must be made by no later than the expiration of 8 years from the date of this permission.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended and to allow for the progressive implementation of the development in accordance with a reasonable timescale and the AAP.

- 6 The development within each Reserved Matters Site within Main AAP Phase 3 (except for any Detailed Development within that Main AAP Phase) must be begun by no later than the expiration of 2 years from the date on which the last Reserved Matter to be approved for that Reserved Matters Site within Main AAP Phase 3 is approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended, to allow for the progressive implementation of the development in accordance with a reasonable timescale and the AAP and to ensure that development within each area of Main AAP Phase 3 is commenced within a reasonable period of Reserved Matters being approved for each such area.

- 7 All submissions for the approval of Reserved Matters for the Reserved Matters Sites within Main AAP Phase 3 must be made by no later than the expiration of 13 years from the date of this permission.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended and to allow for the progressive implementation of the development in accordance with a reasonable timescale and the AAP.

- 8 The development within each Reserved Matters Site within Main AAP Phase 4 (except for any Detailed Development within that Main AAP Phase) must be begun by no later than the expiration of 2 years from the date on which the last Reserved Matter to be approved for that Reserved Matters Site within Main AAP Phase 4 is approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended, to allow for the progressive implementation of the development in accordance with a reasonable timescale and the AAP and to ensure that development within each area of Main AAP Phase 4 is commenced within a reasonable period of Reserved Matters being approved for each such area.

- 9 All submissions for the approval of Reserved Matters for the Reserved Matters Sites within Main AAP Phase 4 must be made by no later than the expiration of 18 years from the date of this permission.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended and to allow for the progressive implementation of the development in accordance with a reasonable timescale and the AAP.

- 10 No development shall commence (except for the Detailed Development) unless and until details of the layout, access, scale, landscaping and appearance for that development has been obtained from the Local Planning Authority in writing. The development (except for the Detailed Development) shall be carried out in accordance with the details of the layout, access, scale, landscaping and appearance as approved by the Local Planning Authority in respect of each part of the development.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended.

- 11 The submission of applications for the approval of all Reserved Matters shall be in accordance with the disposition of land uses, shown in the approved documents in Condition 14 (excluding the approved plans for Accesses A, B C and D)

Reason: To ensure that there is a clear framework for the submission of applications for Reserved Matters approval and for the development in order to provide a sustainable community.





- 12 Detailed plans and particulars of the Reserved Matters required by condition 10 above shall be submitted for each Reserved Matters Site and shall include the existing and proposed ground levels together with scaled cross-sections through each Reserved Matters Site and the adjacent land. The Development (other than the Detailed Development) shall be carried out in accordance with the details of those matters and the detailed plans for the relevant Reserved Matters Site as approved by the Local Planning Authority.

Reason: To ensure that a full assessment of the proposed development can be carried out with all necessary information provided.

- 13 The details of each application for the approval of Reserved Matters shall comply with the Detailed Phase Masterplan approved by the Local Planning Authority pursuant to condition 17 for the relevant Main AAP Phase/s that the application for the approval of Reserved Matters relates to and shall include a statement setting out how the application complies with the same.

Reason: To ensure that the development of sites for which Reserved Matters approval is sought are carried out in a sustainable and coherent manner.

- 14 The development hereby permitted shall be carried out in accordance with the following submitted drawings and documentation (the "Main Approved Documents") which are hereby approved, unless otherwise provided for in any other conditions attached to this permission:

- Advance Planting Plan – ALP 2015 – 01
- Works to Knoll Lane/Brookfield Road Junction – 131065/A/64
- Footway upgrade to Magpie Hall Road – 131065/A/25 Rev.B
- Application Boundary Plan – 00122-OPA01R5
-  • Land Use Parameter Plan – 00122-OPA02R1
-  • Residential Density Parameter Plan – 00122-OPA03R1
- Storey Heights Parameter Plan - 00122-OPA04R1
- Access and Strategic Vehicular Routes Parameter Plan –0121-OPA05R1
-  • Open Space Parameter Plan – 00122-OPA06R2
- Building Parameter Plan – 00122-OPA07R1
- Footpath and Cycle Routes Parameter Plan – 00122-OPA08R3
-  • Development Specification dated 13 September 2013

- Access A: Northern A28 Roundabout – 131065/A/01B
- Access B: A28 Priority Junction – 131065/A0/4F
- Access C: Southern A28 Roundabout – 131065/A/02B
- Access D: Coulter Road Mini Roundabout – 131065/A/15
- Cross Section: Access A Northern A28 Roundabout – 131065/A/17

Reason: To ensure that the proposed development is carried out as envisaged by the application to which this approval relates and that there is a clear framework for the submission of the details required by the following conditions.

- 15 Except where a variation does not have significantly different environmental effects from the effects of the proposals assessed in the Environmental Statement dated July 2012 (as updated in the Environmental Statement Addendum dated February 2013, the Environmental Statement Addendum dated September 2014 and the Environmental Statement Addendum dated February 2015) and such variation is first authorised in writing by the Local Planning Authority, the development shall conform to the proposals so assessed, and shall be carried out in accordance with the Reserved Matters approved by the local planning authority.

Reason: To ensure that the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) are met.

- 16 The development hereby permitted shall be carried out in accordance with the Implementation section of the approved Development Specification, the Phasing Sections of the Design and Access Statement 2012 and the Design and Access Statement 2013 and the four Main Phases identified in the adopted AAP, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out in a sustainable and coherent manner.

Phasing and Masterplanning

- 17 Prior to the submission of any application for the approval of Reserved Matters pursuant to Condition 10 in the case of Main AAP Phase 1 and in the cases of Main AAP Phase 2 Main AAP Phase 3 and Main AAP Phase 4 prior to the submission of any Reserved Matters pursuant to condition 10 for each of those Main AAP Phases or the occupation of more than 75% of the dwellings in the preceding Main AAP Phase ,whichever is earlier, a Detailed Phase Masterplan, for the whole of the relevant Main AAP Phase shall be submitted to and approved by the Local Planning Authority.

Each Detailed Phase Masterplan shall be in accordance with the requirements of the AAP and shall have been subject to a process consultation the details of which shall have been previously approved by the Local Planning Authority and such consultation shall have been completed prior the submission of the Detailed Phase Masterplan to the Local Planning Authority . Each Detailed Phase Masterplan shall address and include the following for whole of the relevant Main AAP Phase:-

- i) The boundaries of individual land parcels (including the indicative number of dwellings to be built therein) and development areas;
- ii) A development strategy for the approximate numbers of dwellings, land use, approximate quantum of development and the road hierarchy for the relevant Main AAP Phase;
- iii) A review of the Design Code for that Main AAP Phase;
- iv) An indicative schedule of the proposed housing mix that will be achieved across the relevant Main AAP Phase demonstrating how the housing mix in the relevant Main AAP Phase will contribute towards the overall housing mix across the development required by condition 100, taking into account the housing mix in the previous Main AAP Phase(s) if any ;
- v) Indicative landscape areas, and the phasing for such planting within the relevant Main AAP Phase;
- vi) The indicative locations of equipped play facilities including access thereto;
- vii) The indicative location of informal / natural green space, including layout, minimum size of each parcel of open space and access thereto and;
- viii) The indicative locations of sports pitches and other sports facilities including access;
- ix) the indicative location of community buildings including access thereto;
- x) A detailed Access Management Strategy for the relevant Main AAP Phase, to include on-site circular walking routes and the provision of high quality semi-natural green space within close proximity to all residential properties;
- xi) Indicative location for public art;
- xii) The Sustainable Urban Drainage System ("SUDS") strategy for the relevant Main AAP Phase, to include the indicative location and broad extent of SUDS features;
- xiii) The indicative location of footpaths, bridleways and cycleways (to be in accordance with drawing 131065/SK/106 rev A unless

- otherwise agreed) and an indicative timetable for delivery;
- xiv) The proposed sub-phasing within the relevant Main AAP Phase;
- xv) The indicative location of education facilities including access thereto;
- xvi) The indicative locations of the local centres and commercial/retail areas including access thereto;
- xvii) The identification of any noise sensitive areas which require mitigation;
- xviii) The indicative locations of ecological mitigation areas;
- xix) A Hedgerow Assessment which indicates which hedgerows are protected and will be preserved;
- xx) The indicative location and design rationale of the allotments, including layout and access thereto;
- xxi) The indicative areas of advance planting to be in accordance with Plan Number ALP-2015-01 attached to this decision notice, including a timetable for the planting within that Main AAP Phase;
- xxii) The areas of woodland to be planted within the relevant Main AAP Phase to include access details for planting and maintenance, any incidental works, and public access details if appropriate;
- xxiii) In respect of the Main AAP Phase 1, a detailed Design Strategy for the Chilmington Green Hamlet Character Area (as identified in the AAP), which incorporate the design aspirations set out in Policy CG5 of the AAP;
- xxiv) The target for the number of dwellings that will be designed with flexibility in mind to adapt to changing needs;
- xxv) indicative areas where it is suspected there may be contamination based on the information in Chapter A13: Ground Conditions and Contamination of the Chilmington Green Environmental Statement Addendum dated November 2013;
- xxvi) details of which persons owns an interest (including charges) in the land on which the facilities and/or buildings and/or works detailed by vi), vii), viii), ix), xx) and xii) above are located within the relevant Main AAP Phase.

Reason: To ensure that the development of sites for which Reserved Matters approval is sought are carried out in a sustainable and coherent manner.

advance planting, the first Reserved Matters for the relevant Main AAP Phase shall include that advance planting, together with a draft timetable for provision and that advance planting shall be carried out in accordance with the timetable specified in the Reserved Matters approval.

Reason: To ensure that any advance planting in a Main AAP Phase comes forward at the appropriate time in the interests of the amenity of the area.

Highways and Transport

- 19 Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority pursuant to condition 10 in relation to any residential buildings shall show adequate land or buildings reserved for the parking or garaging and manoeuvring of vehicles using that building to accord with the provisions of the adopted residential vehicle parking standards applicable at the time. Each residential building shall not be occupied until the parking facilities relating to that residential building/s have been constructed in accordance with the approved details and are available for use. Thereafter, no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as may be amended 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 such land.

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

- 20 Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority pursuant to condition 10 in relation to any non-residential buildings shall show adequate land reserved for the parking or garaging and manoeuvring of vehicles using that building to accord with the provisions of the adopted non-residential vehicle parking standards applicable at the time. Each non-residential building shall not be occupied until the parking facilities relating to that non-residential building have been constructed in accordance with the approved details and are available for use. Thereafter, no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as may be amended 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 such land.

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

- 21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as may be amended or any other Order of 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

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.

22 No building shall be occupied unless a Travel Plan which applies to that building has been approved by the Local Planning Authority in writing. Such a Travel Plan need not be specific for that building, but may, for example, be one which applies to a specific type of development or to a particular area of the site. Each Travel Plan submitted for approval shall:

- i) contain details of measures (including a timetable for implementation) designed to achieve and maintain an appropriate target modal split of travel to and from the buildings which the Travel Plan applies;
- ii) contain details of the methodology and timing of surveys at relevant locations to independently assess the actual modal split achieved (timing to be not less than once every two calendar years, for the first ten years of its occupation), and a timetable for the results of said surveys to be provided in writing to the Local Planning Authority ;
- iii) contain the contact details of the individual who will act as Travel Plan Co-ordinator and who will be the contact point for the Local Planning Authority and the manager of the measures set out within the Travel Plan and a timetable for appointment;
- iv) contain a timetable for specified information as to the implementation of the measures set out in the Travel Plan and performance against such measures over the relevant period to be provided to and agreed in writing by the Local Planning Authority (usually bi-annually);
- v) Identify what buildings it applies to;
- vi) Be informed by the relevant "Umbrella Travel Plan", "Residential Travel Plan", "Workplace Travel Plan" and "Framework School Travel Plan" approved by this permission.

