



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



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 **£34** per submission. Where the request relates to permission for development which falls within any other category the fee will be **£116** 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.

NOTIFICATION OF DECISION OF THE LOCAL PLANNING AUTHORITY

Date of Decision

05 July 2019



ASHFORD
BOROUGH COUNCIL

Civic Centre
Tannery Lane
Ashford
Kent TN23 1PL
01233 331111
www.ashford.gov.uk


Montagu Evans LLP
5 Bolton Street
London
W1J 8BA

Town and Country Planning Act 1990 (as amended)
Application for Approval of Reserved Matters

APPLICATION NO: 19/00579/AS

PROPOSAL: Approval of the appearance, landscaping, layout and scale of the 'Phase 1A works' being the works comprising the estate roads, the sustainable drainage system embedded within open space and the landscaping and layout of that open space (including measures specifically designed for ecological/biodiversity enhancement purposes within that open space)

LOCATION: Land On The North Side Of, Highfield Lane, Sevington, Kent

APPLICANT: Aviva Life and Pensions UK Ltd c/o Agent

**DECISION: APPROVE MATTERS RESERVED BY CONDITION 01A OF OUTLINE
PERMISSION REF: 14/00906/AS in accordance with the application and plans**

Subject to the following conditions:

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

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

- 2 The visibility splays identified on drawing numbers 08-125 / 492 Revision P1 and 08-125 / 493 Revision P3 shall be provided prior to the estate roads hereby permitted being brought into use. The access and visibility splays shall be retained and maintained thereafter and the area within the visibility splay shall be permanently maintained with no obstructions over 0.9 metres above carriageway level within these splays.

Reason: In the interest of highway safety.

- 3 The double yellow lines shown on drawing numbers 08-125/475 Revision P2, 08-125/476 Revision P2, 08-125/477 Revision P2, 08-125/478 Revision P2 and 08-125/479 Revision P2 shall be provided prior to the estate roads hereby permitted being brought into use. The double yellow lines shall be retained and maintained thereafter.

Reason: In the interest of highway safety.

- 4 Within 2 months of the date of this approval, the applicant shall provide written evidence establishing that the existing water network remains capable of accommodating the onward flows from the site as per the submitted drainage strategy. In the event that this is not shown to be the case, an updated drainage strategy shall be submitted to and approved by the local planning authority within 3 months of the date of this approval. Any approved updated drainage strategy shall thereafter be implemented in accordance with a delivery programme that shall have been submitted to and approved in writing by the local planning authority.

Reason: In order to ensure that the drainage strategy for the site is further clarified and is delivered in an appropriate manner.

- 5 Prior to any works taking place to connect the existing southern end of Highfield Lane ('A') with the junction of that Lane with the new internal estate road ('B') hereby approved, a traffic reduction / traffic calming scheme for the carriageway between 'A' and 'B' shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a delivery timetable. Thereafter, the works comprising the scheme shall be carried out in accordance with the agreed timetable.

Reason: To ensure that connectivity of the development with the surrounding local road network is appropriate.

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

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

Notes to Applicant

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.

1 Working with the Applicant

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

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

In this instance

- was provided with pre-application advice,
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

2 The applicants attention is drawn to the following comments received from KCC Ecology:

Landscape plans demonstrate that currently habitat connectivity throughout the site has been maintained - however no information has been provided on the proposed access into the plots. The detailed designs for the plots have not been submitted and we are concerned that in addition to creating the access into the plots there is a risk that each plot will encroach into the wider landscaping area and reduce the amount of greenspace throughout the site. There is a need to ensure that the access points into the site is minimal and (other than to create access into the site) there is a need to ensure that at the detailed design stage ecological functionality of the submitted landscaping plans can still be implemented.

The applicant and/or the developer for each individual plot is advised to carefully consider this matter and application(s) submitted pursuant to condition 1(b) of outline planning permission 14/00906/AS need to demonstrate that the proposed development will not unduly compromise/adversely impact upon the ecological/biodiversity enhancements secured through this reserved matters application.