The approved Travel Plan shall be implemented in accordance with the relevant timetables (including any on-going measures).

Reason: In order to realise a sustainable pattern of development in the area

23 Prior to the commencement of the bus service to the site, the works within highway limits to the Knoll Lane/Brookfield Road junction shown on drawing 131065/A/64 (or such other works within highway limits to substantially the same effect that may be previously approved by the Local Planning Authority following consultation with the highway authority) shall be carried out by the applicant and opened to traffic.

Reason: In order to provide for necessary improvements to the route for buses to the Town Centre.

- 24 Prior to the commencement of the bus service to the site, details of works within highway limits to the Beaver Bridge to allow for two busses to pull-in off the carriageway together with the provision of bus clearways, shelters, bus boarders, flags, real-time information displays and any other necessary infrastructure shall be submitted for approval to the LPA in consultation with the Highways Authority (or such other works within highway limits to substantially the same effect that may be previously approved by the Local Planning Authority following consultation with the highway authority). The works shall be carried out in accordance with the approved details prior to the commencement of the bus service to the site

Reason: In order to provide for necessary improvements to the route for buses to the Town Centre.

- 25 'Access A – the northern access roundabout' shall be provided in accordance with the approved details shown on Drawing 131065/A/01 Revision B (or such other scheme to substantially the same effect in highways terms the details of which shall be previously agreed in writing by the Local Planning Authority in consultation with the highway authority) and shall be constructed and opened to traffic prior to occupation of the first dwelling (other than the Brisley Farm element of Main AAP Phase 1) unless Access B has been provided in the location shown on Drawing 131065/A/04 Revision F, and fully constructed and opened to traffic already. In that case Access A shall be fully constructed and open to traffic (i) before the occupation of 100 dwellings on the site (other than on the Brisley Farm element of Main AAP Phase 1), or (ii) before the opening of the first commercial unit (excluding the first temporary CMO premises) or the foodstore, whichever is earlier.

No dwelling on the site (other than those dwellings in the Brisley Farm element of Main AAP Phase 1 as identified by Strategic Diagram 1: Layout and Land Use, of the AAP) shall be occupied unless either:-

- a) 'Access A – the northern access roundabout' has been provided in accordance with the approved details shown on Drawing 131065/A/01 Revision B (or such other scheme to substantially the same effect in highways terms and the details of such alternative scheme shall have been previously approved in writing by the Local Planning Authority in consultation with the highway authority) is fully constructed and is open for use by traffic; or
- b) 'Access B' has been provided in the location and in accordance with the details shown on Drawing 131065/A/04 Revision F is fully constructed and is available for use by traffic.

In the event 'Access B' has been provided is fully constructed and is open for use by traffic prior to the occupation of the first dwelling to be occupied on the site but 'Access A – the northern access roundabout' has not, no more than

100 dwellings shall be occupied on the site and no building within use classes A1 to A5 inclusive and B1 shall be occupied or brought into use for the first time on the site unless 'Access A – the northern access roundabout' has been provided in accordance with the approved details shown on Drawing 131065/A/01 Revision B (or such other scheme to substantially the same effect in highways terms and which does not have significantly different environmental effects from the effects of the proposals assessed in the Environmental Statement referred to in condition 15 the details of such alternative scheme shall have been previously approved in writing by the Local Planning Authority in consultation with the highway authority).]

Reason: In order to ensure adequate access to the development site in accordance with the requirements of Kent Design.

- 26 'Access B' shall be provided in accordance with the approved details shown on Drawing 131065/A/04 Revision F (or such other scheme to substantially the same effect in highways terms and which shall have been previously approved in writing by the Local Planning Authority in consultation with the highway authority) and shall be fully constructed and is open for use by traffic before the occupation of the Secondary School on the application site or the occupation of the 1200th dwelling on the site to be occupied whichever is earliest. Notwithstanding that requirement, no more than 1200 dwellings shall be occupied on the site unless 'Access B' has been fully constructed in accordance with the approved details shown on Drawing 131065/A/04 Revision F (or such other scheme to substantially the same effect in highways terms and which does not have significantly different environmental effects from the effects of the proposals assessed in the Environmental Statement referred to in condition 15 the details of such scheme shall have been previously approved in writing by the Local Planning Authority in consultation with the highway authority) and is open for use by traffic.

Reason: In order to ensure adequate access to the development site in accordance with the requirements of Kent Design.

- 27 'Access C – the southern access roundabout' shall be provided in accordance with the approved details shown on drawing 131065/A/02-Revision B (or such other scheme to substantially the same effect in highways terms and which scheme shall have been previously approved in writing by the Local Planning Authority in consultation with the highway authority) and shall be fully constructed and open for use by traffic prior to the opening of the Secondary School or the occupation of the 2000 th dwelling on the site to be occupied (whichever is earlier). Notwithstanding that requirement no more than 2000 dwellings shall be occupied on the site unless 'Access C – the southern access roundabout' (or such other scheme to substantially the same effect in highways terms and which does not have significantly different environmental effects from the effects of the proposals assessed in the Environmental Statement referred to in condition 15 the details of such scheme shall have been previously approved in writing by the Local Planning Authority in consultation with the highway authority) has been fully constructed and is open for use by traffic .

Reason: In order to ensure adequate access to the development site in accordance with the requirements of Kent Design.

- 28 'Access D – mini roundabout with Coulter Road' shall be provided in accordance with the approved details shown on drawing 131065/A/15 (or such other scheme to substantially the same effect in highways terms and which shall have been previously approved in writing by the Local Planning Authority in consultation with the highway authority) and shall be fully constructed and open for use by traffic prior to the opening of the link across Discovery Park to vehicular traffic or the occupation of the first dwelling to be occupied within the Brisley Farm element of Main AAP Phase 1 as shown on Strategic Diagram 1: Layout and Land Use, of the AAP, whichever is earlier. Notwithstanding that requirement no dwellings within the Brisley Farm element of Main AAP Phase 1 shall be occupied and the link across Discovery Park shall not be opened for use by vehicular traffic and shall not be used by vehicular traffic unless 'Access D – mini roundabout with Coulter Road' has been provided in accordance with the approved details shown on drawing 131065/A/15 (or such other scheme to substantially the same effect in highways terms and which does not have significantly different environmental effects from the effects of the proposals assessed in the Environmental Statement referred to in condition 15 the details of such scheme shall have been previously approved in writing by the Local Planning Authority in consultation with the highway authority) is fully constructed and open for use by traffic.

Reason: In order to ensure adequate access to the development site in accordance with the requirements of Kent Design.

- 29 Prior to the commencement of works for the secondary school, a plan shall be agreed by the Local Planning Authority following consultation with the Highway Authority showing how Chilmington Green Road is to be closed to all vehicular traffic at the location shown on drawing 'OPA05R1: Access & Strategic Vehicular Routes Plan'. The plan shall be implemented as approved by the Local Authority and the works entailed in closing Chilmington Green Road shall be carried out prior to the opening of the proposed secondary school on the site.

Reason: In the interests of highway safety.

- 30 Before any building in each sub-phase of the development (as identified in condition 17) is occupied or any other part of each such sub-phase is used for its intended purpose vehicle turning areas for that sub phase shall be provided if necessary, in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority and thereafter the vehicle turning areas shall be retained and kept available for this purpose.

Reason: So that vehicles may enter and leave the site in a forward gear in the interests of highway safety.

- 31 Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority pursuant to condition 10 in relation to each non-residential building shall include details of adequate provision for cycle parking which shall accord with the provisions of the adopted cycle parking standards applicable at the time. The details submitted to the Local Planning Authority shall incorporate protection and security measures for cycles, which, where applicable, shall include a lockable enclosure. The cycle parking arrangements relating to each building shall be implemented in accordance with the details approved by the Local Planning Authority prior to the occupation of the relevant non-residential building and thereafter the cycle parking arrangements shall be retained and kept available for use.

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

- 32 Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority pursuant to condition 10 in relating to Bartlets Lane, Criol Lane and Mock Lane (apart from that section of Mock Lane that is shown on Parameter Plan OPA05R1 to be upgraded) [shall show these lanes to retain their existing character], in accordance with Policy CG11 of the AAP, the Development Specification September 2013 and Parameter Plan OPA05R1, with vehicular access to development in their vicinity being provided primarily from new routes created by the development itself. The development shall be carried out in accordance with the plans and particulars as approved by the Local Planning Authority.

Reason: In order to retain their existing character as far as possible in accordance with Policy CG11 of the AAP.

- 33 Before the first occupation of each dwelling the following works between that dwelling and the nearest highway to be adopted by the highways authority shall be completed,

- (a) Footways and/or footpaths, with the exception of the wearing course;
- (b) Carriageways with the exception of the wearing course, including the provision of a turning facility beyond the dwelling, together with related:
 - (i) highway drainage, including off-site works,
 - (ii) junction visibility splays,
 - (iii) street lighting, street nameplates and highway structures if any.

Reason: In the interests of highway safety, and the convenience and amenity of occupiers of the development.

- 34 Before the first occupation of each dwelling a timetable for the construction of the final wearing course of the footpaths and/or footways and carriageways nearest to the relevant dwelling shall have been submitted to and approved by the Local Planning Authority in writing. The final wearing course of such footpaths and/or footways and carriageways shall be constructed in accordance with the timetable as approved by the Local Planning Authority.

Reason: In the interests of highway safety, and the convenience and amenity of occupiers of the development.

- 35 Before each of the four primary schools and the secondary school to be constructed on the site are brought into use, the following works between that school and the nearest highway to be adopted by the Highways Authority shall be completed:

- (a) Footways and/or footpaths, with the exception of the wearing course;
- (b) Carriageways with the exception of the wearing course, including the provision of a turning facility beyond the dwelling, together with related:
 - (i) highway drainage, including off-site works,
 - (ii) junction visibility splays,
 - (iii) street lighting, street nameplates and highway structures if any.

Reason: In the interests of highway safety, and the convenience and amenity of occupiers of the development.

- 36 Before the first occupation of each primary school and the secondary school a timetable for the construction of the final wearing course of the footpaths and/or footways and carriageways nearest to the relevant primary school and secondary school (as appropriate) shall have been submitted to and approved by the Local Planning Authority in writing. The final wearing course of such footpaths and/or footways and carriageways shall be constructed in accordance with the timetable as approved by the Local Planning Authority.

Reason: In the interests of highway safety, and the convenience and amenity of occupiers of the development.

- 37 Prior to the commencement of any development within Main AAP Phase 4, the footway upgrades within the highway limits north and south of Magpie Hall Road as shown on drawing number 131065/A/25 Rev. B shall be constructed and open to pedestrians .

Reason: In the interests of highway safety and connectivity with Chilmington Green.