3 KCC Highways and Transportation advise that the existing carriageway of Highfield Lane will need to be stopped up in due course. The applicant will need to apply to Department for Transport for a stopping up order through the Town and Country Planning Act 1990. The applicant is reminded of the provisions of the s.106 agreement relating to these matters.

- 4 Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web:www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.

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

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway/land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

- 5 The Local Planning Authority invites the applicant drainage team to liaise with Highways England and the River Stour Inland Drainage Board to ensure that there is appropriate discussion and coordination in respect of surface water drainage in an area undergoing significant change.
- 6 The Local Planning Authority invites the applicant to actively assist Ashford Borough Council, Kent County Council and Highways England to expand the existing monitoring of air quality to include potential receptors of traffic pollution near to the application site that are currently without monitoring in place, such as at Hatch Park SSSI. The applicant is invited to discuss this further with Mr Trevor Ford (Environmental Protection & Licensing Team Leader) at Ashford Borough Council (Tel: 01233 – 330397).

Plans/Documents approved by this decision

11107_PL_12_001 Rev C Illustrative Landscape Masterplan Sheet 1
11107_PL_12_002 Rev C Illustrative Landscape Masterplan Sheet 2
11107_PL_12_003 Character Area Layout Sheet
11107_PL_12_004 Rev C Illustrative Landscape Masterplan Sheet 1 COL
11107_PL_12_005 Rev C Illustrative Landscape Masterplan Sheet 2 COL

Character Area 1 Highfield Lane

11107_PL_12_100 Rev A Planting Schedule CA1 Highfield Lane
11107_PL_12_101 Rev C General Arrangement (1 of 4)
11107_PL_12_102 Rev C General Arrangement (2 of 4)
11107_PL_12_103 Rev C General Arrangement (3 of 4)
11107_PL_12_104 Rev C General Arrangement (4 of 4)
11107_PL_12_105 Rev B CA1 Sections A - A'

Character Area 2 South West Aspect & East/ West Boulevard

11107_PL_12_200 Rev A Planting Schedule CA2 South West Aspect & East/
West Boulevard

11107_PL_12_201 Rev C General Arrangement (1 of 3)

11107_PL_12_202 Rev B General Arrangement (2 of 3)

11107_PL_12_203 Rev C General Arrangement (3 of 3)

11107_PL_12_204 Rev A CA2 Sections (1 of 2) D - D' & C - C'

11107_PL_12_205 Rev A CA2 Sections (2 of 2) G - G'

Character Area 3 Western Footpath

11107_PL_12_300 Rev A Planting Schedule CA3 Western Footpath

11107_PL_12_301 Rev C General Arrangement (1 of 2)

11107_PL_12_302 Rev C General Arrangement (2 of 2)

11107_PL_12_303 Rev A CA3 Sections F - F'

Character Area 4 Church Parkland

11107_PL_12_400 Rev A Planting Schedule CA4 Church Parkland

11107_PL_12_401 Rev D General Arrangement (1 of 3)

11107_PL_12_402 Rev C General Arrangement (2 of 3)

11107_PL_12_403 Rev D General Arrangement (3 of 3)

11107_PL_12_404 Rev B CA4 Sections E - E'

11107_PL_12_405 Rev B CA4 Sections J - J'

Character Area 5 Green Corridor

11107_PL_12_500 Rev A Planting Schedule CA5 Green Corridor

11107_PL_12_501 Rev C General Arrangement (1 of 4)

11107_PL_12_502 Rev C General Arrangement (2 of 4)

11107_PL_12_503 Rev C General Arrangement (3 of 4)

11107_PL_12_504 Rev C General Arrangement (4 of 4)

11107_PL_12_505 Rev A CA5 Sections B - B'

11107_PL_12_506 Rev A CA5 Sections I - I'

Character Area 6 Park Gateway

11107_PL_12_600 Rev A Planting Schedule CA6 Park Gateway

11107_PL_12_601 Rev D General Arrangement (1 of 4)

11107_PL_12_602 Rev C General Arrangement (2 of 4)

11107_PL_12_603 Rev C General Arrangement (3 of 4)

11107_PL_12_604 Rev C General Arrangement (4 of 4)

11107_PL_12_605 Rev B CA6 Sections H - H'

Supporting Documentation

11107_PL_12_700 Rev A Landscape Soft Typologies Schedules

11107_PL_12_701 Rev B Landscape Hard Typologies Schedules

11107_PL_12_702 Rev A Landscape Management and Maintenance

11107_PL_12_703 Rev A Proposed Footpath Hierarchy

11107_PL_12_704 Rev A Structural Screen Landscape

10610_FE_005 Rev C Proposed Church Car Park Site Layout

Drainage Strategy 08-125R_007 Issue 4 comprising the following drawings:

Proposed Drainage Scheme 08-125 / 300 Rev P7

Below Ground Drainage Layout Sheet 1 of 5 08-125 / 391 Rev I1

Below Ground Drainage Layout Sheet 2 of 5 08-125 / 392 Rev I1

Below Ground Drainage Layout Sheet 3 of 5 08-125 / 393 Rev I1


Below Ground Drainage Layout Sheet 4 of 5 08-125 / 394 Rev I1

Below Ground Drainage Layout Sheet 5 of 5 08-125 / 395 Rev I1

Below Ground Drainage Layout Sheet 5 Of 5 08-125 / 396 Rev I1

Road Safety Audit Stage 1 August 2016
Non-Motorised User Context Report June 2016
Preliminary Design Stage NMU Audit June 2016
Access Road General Arrangement Sheet 1 of 5 08-125 / 451 Rev P2
Access Road General Arrangement Sheet 2 of 5 08-125 / 452 Rev P2
Access Road General Arrangement Sheet 3 of 5 08-125 / 453 Rev P2
Access Road General Arrangement Sheet 4 of 5 08-125D / 454 Rev P2
Access Road General Arrangement Sheet 4 of 5 08-125 / 455 Rev P2
Setting-Out Plan Sheet 1 of 5 08-125 / 461 Rev P2
Setting-Out Plan Sheet 2 of 5 08-125 / 462 Rev P2
Setting-Out Plan Sheet 3 of 5 08-125 / 463 Rev P2
Setting-Out Plan Sheet 4 of 5 08-125 / 464 Rev P2
Setting-Out Plan Sheet 5 of 5 08-125 / 465 Rev P2
Road Markings Sheet 1 of 5 08-125 / 475 Rev P2
Road Markings Sheet 2 of 5 08-125 / 476 Rev P2
Road Markings Sheet 3 of 5 08-125 / 477 Rev P2
Road Markings Sheet 4 of 5 08-125 / 478 Rev P2
Road Markings Sheet 5 of 5 08-125 / 479 Rev P2
Access Road Proposed Contours 1 of 5 08-125 / 481 Rev P2
Access Road Proposed Contours 2 of 5 08-125 / 482 Rev P2
Access Road Proposed Contours 3 of 5 08-125 / 483 Rev P2
Access Road Proposed Contours 4 of 5 08-125 / 484 Rev P2
Access Road Proposed Contours 5 of 5 08-125 / 485 Rev P2
Swept Path Sheet 1 of 2 08-125 / 490 Rev P1
Swept Path Sheet 2 of 2 08-125 / 491 Rev P1
Highway Adoption Legal Plan Sheet 1 of 5 08-125 / 511 Rev P1
Highway Adoption Legal Plan Sheet 2 of 5 08-125 / 512 Rev P1
Highway Adoption Legal Plan Sheet 3 of 5 08-125 / 513 Rev P1
Highway Adoption Legal Plan Sheet 4 of 5 08-125 / 514 Rev P1
Highway Adoption Legal Plan Sheet 5 of 5 08-125 / 515 Rev P1
Visibility Requirements Sheet 1 of 2 08-125d_492 Rev P1
Visibility Requirements Sheet 2 of 2 08-125 / 493 Rev P3
Long Sections 08-125 / 470 Rev P3
Typical Cross Section Through Road and Details 08-125 / 472 Rev P1 date
received 5 June 2019
Construction Site Management Layout 08-125 / 495 Rev P3

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.



Head of Planning & Development

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