38 Prior to the commencement of development within each Main AAP Phase (except for any Detailed Development within that main AAP Phase) a timetable for the provision of informal / natural green space within the relevant Main AAP Phase shall be submitted to and approved by the Local Planning Authority. The timetable submitted to the Local Planning Authority for approval shall:-

- a) set a timescale for the provision of all of the informal / natural green space within the relevant Main AAP Phase by reference to the occupation of a given number of dwellings within that Main AAP Phase;
- b) provide all of the informal / natural green space within the relevant Main AAP Phase by the timescale required by the Section 106 Agreement;

The informal / natural green space within the relevant Main AAP Phase shall be provided in accordance with the timetable approved by the Local Authority and no more than the numbers of Dwellings identified by such timetable shall be occupied until the corresponding element of informal / natural green space within the relevant Main AAP Phase identified by the timetable is provided.

Reason: In the interests of the timely provision of informal / natural green space within each Main AAP Phase.

Design

39 All applications for the approval of Reserved Matters shall accord with the adopted Chilmington Green Design Code Supplementary Planning Document. All applications for the approval of Reserved Matters shall be accompanied by a detailed design statement that describes how they accord with the adopted Chilmington Green Design Code Supplementary Planning Document, and in the case of any variations, shall explain the nature of the variation.

Reason: In the interests of securing a high quality development and to ensure that full and adequate information is provided to enable proper assessment of the proposed development.

40 All applications for the approval of Reserved Matters shall be accompanied by a statement which demonstrates how they accord with the agreed Chilmington Green Quality Charter, and in the case of any variations, shall explain the nature of the variation. The development shall be carried out in accordance with the details of such statement as approved by the Local Planning Authority.

Reason: In the interests of securing a high quality development and to ensure that full and adequate information is provided to enable a proper assessment of the proposed development.

41 All applications for the approval of Reserved Matters shall be accompanied by the following strategies relating to the relevant Reserved Matters Site, for the Local Planning Authority's approval:

- i) Design and Access Statement;
- ii) A statement that demonstrates compliance with the principles set out in the Design Code;
- iii) The principles of a management and maintenance strategy for public realm including the surfacing and design, and any structure that will be placed on the land including litter bins, road signs, name plates or benches etc;
- iv) The provision of recycling facilities;
- v) The provision and design of external lighting;
- vi) An external cleaning regime for non-residential buildings and residential buildings in multiple-ownership;
- vii) A waste collection strategy including private and public waste and access for refuse collection vehicles;
- viii) A play statement setting out range of experiences for children;
- ix) A crime prevention strategy to minimise the risk of crime in the public and private realm based on Kent Design's initiative and Kent Police document;
- x) The location and management of utility services within the development;
- xi) The provision of centralised telecommunications and television and radio reception and limitations to external aerials within the development;
- xii) Inclusive Design Statement Disability Access Statement for Public Realm and Public Buildings;
- xiii) A plan showing responsibility for future maintenance of each road within the reserved matters site (including any highway drainage, street lighting, street nameplates, highway structures, footways, verges and associated landscaping). Any road which is to be part of a bus route or which will carry refuse vehicle must be offered to the Highways Authority for adoption;
- xiv) Where any part of a road (including any highway drainage, street lighting, street nameplates, highway structures, footways, verges and associated landscaping) is not to be maintained as a highway at public expense, (a) details of the maintenance arrangements (including who will be responsible), (b) a timetable for the carrying out of maintenance and (c) particulars to demonstrate that (i) sufficient financial resources will be

available to fund the maintenance and (ii) sufficient access rights will be granted/reserved to the person/s carrying out the maintenance;

- xv) Where any part of a road is to be maintained as a highway at public expense, a timetable for adoption by the Highways Authority;
- xvi) A plan showing the footpaths, cycleways and bridlepaths (including any drainage, lighting, nameplates, signposts, structures, verges and associated landscaping) within the relevant Reserved Matters Site and a timetable for their delivery and subsequent dedication to the public as highways. All footpaths, cycleways and bridlepaths must be offered to the Highways Authority for adoption.
- xvii) Where any part of a footpath, cycleway or bridlepath (including any drainage, lighting, nameplates, signposts, structures, verges and associated landscaping) is not to be maintained as a highway at public expense, (a) details of the maintenance arrangements (including who will be responsible), (b) a timetable for the carrying out of maintenance and (c) particulars to demonstrate that (i) sufficient financial resources will be available to fund the maintenance and (ii) sufficient access rights will be granted/reserved to the person/s carrying out the maintenance.
- xviii) Where any part of a footpath, cycleway or bridlepath is to be maintained as a highway at public expense, a timetable for adoption by the Highways Authority.



The development shall be carried out in accordance with the plans and particulars of such strategies as approved by the Local Planning Authority in writing .

Reason: In the interests of securing a high quality development and to ensure that full and adequate information is provided to enable a proper assessment of the proposed development.

- 42 All applications for the approval of Reserved Matters for schools, the Community Hub, the Cricket Pavilion, the Local Centres and the community building at Discovery Park shall be accompanied by a Design Statement which shall demonstrate that the design of the relevant facility has been subject to all stages of a design process the details of which shall have been approved by the Local Planning Authority prior to such design process being undertaken. The design process for each of the facilities referred to above shall include where appropriate, the following:

- i) Preparation of a Design Brief in collaboration with the Local Planning Authority;
- ii) An architectural competition to choose the best architect in

collaboration with the Local Planning Authority;

- iii) Discussion with Planning and Urban Design Officers in the Local Planning Authority;
- iv) Key Stakeholder Design Workshop, Meeting or Interactive Exhibition;
- v) Design Panel Review presentation;
- vi) Councillor informal briefing session of draft layout;
- vii) Community exhibition of proposals.

Reason: In order to engage all key stakeholders in the design process and to ensure a high quality design.

- 43 A detailed Design Strategy for the whole of the District Centre and High Street Character Area (as identified by the AAP), will be submitted as part of the first submission for the approval of Reserved Matters for any part the District Centre. Such Design Strategy will set out the detailed phasing of the District Centre and will incorporate the design aspirations set out in Policy CG3 of the AAP. No development within any part of the District Centre shall be commenced until the Design Strategy has been approved by the Local Planning Authority. Each subsequent application for the approval of Reserved Matters relating to the District Centre shall be accompanied by a statement and particulars setting out/detailing how that application complies with and satisfies the Design Strategy as approved by the Local Planning Authority.

Reason: To ensure a satisfactory appearance and character in accordance with Policy CG3 of the AAP.

- 44 A detailed Design Strategy for each of the two Local Centre Character Areas (as identified by the AAP) shall be submitted as part of the first submission for the approval of Reserved Matters for any part of each of the two Local Centre Character Areas. Each Design Strategy will incorporate the design aspirations set out in Policy CG4 of the AAP for each of the respective Local Centre Character Areas. No development within each of the Local Centre Character Areas shall be commenced until the Design Strategy relating to the relevant Local Centre Character Area has been approved by the Local Planning Authority. Each subsequent application for the approval of Reserved Matters relating to either of the Local Centre Character Areas shall be accompanied by a statement and particulars setting out/detailing how that application complies with and satisfies the Design Strategy for the relevant Local Centre Character Area as approved by the Local Planning Authority.

Reason: To ensure a satisfactory appearance and character in accordance with Policy CG 4 of the AAP.

- 45 Notwithstanding the requirements of condition 17, no development within Main AAP Phase 1 (except for any Detailed Development) shall be

commenced until the detailed Design Strategy for the Chilmington Green Hamlet Character Area submitted as part of the Detailed Phase Masterplan for Main AAP Phase 1 has been approved in writing by the Local Planning Authority. Each application for the approval of Reserved Matters relating to the Chilmington Green Hamlet Character Area shall be accompanied by a statement and particulars setting out/detailing how that application complies with and satisfies the Design Strategy for the Chilmington Green Hamlet Character Area as approved by the Local Planning Authority.

Reason: To ensure a satisfactory appearance and character in accordance with Policy CG5 of the AAP.

- 46 All applications for the approval of Reserved Matters submitted in respect of the Southern Fringe Character Area as identified in Policy CG6 of the AAP, shall be in accordance with the requirements of that Policy.

Reason: To ensure a satisfactory appearance and character in accordance with Policy CG6 of the AAP.

- 47 All applications for the approval of Reserved Matters submitted in respect of the Discovery Park Edge Character Area as identified in Policy CG7 of the Chilmington Green Area Action Plan 2013 shall be in accordance with the requirements of that Policy.

Reason: To ensure a satisfactory appearance and character in accordance with Policy CG7 of the AAP.


- 48 All applications for the approval of Reserved Matters for Reserved Matter Sites that abut any of the four Primary Schools and the Secondary School to be constructed on the site, shall include the details of the school to be provided within the adjoining site. The submitted details shall show the location of the buildings and facilities comprising the relevant school including playing fields, design, external materials, landscaping and car parking and access arrangements, including footpath and cycling connections outside the school site, where such details have previously been provided by Kent County Council.

Reason: To ensure the satisfactory relationship between the schools and the adjoining residential development in the interests of providing an integrated and sustainable development.

- 49 All applications for the approval of Reserved Matters for Reserved Matters Sites that abut any of the Community Buildings, Retail Buildings, Indoor Sports Hall, Health Care Buildings or any other non-residential buildings, shall include details of such buildings that are to be provided within the abutting site. The submitted details shall show the location of the buildings and facilities, including design, external materials, landscaping and car parking and access arrangements, including footpath and cycling connections outside the site, where sites are in the ownership of the

developers and / or the details are available.

Reason: To ensure the satisfactory relationship between the community buildings and the adjoining residential development in the interests of providing an integrated and sustainable development.

50 All applications for the approval of Reserved Matters shall include the following details in respect of external appearance (where applicable), which shall be based on Design Code detailing: 

- i) Samples of all materials to be used including combined materials palette on one or more sample boards combining all external appearance details including colours and textures;
- ii) External windows and doors and surrounding cills and frames;
- iii) Decorative brickwork features;
- iv) Balconies including balustrades, handrails and screen panels;
- v) Roof design including eaves detail and overhangs, dormers and chimneys etc;
- vi) Porches;
- vii) Communal entrances including steps and corresponding levels;
- viii) Private entrances including steps and corresponding levels;
- ix) Outbuildings including sheds, garages and car ports;
- x) Bin stores and associated doors;
- xi) External boundary walls, fences and hedges;
- xii) Communal stairwells and lobby areas including personal mailboxes, storage areas for pushchairs, lighting and materials;
- xiii) All details of undercroft parking;
- xiv) Flues, outlets, grilles, pipes, utility boxes, cables, cabinets and manhole covers;
- xv) Rainwater down pipes and guttering.

Reason: To ensure that a coordinated high quality approach is achieved in the development.

51 All applications for the approval of Reserved Matters pursuant to condition 10 that include an application to approve the layout of dwellings 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 principal entrances of dwellings (and/or level thresholds accessed by shallow ramps where level thresholds cannot be provided) linking the principal entrance of a dwelling to that which forms the public realm.

Reason: To ensure that dwellings will be accessible and are able to accommodate varying mobility needs over time.

- 52 Underground ducts serving each building on the site that enable each such building to be connected to telephone services, electricity supply services, communal television services and an up-to-date (at the time of construction of such building) broadband services shall be installed in respect of each building on the site prior to the occupation of each such building. No distribution poles and overhead lines shall be erected on the site notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as may be amended or any subsequent Order revoke or re-enact the same) without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity.

- 53 All applications for the approval of Reserved Matters in respect of dwellings shall include full details of the internal dimensions and layouts of all such dwellings including details of the dimensions and layout of their habitable rooms and details and sizes and positions of windows. All such applications for the approval of Reserved Matters shall accord in all respects with the Council's Residential Space Standards SPD (or such other local planning policy that is adopted by the Local Planning Authority or national planning policy that is implemented by the government that supersedes such SPD).

Reason: In the interests of residential amenity.

Hard and soft landscaping

- 54 Each application for the approval of landscaping as a Reserved Matter pursuant to condition 10 shall include full details of both hard and soft landscaping works within the relevant Reserved Matters Site for the Local Planning Authority's approval.

The full details of hard and soft landscaping submitted to the Local Planning Authority for its approval shall:-

- a) include full details of hard and soft landscaping relating to all land within the relevant Reserved Matters Site including sports pitches and facilities, public parks, civic parks and urban parks, play areas including local areas for play, locally equipped areas for play and neighbourhood areas for play, multi-use games areas, hard urban spaces, soft green spaces including SUDS Green corridors, footpaths and cycleways, car parks and allotments; and
- b) include the following details in relation to that land:-
 - i) proposed finished levels and contours;
 - ii) means of enclosure;

- iii) car parking layouts;
- iv) other vehicle and pedestrian access and circulation areas;
- v) hard surfacing materials;
- vi) minor artefacts and structures (street furniture, play equipment, refuse or other storage units; signs and lighting);
- vii) proposed and existing functional services above and below ground (e.g. drainage, power and communications cables, pipelines etc., indicating lines, manholes, supports etc); retained historic landscape features and proposals for their restoration, where relevant;
- viii) a timetable for the implementation of hard landscaping works within the relevant Reserved Matters Site
- ix) details of all soft landscape works within the relevant Reserved Matters Site including planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and timescales/an implementation programme for such soft landscaping works and trees and shrubs to be retained; and
- x) details of all trees to be retained.
- xvi) The hard and soft landscaping within the relevant Reserved Matters Site shall be implemented in accordance with the details approved by the Local Planning Authority pursuant to condition 10 and this condition including the timescales for the implementation of such hard and soft landscaping.

Reason: To ensure that applications for the approval of Reserved Matters contain full and adequate information to enable proper assessment of the landscaping proposals as this application was made in outline form and approval of the specified details is still required.

- 55 All planting, seeding and turfing approved by the Local Planning Authority pursuant to condition 10 and condition 54 for each Reserved Matters Site shall be carried out during the first planting season following the occupation of the last building to be occupied within the relevant Reserved Matters Site or the date on which the relevant Reserved Matters Site is first used for its intended purpose if no buildings are situated within it (as appropriate) unless a different timetable for the planting seeding and turfing (or an element of it) within the relevant Reserved Matters Site is agreed pursuant to condition 54 due to specific circumstances relating to the relevant Reserved Matters Site .

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

- 56 A detailed Landscape Strategy for the Southern Fringe Character Area (as identified by the AAP) shall be submitted to and approved by the Local

Planning Authority prior to the submission of the first application for the approval Reserved Matters for that Character Area. Such strategy will incorporate the landscape requirements set out in Policy CG6 of the AAP and will include the landscape strategy for the entire Character Area. All applications for the approval of landscaping as a Reserved Matter pursuant to condition 10 and details of hard and soft landscaping submitted to the Local Planning Authority for its approval pursuant to condition 54 for that Character Area shall be in accordance with the strategy as approved by the Local Planning Authority.

Reason: To ensure a satisfactory appearance in accordance with Policy CG6 of the AAP.

- 57 A detailed Landscape Strategy for the Discovery Park Edge Character Area (as identified by the AAP) will be submitted to and approved by the Local Planning Authority prior to the submission of the first application for the approval of Reserved Matters for that Character Area. Such strategy will incorporate the landscape requirements set out in Policy CG7 of the AAP and will include the landscape strategy for the entire Character Area and an implementation strategy. All applications for the approval of landscaping as a Reserved Matter pursuant to condition 10 and details of hard and soft landscaping submitted to the Local Planning Authority for its approval for that Character Area pursuant to condition 54 shall be in accordance with the strategy as approved by the Local Planning Authority.

Reason: To ensure a satisfactory appearance in accordance with Policy CG7 of the AAP.

- 58 The development shall be carried out in such a manner as to avoid damage to the existing trees to be retained, 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 5837:2005, and in accordance with the approved Tree Protection Plan and any Arboricultural Method Statement approved by the Local Planning Authority, to the satisfaction of the Local Planning Authority. Such tree protection measures shall remain throughout the period of construction on that part of the site;
- (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
- (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: To provide appropriate provision for the protection of trees on the site and to protect and enhance the appearance and character of the site and locality.

59 In this condition a “retained tree or shrub” is an existing tree or shrub within each Reserved Matters Site which is to be retained in accordance with the details of Hard and Soft Landscaping approved by the Local Planning Authority pursuant to condition 10 and 54 for each Reserved Matters Site. Paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date on which the last building within the relevant Reserved Matters Site is occupied or if no building is located within the relevant Reserved Matters Site the date on which the relevant Reserved Matters Site is first used for its intended purpose (as appropriate).

- a. No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998 Recommendations for Tree Work.
- b. If any retained tree or shrub is cut down, uprooted, destroyed or dies, another tree shall be planted within the vicinity 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.

Reason: To provide appropriate provision for the protection of trees on the site and to protect and enhance the appearance and character of the site and locality.

60 Prior to the first submission of an application for the approval of Reserved Matters for each Main AAP Phase pursuant to condition 10, a plan shall be submitted to and approved by the Local Planning Authority which shall show all the existing hedges or hedgerows to be retained in the relevant Main AAP Phase. Such plan shall be in accordance with Parameter Plan OPA 06R2 (Open Spaces Plan) and shall be supported by a Hedgerow Assessment which identifies the historic hedgerows to be retained. All hedges and hedgerows identified by the plan approved by the Local Planning Authority to

be retained within the relevant Main AAP Phase and immediately adjoining the relevant Main AAP Phase shall not be removed and shall be protected from damage for the duration of works within that Main AAP Phase. All such hedgerows and hedges shall be retained for a period of 5 years following the date on which the last dwelling to be occupied within the relevant Main AAP Phase is occupied. All such hedges and hedgerows which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within that period of five years 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 is approved in writing by the Local Planning Authority.

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

- 61 No trenches for underground services or foundations shall be commenced under i) the canopies of trees which are identified to be retained in the details of hard and soft landscaping works approved by the Local Planning Authority pursuant to conditions 10 and 54, and ii) within 5 metres of any hedgerows to be retained as shown on the plan/s approved by the Local Planning Authority pursuant to condition 60 unless the Local Planning Authority approve s otherwise after details have been submitted to it demonstrating that such trenches will not do significant long term harm to such trees and/or hedgerows (as appropriate) . Any trenches for underground services should be in accordance with the current [National Joint Utility Group guidelines.

Reason: To prevent damage to trees and hedgerows on the site that are to be retained.

- 62 Each application for the approval of Reserved Matters shall be accompanied by details of what measures are to be implemented in respect of all trees that are to be planted within the relevant Reserved Matters Site to protect such trees from damage caused by stock and rabbits including a time scale for their implementation. The measures shall be implemented in accordance with the details including timescales as approved by the Local Planning Authority. The measures in respect of each tree shall be retained for the period of five years commencing on the date on which the relevant tree was planted.

Reason: To prevent damage to newly planted trees on the site.

- 63 All applications for the approval of landscaping as a Reserved Matter pursuant to condition 10 and applications for the approval of details of hard and soft landscaping submitted to the Local Planning Authority for its approval pursuant to condition 54 shall be accompanied by a landscape management plan for the relevant Reserved Matters Site The plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas including advance planting and new and existing woodlands but excluding domestic gardens. The details shall in particular identify who will be responsible for future management and maintenance. Where it is intended to transfer the ownership of specified

property to another person for management and maintenance, the details shall include a timetable for the transfer (by reference to the occupation of a certain number of dwellings) and written confirmation from that party that they agree to the transfer and in the case of the CMO that an acceptable commuted sum has been agreed. Where it is not intended to transfer to another person, details shall be included to demonstrate that (i) sufficient financial resources will be available to fund the future management and maintenance and (ii) sufficient access rights have been reserved.

The development within the relevant Reserved Matters Site shall be carried out in accordance with the approved landscape management plan and the landscaping shall be maintained and managed in accordance with the approved details. Where there is an approved timetable for transfer of ownership of property, no more than the number of dwellings specified may be occupied until the relevant property has been transferred.

Unless the approved Landscape Management Plan relating to the relevant Reserved Matters Site expressly provides otherwise, plants or new trees which within the period of 5 years from the date on which the last building within the relevant Reserved Matters Site is occupied or if no building is located within the relevant Reserved Matters Site the date on which the relevant Reserved Matters Site is first used for its intended purpose (as appropriate) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other trees or plants (as appropriate) of a similar size and species.

Reason: To ensure the new landscaped areas are properly maintained in the interest of the amenity of the area.

- 64 All tree work shall be carried out to British Standard 3998 1989 "Recommendations for Tree Work", or such other relevant standard that succeeds the same standard.

Reason: In the interests of good arboricultural practice and of visual amenity.

- 65 Within 4 weeks of the first occupation of each dwelling, a residents' information pack in respect of the approved soft landscaping and tree planting on the dwelling's plot (or within communal areas if such dwelling shares access to/use of communal areas with other dwellings) shall be provided to the occupier of such dwelling. The details of the residents' information pack shall have been previously approved by the Local Planning Authority in writing.

Reason: In order to ensure that the approved soft landscaping and tree planting is understood by occupiers and those managing communal space and to help its early maturity.

Environmental protection – land contamination, flooding, drainage etc

- 66 The detailed plans and particulars of the Reserved Matters submitted to the

Local Planning Authority pursuant to condition 10 for each Reserved Matters Site shall comply with the following design requirements (b, d and e) and shall include a scheme for the Local Planning Authority's approval for surface water drainage which complies with the following requirements and contains the following details (a, c, f, g and h):

- a) The surface water drainage scheme should be based on the Flood Risk Assessment by WSP, dated July 2012 ("FRA"), and should be in accordance with the Council's Sustainable Drainage SPD October 2010. The scheme should utilise Sustainable Urban Drainage Systems ("SUDS") and should follow a presumption against piped conveyance systems and underground crated storage. Swales, rills and open channels should be used wherever possible. Discharge should be restricted to 4 litres per second per hectare with attenuation provided to the 100 year critical rainstorm event plus climate change for all phases of the development. The proposed discharge points from the system should be identified. The scheme should take into account exceedance events to ensure that surface water runoff is routed safely away from the development. Overland flow routes should be defined.
- b) Details of finished floor levels to metres above Ordnance Datum. Finished floor levels to be set above the 100 year flood level (FRA paragraph 20).
- c) A flood risk assessment for any existing and proposed culverts on the reserved matters site and any resulting mitigation measures. This may require hydraulic modelling to determine flow capacity and impact of blockages of the culverts.
- d) Proposed road levels should ensure safe dry access above the 100 year (including climate change) flood level (FRA paragraph 20).
- e) Ensure no land raising within the floodplain. All built development to be located outside Flood Zone 3 (FRA paragraph 20).
- f) Timetable for provision of the surface water drainage scheme. Unless the approved timetable provides otherwise, the scheme shall operate both during construction of the development and post-completion.
- g) Who will be responsible for the implementation of the surface water drainage scheme.
- h) A management and maintenance plan for the surface water drainage scheme to cover the lifetime of the development. The plan shall in particular identify who will be responsible for further management and maintenance. Where it is intended to transfer specified property to another person for management and maintenance, the plan shall include a timetable for the transfer (by reference to the occupation of a certain number of dwellings). Otherwise, particulars shall be included to demonstrate that (i) sufficient financial resources will be available to fund the future management and maintenance and (ii)

sufficient access rights have been reserved.

No development within each Reserved Matters Site shall be commenced until a surface water drainage scheme for the relevant Reserved Matters Site has been approved in writing by the Local Planning Authority. The surface water drainage scheme as approved by the Local Planning Authority shall be provided in accordance with the details of the scheme as approved by the Local Planning Authority including the approved timetable for its implementation. Unless the approved timetable provides otherwise, no development within the relevant Reserved Matters Site shall be occupied until the approved scheme for that Reserved Matters Site has been fully implemented. The apparatus equipment and features comprising the approved surface water drainage scheme shall be maintained in accordance with the approved management and maintenance plan.

Reason:

- a. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- b. To reduce the risk of flooding to the proposed development and future users.
- c. To ensure that existing and/or proposed culverts provide sufficient flow capacity (e.g. up to the 1 in 100 year plus climate change event) in order to reduce the likelihood of fluvial flooding affecting the development.
- d. To reduce the risk of flooding to the proposed development and future users.
- e. To prevent the loss of flood storage which may otherwise increase the flood risk to surrounding land and to reduce the risk of flooding to the proposed development and future users.
- f. To ensure the SUDS are actually provided and to protect adjacent land from flood risk during construction.
- g. To ensure the SUDS are actually provided.
- h. To ensure the SUDS are effective in the future.

The applicant will need to provide further information with regard to the surface water drainage scheme to ensure that the proposed development can go ahead without increasing flood risk downstream of the site.

- 67 Each application for the approval of Reserved Matters, if they are for land that includes land identified in a Detailed Phase Masterplan approved under condition 17 as being within an area of potential contamination, shall in respect the whole of the relevant Reserved Matters Site demonstrate that a detailed site investigation has been undertaken to determine the nature and extent of any contamination, and shall be accompanied by an assessment of a suitably qualified or otherwise competent person, together with details of a scheme to contain, treat or remove any contamination as appropriate (the

"remediation scheme"). Development shall not commence within the relevant Reserved Matters Site until the remediation scheme has been approved by the Local Planning Authority.

Prior to the first occupation and/or use of the development within the relevant Reserved Matters Site, the approved remediation scheme shall be fully implemented and a Validation Report shall be provided to the Local Planning Authority by a suitably qualified or otherwise competent person stating that the remediation scheme has been completed and the site suitable for the permitted end use.

Thereafter, no works shall take place with the site such as to prejudice the effectiveness of the approved remediation scheme.

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

- 68 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 67, and where remediation is necessary a remediation scheme must be prepared and implemented in accordance with the requirements of condition 67.

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).

- 69 Each application for the approval of Reserved Matters pursuant to condition 10 shall, if they include (land identified in a Detailed Phase Masterplan approved under Condition 17 xvii) as being noise sensitive and the development upon it potentially requiring mitigation, include a noise mitigation strategy for the Local Planning Authority's approval. No development shall take place within each such Reserved Matters Site until the Local Planning Authority has approved a noise mitigation strategy for the relevant Reserved Matters Site. The noise mitigation strategy shall set proposed limits upon indoor ambient noise levels and external amenity area noise levels for each building type on the relevant Reserved Matters Site and will include design criteria that will be employed to meet those levels. If necessary, the noise mitigation strategy shall include fully detailed mitigation measures. No building within the relevant Reserved Matters Site shall be occupied until the noise mitigation measures approved by the Local Planning Authority as part of the noise mitigation strategy have been fully implemented.

Reason: To ensure that the applications for Reserved Matters approval

contain adequate information to enable assessment of the detailed proposals so as to ensure that the amenities of occupants of properties are safeguarded.

- 70 Any restaurant, cafe, drinking establishment or hot food take away outlet within the site shall only operate between the hours of 08.00 to 23.00 Mondays to Sundays inclusive.

Reason: To protect the amenities of any nearby residential properties.

- 71 The Community Building within the District Centre shall only be open between the hours of 08.00 am to 23.00 Mondays to Sundays inclusive.

Reason: To protect the amenities of any nearby residential properties.

- 72 All applications for the approval of Reserved Matters that include premises with commercial kitchens within the development shall include a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises. Any equipment, plant or process provided shall be installed prior to the first operation of the premises and shall thereafter be operated and retained in compliance with the approved scheme.

Reason: To prevent the transmission of fumes and odours into neighbouring properties to protect amenity.

- 73 All applications for the approval of Reserved Matters shall be accompanied by a statement demonstrating the measures to be taken to minimise light pollution and to comply with the Council's Dark Skies SPD 2014 for the Council's approval. The development within the relevant Reserved Matters Site shall be carried out in accordance with the details approved by the Local Planning Authority.

Reason: In order to minimise light pollution in accordance with the Dark Skies SPD.

- 74 (a) Each and every new non-residential building and shall be carbon neutral.
- (b) Each new non-residential building hereby permitted shall be constructed to achieve a target Building Research Establishment BREEAM (or subsequent equivalent quality assured scheme) overall 'Excellent' standard, comprising the following minimum credit requirements:

- (i) 'Excellent' standard in respect of energy credits

- (ii) 'Maximum standard in respect of water credits
 - (iii) 'Excellent standard in respect of materials credits
 - (iv) under criterion Ene4 (Low and Zero Carbon Technologies) (or subsequent equivalent criterion) 1 credit for a feasibility study and 2 credits for a 10% reduction in carbon emissions.
- (c) Unless otherwise agreed in writing, no work on each new non-residential building hereby permitted shall commence until the following for that building have been submitted to and approved in writing by the Local Planning Authority:
- (i) A feasibility study to establish the most appropriate local low and zero carbon ("LZC") technologies to install and which shall be in accordance with the feasibility study requirements set out within BREEAM 2011 New Construction (or subsequent equivalent requirements)
 - (ii) Simplified Building Energy Model (iSBEM) calculations from a competent person stating the estimated amount of carbon emissions from energy demand with and without LZC technologies installed
 - (iii) A BREEAM 'Design Stage' report and related certification produced by a registered assessor
 - (iv) Details of the measures and LZC and other technologies to be used to achieve the BREEAM credit requirements and credit(s) specified above (as the case may be). The development shall be carried out in accordance with the approved report and details.
- The approved measures and LZC and other technologies for achieving the BREEAM credit requirements and credit(s) specified above shall thereafter be retained in working order.
- (d) Unless otherwise agreed in writing, no new non-residential building hereby shall be occupied until (i) and (ii) below have been submitted to and approved in writing by the Local Planning Authority for that building:
- (i) SAP calculations from a competent person stating (i) the actual amount of carbon emissions from energy demand with the LZC technologies that have been installed and what the emissions would have been without them and (ii) the actual amount of residual carbon emissions

- (ii) a BREEAM 'Post Construction Stage' report and related certification produced by a registered assessor confirming the BREEAM standard that has been achieved and the credits awarded under Ene4.

Reason: In order to:

- (a) achieve zero carbon growth and ensure the construction of sustainable buildings and a reduction in the consumption of natural resources,
- (b) seek to achieve a carbon neutral development through sustainable design features and on-site low and/or zero carbon technologies and
- (c) confirm the sustainability of the development and a reduction in the consumption of natural resources and to calculate any amount payable into the Ashford Carbon Fund, thereby making the development carbon neutral, all pursuant to Core Strategy policy CS10, the Sustainable Design and Construction SPD and NPPF.

- 75 Each dwelling shall be constructed and fitted out so 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.

No dwelling shall be occupied unless the notice for that dwelling of the potential consumption of wholesome water per person per day required by the Building Regulations 2010 (as amended) has been given 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 and in order to continue with the same level of water efficiency as would have been achieved under the Code for Sustainable Homes standard referred to in Core Strategy policy CS10(A).

Ecology

- 76 No Detailed Development shall take place until an Ecological Mitigation Strategy detailing the habitat and species mitigation has been submitted and approved in writing by the Local Planning Authority. The Strategy shall cover the site of the accesses and any working areas that will be used, and should be based on the information contained in the Environmental Statement 2012 and the Environmental Statement Addendum 2013 and should confirm how any required ecological mitigation measures are to be implemented, managed and maintained in the long term, as well as setting out long-term ecological monitoring procedures.

Upon approval, the Ecological Mitigation Strategy shall be implemented in accordance with the details approved by the Local Planning Authority including in accordance with the approved timescales for its implementation. All elements of the Strategy shall be managed and maintained, including monitoring procedures in accordance with the Strategy as approved by the Local Planning Authority.

Reason: To protect the existing population of protected species and maintain their habitat on the site in the future, in accordance with Core Strategy Policy CS11 and AAP Policy CG21.

- 77 No development (excluding the Detailed Development referred to in condition 76) shall take place on any part of the site until a site wide Ecological Enhancement and Mitigation Strategy (EEMS) detailing the habitat and species mitigation for all four Main AAP Phases has been submitted to and approved in writing by the Local Planning Authority. The EEMS should be based on the information contained in the Environmental Statement 2012 and the Environmental Statement Addendum 2013 and should confirm how any required ecological enhancement and mitigation measures are to be implemented, managed, phased and maintained in the long term, as well as setting out long-term ecological monitoring procedures for the site, and how public access, if any, will be permitted, restricted and managed.

The EEMS submitted to the Local Planning Authority for its approvals shall include detailed proposals for the delivery of all components of the EEMS and the timing of such delivery; and a management plan and monitoring programme for all habitats and species affected, to ensure that populations of species affected by the development are conserved and wherever possible, enhanced.

The EEMS, including the ecological enhancement and mitigation measures detailed therein, shall be implemented across the site in accordance with the details approved by the Local Planning Authority including in accordance with the approved timescales for its implementation. All elements of the EEMS shall be managed and maintained, including monitoring procedures and managing public access, in accordance with the details of the EEMS as approved by the Local Authority.

Each application for the approval Reserved Matters shall, if relevant, include a statement and particulars demonstrating that it has incorporated provision for the elements of the EEMS as approved by the Local Planning Authority located within the relevant Reserved Matters Site and that such application is in accordance with the EEMS as approved by the Local Planning Authority.

Reason: To protect the existing population of protected species and maintain and enhance their habitat on the site in the future, in accordance with Core Strategy Policy CS11 and AAP Policy CG21.

- 78 No development (other than Detailed Development) shall commence until a

Site Wide Biodiversity Monitoring Strategy has been submitted to and approved in writing by the Local Planning Authority. The purpose of the Strategy shall be to establish the effectiveness of specific biodiversity enhancements and shall include the following;

- i) Aims and objectives of monitoring to match the stated purpose;
- ii) Identification of adequate baseline conditions prior to the start of development;
- iii) Identification of appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged;
- iv) Methods for data gathering and analysis, including location, timing and duration;
- v) Location of monitoring;
- vi) Timing and duration of monitoring;
- vii) Responsible persons and lines of communication;
- viii) Review and publication of results as appropriate.

A report describing the results of monitoring shall be submitted to the Local Planning Authority at intervals throughout the course of the construction of the development as identified in the Strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met), how and in what indicative time scales appropriate contingent actions and/or remedial action will be identified, submitted to and approved by the Local Planning Authority, and then implemented so that the development still delivers the biodiversity objectives identified in the Strategy. The monitoring strategy shall be implemented in accordance with the details approved by the local planning authority. If the monitoring reveals contingent action and/or remedial action are necessary to address a failure to meet conservation aims and objectives, details of proposed contingent actions/remedial actions shall be submitted to the local planning authority for its approval in accordance with timescales approved as part of the approved strategy and such contingent actions/remedial actions shall be implemented in accordance with details of such contingent actions/remedial actions as approved by the local planning authority.

Reason: To ensure that the proposed development delivers the fully functioning biodiversity outcomes set out in the planning application and to protect the existing population of protected species and maintain and enhance their habitat on the site in the future, in accordance with Core Strategy Policy CS11 and AAP Policy CG21.

- 79 A detailed ecological mitigation strategy shall be submitted with each application for the approval of Reserved Matters in respect of each Reserved Matters Site for the approval of the Local Planning Authority. Each ecological mitigation strategy shall:

- a) identify all protected species found on the relevant Reserved Matters Site by reference to up to date species surveys that follow good practice guidelines which are current at the time of the submission of the application for approval of Reserved Matters; and
- b) include appropriate proposals to mitigate the impact of the development on such protected species including a time scale for implementing such measures

The ecological mitigation strategy for the relevant Reserved Matters Site shall be carried out in accordance with the details of the ecological mitigation strategy as approved by the Local Planning Authority for that Reserved Matters Site including the approved timescales for implementation.

Reason: To protect the existing population of protected species and maintain and enhance their habitat on the site in the future, in accordance with Core Strategy Policy CS11 and AAP Policy CG21.

80 Prior to the submission of the first Reserved Matters application within any Main AAP Phase, a detailed mitigation and enhancement strategy in respect of bats has been submitted to and approved in writing by the Local Planning Authority. This shall provide full details of the following:

- a) The location, design and layout (including habitat type, width and details of the maximum gaps that bats are likely to cross) of foraging/commuting corridors across the site. The location of these should mirror, wherever possible, existing key foraging/commuting corridors identified during the bat surveys;
- b) Details of the lighting strategies for all foraging and commuting corridors (ideally with light contour plans) to ensure that dark corridors are maintained across the site for bats to use;
- c) Details of how habitat connectivity across roads will be maintained;
- d) How the locations(s) of any replacement or roosts installed as enhancement will be connected to the network of corridors.

The development shall be carried out in accordance with the mitigation and enhancement strategy approved by the Local Planning Authority.

Each application for the approval Reserved Matters shall, if relevant, include a statement and particulars demonstrating that it has incorporated provision for the elements of the mitigation and enhancement strategy in respect of bats as approved by the Local Planning Authority that are located within the relevant Reserved Matters Site and that such application is in accordance with the mitigation and enhancement strategy in respect of bats as approved by the Local Planning Authority.

Reason: To protect the existing populations of species of bats and areas of habitats that are important to bats and to improve habitats that bats depend

on within the site.

- 81 Prior to the submission of the first Reserved Matters application within any Main AAP Phase, a detailed mitigation and enhancement strategy in respect of dormice has been submitted to and approved in writing by the Local Planning Authority. This shall provide full details of the following:

- a) An updated survey for dormice shall be undertaken for all habitats which may support the species;
- b) Full details of how works to habitat supporting dormice will be undertaken (including, for example, information on timing, habitat management and movement of animals);
- c) Full details of any habitat creation and/or enhancement works, and the timeframe for their creation, to accommodate any displaced dormice;
- d) Details of how habitat connectivity will be maintained between blocks of woodland/hedgerows to allow dispersal of animals;
- e) Details where applicable, of measures required to ensure that roads and other infrastructure do not act as barriers to dispersal;
- f) Details of the long-term management proposals for all habitats, both retained and created, where dormice are present along with details of the monitoring strategy to ensure that the population of dormice is conserved, and wherever possible enhanced at the site.

The development shall be carried out in accordance with the mitigation and enhancement strategy as approved by the Local Planning Authority.

Each application for the approval Reserved Matters shall, if relevant, include a statement and particulars demonstrating that it has incorporated provision for the elements of the mitigation and enhancement strategy in respect of dormice as approved by the Local Planning Authority that are located within the relevant Reserved Matters Site and that such application is in accordance with the mitigation and enhancement strategy in respect of dormice as approved by the Local Planning Authority.

Reason: To protect the existing populations of dormice and areas of wildlife habitats and to improve habitat on the site that dormice depend on.

- 82 Prior to the submission of the first Reserved Matters application within any Main AAP Phase, a detailed mitigation and enhancement strategy in respect of great crested newts has been submitted to and approved in writing by the Local Planning Authority. This shall provide full details of the following:

- a) The location, design and layout of any habitat creation areas for great crested newts. This should include details of the timing of the works to ensure habitats are sufficiently established to accommodate any translocated animals;

- b) Details of habitat connectivity will be maintained/enhanced for great crested newts to ensure that interchange within, and wherever possible, between populations is maintained and enhanced.
- c) Details, where applicable, of measures required to ensure that roads do not act as barriers to dispersal through sympathetic layout/design and newt friendly gully pots, for example.

The development shall be carried out in accordance with the mitigation and enhancement strategy as approved by the Local Planning Authority.

Each application for the approval Reserved Matters shall, if relevant, include a statement and particulars demonstrating that it has incorporated provision for the elements of the mitigation and enhancement strategy in respect of great crested newts as approved by the Local Planning Authority that are located within the relevant Reserved Matters Site and that such application is in accordance with the mitigation and enhancement strategy in respect of great crested newts as approved by the Local Planning Authority.

Reason: To protect the existing populations of great crested newts and areas of wildlife habitats and to improve habitat on the site that great crested newts depend on.

- 83 Prior to the submission of the first Reserved Matters application within any Main AAP Phase, a detailed mitigation and enhancement strategy in respect of widespread reptiles has been submitted to and approved in writing by the Local Planning Authority. This shall provide full details of the following:

- a) The location, design and layout of any habitat creation areas for reptiles. This should include details of the timing of the works to ensure habitats are sufficiently established to accommodate any translocated animals;
- b) For the more wide ranging grass snake, details should also be provided of how habitat connectivity will be maintained/enhanced.

The development shall be carried out in accordance with the mitigation and enhancement strategy in respect of reptiles as approved by the Local Planning Authority.

Each application for the approval Reserved Matters shall, if relevant, include a statement and particulars demonstrating that it has incorporated provision for the elements of the mitigation and enhancement strategy in respect of reptiles as approved by the Local Planning Authority that are located within the relevant Reserved Matters Site and that such application is in accordance with the mitigation and enhancement strategy in respect of reptiles as approved by the Local Planning Authority.

Reason: To protect the existing populations of reptiles and areas of wildlife

habitats and to improve habitat on the site that reptiles depend on.

- 84 Prior to the submission of the first Reserved Matters application within any Main AAP Phase, a detailed mitigation and enhancement strategy in respect of breeding and wintering birds has been submitted to and approved in writing by the Local Planning Authority. This shall provide full details of the following:

- a) The location, design and layout of the habitat mitigation areas for birds including the greater than 60 hectares of farmland which is to be managed in a sympathetic manner for farmland birds through the inclusion of skylark plots for example;
- b) Details of how the management of the farmland for the benefit of wildlife in the long term will be secured.

The development shall be carried out in accordance with the mitigation and enhancement strategy.

Each application for the approval Reserved Matters shall, if relevant, include a statement and particulars demonstrating that it has incorporated provision for the elements of the mitigation and enhancement strategy in respect of breeding and wintering birds as approved by the Local Planning Authority that are located within the relevant Reserved Matters Site and that such application is in accordance with the mitigation and enhancement strategy in respect of breeding and wintering birds as approved by the Local Planning Authority.

Reason: To protect the existing populations of breeding and wintering birds and areas of wildlife habitats and to improve habitat on the site that breeding and wintering birds depend on.

- 85 Prior to the submission of the first Reserved Matters application within any Main AAP Phase, a detailed mitigation and enhancement strategy in respect of badgers has been submitted to and approved in writing by the Local Planning Authority. This shall provide full details of the following:

- a) An updated survey for badgers should be undertaken for all habitats which may support the species;
- b) Full details of the mitigation strategy for badgers that will be implemented (including for example, information on timing and habitat management);
- c) Full details of any habitat creation and/or enhancement works and the timeframe for their creation, to accommodate any displaced badgers;
- d) Details, where applicable, of measures required to ensure that roads and other infrastructure do not act as barriers to dispersal.

The development shall be carried out in accordance with the mitigation and enhancement strategy as approved by the local planning authority.

Each application for the approval Reserved Matters shall, if relevant, include a statement and particulars demonstrating that it has incorporated provision for the elements of the mitigation and enhancement strategy in respect of badgers as approved by the Local Planning Authority that are located within the relevant Reserved Matters Site and that such application is in accordance with the mitigation and enhancement strategy in respect of badgers as approved by the Local Planning Authority.

Reason: To protect the existing populations of badgers and areas of wildlife habitats and to improve habitat on the site that badgers depend on.

- 86 Prior to the submission of the first Reserved Matters application within any Main AAP Phase, a detailed mitigation and enhancement strategy in respect of all woodlands and other habitats and features of nature conservation interest within the relevant Main AAP Phase has been submitted and approved by the Local Planning Authority.

The development within the relevant Main AAP Phase shall be carried out in accordance with the mitigation and enhancement strategy approved by the Local Planning Authority for that Main AAP Phase.

Each application for the approval Reserved Matters shall, if relevant, include a statement and particulars demonstrating that it has incorporated provision for the elements of the relevant mitigation and enhancement strategy in respect of all woodlands and other habitats and features of nature conservation interest as approved by the Local Planning Authority that are located within the relevant Reserved Matters Site and that such application is in accordance with the relevant mitigation and enhancement strategy in respect of all woodlands and other habitats and features of nature conservation interest as approved by the Local Planning Authority.

Reason: To protect the existing populations of species and areas of wildlife habitats and to improve habitat on the site.

- 87 No development (other than Detailed Development) shall commence within each Main AAP Phase, until a scheme identifying the numbers of bird and bat boxes together with a plan showing their indicative distribution in the relevant Main AAP Phase shall have been submitted to and approved by the Local Planning Authority. Each application for the approval of Reserved Matters shall identify the number and location of bird and bat boxes to be provided within the relevant Reserved Matters Site in accordance with the approved scheme for the number and indicative location of bird and bat boxes relating to Main AAP Phase in which the relevant Reserved Matters Site is located. The bird and bat boxes shall be provided in accordance with the details approved by the local planning authority within the relevant Reserved Matters Site

(including timescales for provision) and no dwellings within that Reserved Matters Site that are identified as having bird and bat boxes located on or in them shall be occupied unless a bird and/or bat box/s (as appropriate) has already been provided.

Reason: To ensure that the impact of the development is appropriately mitigated in terms of nesting opportunities for birds and bats.

Construction

- 88 No Detailed Development shall take place until an Access Construction Environmental Management Plan (ACEMP) for each of the approved accesses has been submitted and approved in writing by the Local Planning Authority. The construction of each access shall be carried out in accordance with the approved ACEMP.

The ACEMP submitted to the Local Planning Authority for its approval shall include:

- a) An indicative programme for carrying out the works;
- b) Measures to minimise the production of dust on the phase;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s);
- d) Maximum noise levels expected 1 metre from the affected facade of any dwelling adjacent to the site of the access including any working areas;
- e) Design and provision of site hoardings;
- f) Management of traffic visiting the phase including lorry routing, temporary parking or holding areas and haulage roads;
- g) Provision of off road parking for all site operatives;
- h) Measures to prevent the transfer of mud and extraneous material onto the public highway;
- i) Measures to manage the production of waste and to maximise the re-use of materials;
- j) Measures to minimise the potential for pollution of groundwater and surface water;
- k) The location and design of site office(s) and storage compounds;
- l) The location of temporary vehicle access points to the phase during the construction work;
- m) The arrangements for public consultation and liaison during the construction work, including the monitoring of the Code of Construction Practice.

- n) The location and usage of haul roads within the site.

Reason: To protect the amenity of local residents in accordance with Policy EN1 of the Local Plan.

- 89 Prior to the commencement of development in each Main AAP Phase, (except for any Detailed Development within that main AAP phase) a Construction Environmental Management Plan (a "Main AAP CEMP") for each such Main AAP Phase shall be submitted to and approved in writing by the Local Planning Authority. The construction of each Main AAP Phase shall be carried out in accordance with the approved Main AAP CEMP for the relevant Main AAP Phase (unless the a Site Specific CEMP approved by the Local Planning Authority pursuant to condition 89 contradicts the relevant Main AAP CEMP in which case the requirements of the former shall prevail), and BS5228 Noise Vibration and Control on Construction and Open Sites and the Control of Dust from Construction Sites (BRE DTi Feb 2003).

Each Main AAP CEMP submitted to the Local Planning Authority for its approval shall include:

- a) An indicative programme for carrying out the works;
- b) Measures to minimise the production of dust on the phase;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s);
- d) Maximum noise levels expected 1 metre from the affected facade of any dwelling adjacent to the relevant Main AAP phase;
- e) Design and provision of site hoardings;
- f) Management of traffic visiting the phase including lorry routing, temporary parking or holding areas and haulage roads;
- g) Provision of off road parking for all site operatives;
- h) Measures to prevent the transfer of mud and extraneous material onto the public highway;
- i) Measures to manage the production of waste and to maximise the re-use of materials;
- j) Measures to minimise the potential for pollution of groundwater and surface water;
- k) The location and design of site office(s) and storage compounds;
- l) The location of temporary vehicle access points to the phase during

the construction work;

- m) The arrangements for public consultation and liaison during the construction work, including the monitoring of the Code of Construction Practice.
- n) The location and usage of haul roads within the site.

Reason: To protect the amenity of local residents in accordance with Policy EN1 of the Local Plan.

- 90 Prior to construction activity commencing within each Reserved Matters Site, a Site Specific Construction Environmental Management Plan (a "Site Specific CEMP"), shall be submitted to and approved in writing by the Local Planning Authority for the relevant Reserved Matters Site. Each Site Specific CEMP shall include and address the information and issues relevant to the relevant Reserved Matters Site as are detailed and identified by Main AAP Phase CEMP as approved by the Local Planning Authority pursuant to condition 86 and relating to the Main AAP Phase in which the relevant Reserved Matters Site is located. The construction of development within each Reserved Matters Site shall be carried out in accordance with the Main AAP Phase CEMP as approved by the Local Planning Authority relating to the Main AAP Phase in which the relevant Reserved Matters Site is located as supplemented by the Site Specific CEMP for the relevant Reserved Matters Site as approved by the Local Planning Authority. In the event the relevant Main AAP Phase CEMP approved by the Local Planning Authority and the Site Specific CEMP approved by the Local Planning Authority contradict each other, the requirements of the latter shall prevail. The construction of development within each Reserved Matters Site shall be carried out in accordance with BS5228 Noise Vibration and Control on Construction and Open Sites and the Control of Dust from Construction Sites (BRE DTi Feb 2003).

Each Site Specific CEMP submitted to the Local Planning authority for approval shall include the following:

- (a) Details of temporary lighting;
- (b) The frequency, duration and means of operation including excavations, drilling, piling and concrete production.

Reason: To protect the amenity of local residents in accordance with Policy EN1 of the Local Plan

- 91 No construction, demolition or engineering works shall take place on any Sunday, Bank Holiday or Public Holiday. Also, such works shall only take place between the hours of 07.30 to 18.00 on weekdays (that aren't Bank Holidays or Public Holidays), and between 08.00 to 13.00 on Saturdays unless the Local Planning Authority approves otherwise in writing of specific

works being carried out for a given duration of time and to be carried out in accordance with specific details being carried out outside of those hours or on those days (as appropriate). No plant, machinery or equipment associated with construction, demolition or engineering works shall be started up or be operational on the development site outside of those permitted hours or on those days unless the Local Planning Authority have approved of specific works being carried out outside of those hours or on those days (as appropriate) and only to the extent that starting up or operating such plant, machinery or equipment is necessary to carry out those specific works and in accordance with any details approved by the Local Planning Authority in approving those specific works being carried out outside of those hours or on those days.

Reason: In the interests of protecting the residential and general amenity of the area from any harmful effects arising from construction work and to ensure that the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) are met.

Earthworks Strategy

- 92 No development (except for the Detailed Development) shall take place until an Earthworks Strategy has been submitted to and approved by the Local Planning Authority (which shall include the Detailed Development), in writing demonstrating how the “cut and fill” operations involved in constructing the development contribute towards the aim of achieving as close as reasonably practicable the objective of a “cut and fill balance” within the site so that the construction works will not require a net import or export of soil or other excavated materials.

Reason: To reduce the net import or export of soil from the development in the interests of sustainability and to ensure that the requirements of the Town and Country Planning Environmental Impact Assessment Regulations 2011 are satisfied.

Archaeology

- 93 No development shall take place within each of the four Main AAP Phases until the applicant, or their agents or successors in title, has secured the implementation of:
- i) Archaeological field evaluation works in accordance with the Chilmington Green Schedule of Archaeological Resource Management (SARM) and specifications and written timetable which has been submitted to and approved by the Local Planning Authority; and
 - ii) Following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with the CG SARM and a specification and timetable which has been submitted to and been approved by the Local Planning Authority.

Reason: To ensure appropriate and integrated assessment of the

archaeological implications of any development proposals per main phase and the subsequent mitigation of adverse impacts through preservation in situ or by record.

- 94 No development shall commence within each Main AAP Phase until a scheme for the retention, integration and conservation of specific historic landscape features has been submitted to and approved by the Local Planning Authority. Those historic landscape features identified in the approved scheme for each Main AAP Phase shall be integrated retained and conserved in accordance with the details of the scheme for the relevant Main AAP Phase as approved by the Local Planning Authority. Each application for the approval of Reserved Matters for land on which such an historic landscape feature is located shall be accompanied by such details plans and particulars as are necessary to demonstrate compliance with the scheme for the relevant Main AAP Phase as approved by the Local Planning Authority.

Reason: To ensure that features of historic landscape interest are properly conserved.

- 95 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic landscape recording work in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of historic landscape interest which cannot be preserved in situ are properly examined and recorded.

- 96 No development shall take place within Main AAP Phase 3 until the applicant, or their agents or successors in title have marked out on the land the alignment of the Roman Road from Chilmington Green Road to Stubbs Cross Wood in accordance with a written specification and timetable which has previously been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that this heritage asset is appropriately preserved and reflected on the surface as part of the heritage interpretation programme.

- 97 No development shall take place within each Main AAP Phase (except for any Detailed Development within that main AAP Phase) until a scheme of heritage interpretation measures for the relevant Main AAP Phase has been submitted to and approved by the Local Planning Authority. The scheme shall include a timescale for implementation of the heritage interpretation measures and written specification of such measures to be provided within the relevant Main AAP Phase. Heritage interpretation measures shall be provided in each Main AAP Phase in accordance with the details of the scheme of heritage interpretation measures (including timescales for its implementation) as approved by the Local Planning Authority for each Main AAP Phase.

Reason: To ensure that appropriate conservation and interpretation of the heritage assets within the application site is achieved and that information on the assets is publically accessible.

Retail floorspace

- 98 Only one supermarket shall be provided within the development and the net internal floorspace of such supermarket shall not exceed 2,000 sq metres.

Reason: To ensure that the development is carried out in a manner envisaged by the outline application by ensuring that the proposed supermarket only serves local needs

- 99 Apart from the supermarket referred to in condition 97, no other single unit falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended or any Order further amending revoking or re-enacting that Order) shall have a floorspace of greater than 500 square metres (gross internal area). The floorspace for the purposes of this condition shall include any basement, mezzanine or upper levels.

Reason: To ensure the provision of local retail facilities in accordance with Policy CG3 of the AAP.

Housing

- 100 The development shall achieve a balanced mix of dwelling sizes across the site. The overall dwelling mix across the whole development will aim to achieve the following mix of dwellings:

1 bed flats no less than	1.4%
2 bed flats no less than	5.9%
2 bed houses no more than	18.8%
3 bed houses no more than	35.3%
4 bed houses no more than	27.9%
5 bed houses no more than	10.8%

Each Reserved Matters Application shall be accompanied by:

- a) a statement setting out how it is in accordance with contributes to the overall housing mix of the relevant Main AAP Phase submitted to and approved by the Local Planning authority pursuant to condition 17 ; and
- b) sufficient information and particulars to demonstrate that this is the case for the Local Planning Authority's approval.

Reason: In order to achieve a satisfactory mix of housing across the site as proposed in the outline application.

- 101 No development on the land coloured pink shown on the Land Registry plan for title K851181 dated 3 March 2015 shall take place unless the registered charge dated 16 July 2002 affecting that title and title K965776 has been discharged.

Reason: The proprietor of the charge is not a party to the planning obligation for the development and is therefore not bound by the obligations. It is essential that everyone with an interest in the application site is bound by the planning obligation in order to make sure that the community infrastructure, affordable housing and other matters which the obligation requires and which makes the development acceptable are provided.

- 102 The development 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 site (e.g. as a result of departure from the plans hereby approved and/or the terms of this permission).

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

Broadband

103. Prior to the submission of the first Reserved Matters Application in any Main AAP Phase, details including plans, shall have been submitted to and approved by the Local Planning Authority in writing for the installation of a High Speed wholly Fibre broadband To The Premises (FTTP) connection to all individual buildings hereby approved. Thereafter, the infrastructure shall be laid out in accordance with the approved details at the same time as other services subject of condition 52 during the construction process and be available for use on the first occupation of the building unless otherwise agreed in writing by the Local Planning Authority and where supported by evidence detailing reasonable endeavours to secure FTTPs provision and alternative provisions having been provided in the absence of FTTP.

Reason: To ensure that the residents of new developments in Ashford are provided with high quality broadband services enhancing Ashford as an attractive residential location in accordance with Policy EMP6 of the Ashford Local Plan 2030.

Notes to Applicant

- 1 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.

Definitions

- 2 The following terms as used in the conditions above shall have the following meanings:-

- “AAP” the Chilmington Green Area Action Plan adopted by the local planning authority in July 2013.
- “Main AAP Phase”: shall mean a main phase as defined by the Chilmington Green Area Action Plan adopted July 2013 and “Main AAP Phase 1” “Main AAP Phase 2” “Main AAP Phase 3” and “Main AAP 4” shall have the same meaning as that defined in the same document.
- “Orchard Village”: shall mean that part of the development identified as Orchard Village by the AAP.
- “Chilmington Brook”: shall mean that part of the development identified as Chilmington Brook by the AAP.
- “Chilmington Green Quality Charter” the document entitled the Chilmington Green Quality Charter dated 5th November 2013

and signed by

- 1) Ashford Borough Council
- 2) Hodson Developments Ltd
- 3) Jarvis Homes
- 4) Pentland Homes
- 5) Ward Homes
- 6) Barratt Homes

- “Detailed Development”: shall mean all that development for which detailed planning permission is granted pursuant to this planning permission and which is described in condition 1.
- “Reserved Matters” details of the layout, access, scale, landscaping and appearance reserved by the local planning authority for approval pursuant to condition 10.
- “Reserved Matters Site” a site or plot of land for which applications for the approval of Reserved Matters is made, is to be made or has been made as the context so requires.
- “the Design Code” shall mean The Chilmington Green Design Code Supplementary Planning Document adopted July 2016.

3 In light of the requirements for affordable housing in the planning obligation, when affordable housing is to be provided, the relevant application for reserved matters approval must identify on a plan which units are to be affordable housing, their tenure and their floorspace, number of bedrooms and size of bedrooms. The plan must also show any associated land, such as garages and parking spaces. Where an affordable unit is to accommodate Habinteg fixtures and fittings, the application must also identify the unit and detail the particular fixtures and fittings to be installed.

4 This development is also the subject of an Agreement under S106 of the

Town and Country Planning Act 1990 which affects the way in which the application site may be developed.

Flood Risk

- 5 Any watercourse within the boundary of the site would be classed as an 'ordinary watercourse' and comes under the terms of the Land Drainage Act 1991, whereupon any culvert, diversion, weir dam or like obstruction to the flow of the watercourse requires a flood defence consent (also known as a 'land drainage consent') from Kent County Council. In the absence of any agreement to the contrary, maintenance of the watercourse is the responsibility of the riparian owner. Applications for consent should be made to Kent County Council (suds@kent.gov.uk; main switchboard number is 0845 8247 247).

Part of the eastern side of the site appears to be located within the River Stour Internal Drainage District, where any watercourse would be classed as an 'ordinary watercourse' and comes under the terms of the Land Drainage Act 1991, whereupon any culvert, diversion, weir dam or like obstruction to the flow of the watercourse requires the consent of the River Stour Internal Drainage Board, under the Land Drainage Act 1991. In the absence of any agreement to the contrary, maintenance of the watercourse is the responsibility of the riparian owner. Application for consent should be made to the River Stour Internal Drainage Board (Tel: 01227 462 377; enquiries@riverstouridb.org.uk).

Land Contamination

- 6 The preliminary site report or phase 1 Geo- Environmental Assessment investigation WSP Report and Phase II Geo-environmental and Geotechnical WSP Report has been carried out in line with relevant guidance. The recommendations for further investigations at the site to determine any required appropriate remediation works should be carried out and relevant proposals agreed with the LPA before any site clean-up works are commenced.

The Environment Agency would expect to see the outstanding chemical results mentioned in the Phase II Geo-environmental and Geotechnical WSP Report and the updates to the risk assessment. This should inform what further remediation should be carried out on the site within this Phase of the development.

Waste

- 7 The development falls within 250m of known gassing or potentially gassing permitted landfill site - (developer) information Landfill gas which consists of methane and carbon dioxide is produced as the waste in the landfill site degrades. Methane can present a risk of fire and explosion. It is also a greenhouse gas and therefore contributes to global warming. Carbon dioxide can present a risk of asphyxiation or suffocation. The trace constituents of landfill gas can be toxic and can give rise to long and short term health risks as well as odour nuisance. The risks associated with landfill gas will depend on the controls in place to prevent uncontrolled release of landfill gas from the landfill site.

Older landfill sites frequently have poorer controls in place and the level of risk may be higher or uncertain due to a lack of historical records of waste inputs or control measures.

The following publications provide further advice on the risks from landfill gas and ways of managing these:

1. Waste Management Paper No 27
2. Building Research Establishment guidance – BR 212 'Construction of new buildings on gas-contaminated land' 1991
3. CIRIA Guidance – C659 'Assessing risks posed by hazardous ground gases to buildings' 2006

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility.

The Duty of Care regulations for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate licensed disposal site and all relevant documentation is completed and kept in line with regulations.

If any waste is to be used on site, the applicant will be required to obtain the appropriate exemption or authorisation from us. We are unable to specify what exactly would be required if anything, due to the limited amount of information provided.

If the applicant wishes more specific advice they will need to contact the Environment Management Team at our Canterbury Office on 01732 222 877 or look at available guidance on our website <http://www.environment-agency.gov.uk/subjects/waste>.

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to off site incineration and disposal to landfill during site construction.

Since 6 April 2008, it is a requirement for all new construction projects worth more than £300,000 to have a Site Waste Management Plan (SWMP). Each project should have one SWMP.

A SWMP is a live document. It must be updated through the course of the project.

It is designed to assist developers to consider ways that waste can be reduced and site-gained materials can be reused or recycled as part of the project

Ideally, a SWMP should contain

- types of waste removed from the site
- identity of the person who removed the waste and their waste carrier registration number
- a description of the waste
- site that the waste is taken to
- environmental permit or exemption held by the site where the material is taken. For advice and further details please contact us on 08708 506 506 or refer to

Further, any contaminated soil that is required to leave the site would be deemed as waste and must be disposed of with the correct paperwork for hazardous waste material and must be disposed of at a suitably permitted facility. Management of such waste is subject to legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at www.environment-agency.gov.uk for more information.

Pollution Prevention

- 8 The developer should prepare an Incident Management Plan which should cover amongst other things, measures for the prevention of pollution, access to pollution control equipment, Oil and Chemical spills, dust, transfer of demolition wastes, avoidance of cross contamination of hazardous and non-hazardous/inert material, with particular reference to ensure the proposed operations on the site:

- does not disrupt existing sewerage facilities
- does not disrupt and pollute existing drainage systems
- does not impact and pollute surrounding water bodies

The plan should also cover Oil Storage, a map of all drainage (surface & foul) on the site and a Pollution Response Plan to deal with any pollution incidents. The plan should be made known to members of staff on the site and include emergency contact details for who is responsible for Pollution Incident Management.

In reference to the plan consideration should be made to Pollution Prevention Guidance (PPG) documents: PPG 6 - "Working at Construction and Demolition Sites", PPG 7 - "Refuelling facilities" and PPG 13 - "Vehicle Washing and Cleaning facilities which are to be set up on site. Post development of the site, the operator of the distribution centre and associated infrastructure will be required to maintain these documents for effective monitoring and prevention of pollution incidents.

For advice on pollution prevention measures, the applicant should refer to our guidance 'PPG1 – General guide to prevention of pollution', which is available on our website at www.environment-agency.gov.uk

Sustainable Design

- 9 Water conservation techniques should be incorporated into the design of all new developments. To tackle climate change it is necessary to reduce energy use by adopting more efficient technologies. As such, we welcome the inclusion of efficiency measures/renewable energy within this development
- 10 Kent & Medway Biological Records Centre (KMBRC) collects, collates and disseminates wildlife species and habitat data for the County of Kent and Medway Unitary Authority. To improve the extent and quality of the records held by KMBRC, the applicant should submit an electronic copy of any species or habitat survey data they have obtained to KMBRC. Details of how to submit data may be found on KMBRC's website www.kmbrc.org.uk
- 11 Southern Water's records don't show any public sewers crossing the site. However it is possible, due to legislation changes regarding the future ownership of sewers that a sewer now deemed to be public could be crossing the site. If a sewer is found during construction works, it will need to be investigated.
- 12 No development shall take place over any public rights of way until any required diversion or extinguishment orders have been confirmed and availability of new routes have been approved by the local planning authority.
- 13 The applicant submitted an environmental statement and Ashford Borough Council has decided to grant permission after having taken into consideration the environmental statement and other environmental information.
- 14 The plan showing the land coloured pink shown on the Land Registry plan for title K851181 dated 3 March 2015 for the purposes of condition 101 is available from the Council's records and on the Council's website by searching for planning application reference 12/00400/AS on the planning page of the Council's website.

Plans/Documents approved by this decision

Application Boundary Plan – 00122-OPA01R1

Land Use Parameter Plan – 00122-OPA02R1

Residential Density Parameter Plan – 00122-OPA03R1

Storey Heights Parameter Plan - 122-OPA04R1

Access and Strategic Vehicular Routes Parameter Plan – 00122-OPA05R1

Open Space Parameter Plan – 00122-OPA06R2

Building Parameter Plan – 00122-OPA07R1

Footpath and Cycle Routes Parameter Plan – 00122-OPA08R3

Development Specification Dated 13 September 2013

Access A: Northern A28 Roundabout – 131065/A/01B

Access B: A28 Priority Junction – 131065/A04F

Access C: Southern A28 Roundabout – 131065/A/02B

Access D: Coulter Road Mini Roundabout – 131065/A/15

Cross Section: Access A Northern A28 Roundabout – 131065/A/17

Advance Planting Plan - ALP-2015-01

Works to Knoll Lane/Brookfield Road junction - 131065/A/64

Footway upgrade to Magpie Hall Road - 131065/A/25 Rev B

The Council as Local Planning Authority expects the above Conditions to be complied with promptly. Where Conditions require details or other matters to be approved by the Council prior to commencement or occupation of the development, these must be submitted to the Council for its consideration well in advance, to ensure that there is no delay or loss to your project. Failure to observe the Conditions may result in enforcement action by the Council.

 J. Kamek

Strategic Sites and Design Manager

 
Please refer to the statement of the Applicant's rights following this decision and the general information enclosed with this notice.

ASHFORD BOROUGH COUNCIL

GRANT OF PLANNING PERMISSION WITH CONDITIONS

Notes for the Applicant



Appeals

1. 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. **Any appeal must be made within 6 months of the date of decision.** The necessary form is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or via their website: www.planning-inspectorate.gov.uk/pins/index.htm

A longer period for the giving of notice of an appeal may be allowed by the Planning Inspectorate but normally asks what special circumstances there are which excuse the delay in giving notice of an appeal.

The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Borough Council.

Beneficial Use

2. 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.

Discharging of Conditions

3. Some conditions attached to the grant of permission may require you to submit details and/or information before you start work.

4. From 6th April 2008, a national charge was set by Government to discharge conditions. The charges are as follows:

Where the request relates to a permission relating to an enlargement, improvement or other alteration of existing dwelling houses or the erection of a building within the curtilage of an existing dwelling house for purposes ancillary to the enjoyment of the dwelling house the fee will be **£28** per submission. Where the request relates to permission for development which falls within any other category the fee will be **£97** per submission. ***Together with the fee, you are also required to complete an application form for this process. The forms are available on our website.***

Please note that we aim to deal with these requests within 8 weeks.

ASHFORD BOROUGH COUNCIL

GRANT OF PLANNING PERMISSION



IMPORTANT NOTES

Notification of permission under the Planning Acts does **NOT** convey consent under The Building Regulations

1. The development to which the attached planning permission relates may also require a separate approval under the Building Regulations.
2. If the planning permission refers to amended plans, any necessary Building Regulations approval should also cover those amendments.
3. If the development involves any demolition work, notice of this is required under the Building Act 1984.

ADVICE ON EACH OF THE ABOVE IS AVAILABLE FROM THE BUILDING CONTROL SECTION – CONTACT 01233 330282 OR ALTERNATIVELY EMAIL building.control@ashford.gov.uk

4. 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.

ADVICE ON THIS MATTER IS AVAILABLE FROM THE FIRE PREVENTION OFFICER, ASHFORD FIRE STATION, HENWOOD, ASHFORD, KENT TN24 8YF