

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

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. A national fee is set by Government to discharge conditions. These 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 18th June 2019



ASHFORD
BOROUGH COUNCIL

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

Mrs Welch
Hobbs Parker
Romney House
Monument Way
Orbital Park
Ashford, Kent
TN24 0HB

Town and Country Planning Act 1990 (as amended)
Application for Full Planning Permission

APPLICATION NO: 19/00572/AS

PROPOSAL: Change of use of 26 - 32 High Street to residential use to provide 6 dwellings, including demolition of flat roofed link attached to No 32, demolition of single storey building and demolition of lecture theatre, and provision of landscaping and parking. (Duplicate to 19/00075/AS)

LOCATION: 30-32 High Street, Wye, Ashford, TN25 5AL

APPLICANT: Tele-Property Investments Ltd c/o Agent

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

Subject to the following conditions:

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

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

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

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

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

Reason: In the interests of visual amenity.

- 4 Before any works above foundation level are carried out the following details shall be submitted to and approved in writing by the Local Planning Authority:
- a) Details and location of rainwater goods;
 - b) Details of any flues, grilles and vents to be installed including location dimensions, colour and material;
 - c) Details of electricity and gas meter boxes and any external pipe work including their location on the buildings;
 - d) Details and sections through eaves, porches / entrance canopies, chimneys, dormer windows and plinths; and
 - e) Details of all windows including recess depth of glazing

The works shall only be carried out in accordance with the approved details.

Reason: In the interest of visual amenity.

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

Reason: In the interest of visual amenity.

- 6 The windows in all of the buildings hereby permitted shall be timber. Before any works above foundation level are carried out joinery details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in accordance with the approved plans.

Reason: In the interest of visual amenity

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

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

- 8 Prior to the commencement of the development details of drainage works, designed in accordance with the principles of sustainable urban drainage, shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out and maintained in accordance with these details.

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

- 9 Prior to first occupation of the dwellings hereby approved, details for the disposal of foul sewage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and thereafter maintained.

Reason: To avoid pollution of the surrounding area.

- 10 A landscaping scheme for the site (which may include entirely new planting, retention of existing planting or a combination of both) shall be submitted to and approved in writing by the Local Planning Authority before the development proceeds above slab level. Thereafter, the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

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

- 11 The areas shown on the drawing number 18.051 003 Rev E as bin stores, vehicle parking space and turning shall be provided prior to occupation of the dwellings and permanently retained.

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

- 11A Prior to the first occupation of any of the dwellings hereby permitted the bin store as shown on drawing number 18.051 003 Rev E shall be provided on site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The bin store shall thereafter be retained in perpetuity and access thereto shall not be precluded.

Reason: In the interest of visual and residential amenity

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

a) Parking and turning areas for construction and delivery vehicles and site personnel;

b) Provision of wheel washing facilities.

Reason: In the interest of highway safety and residential amenity.

13 The first 5 metres of the access from the edge of the highway shall be in a bound surface.

Reason: In the interests of highway safety.

14 The area shown on drawing number 18.051 003 Rev E as vehicle parking and turning space, shall be paved and drained in accordance with details submitted to and approved in writing by the Local Planning Authority. These details shall include measures to prevent the discharge of surface water onto the highway. The details shall be implemented before the use is commenced or the premises occupied and shall be retained for the use of the occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land or in such a position as to preclude its use.

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

15 Prior to the use of the site commencing, details of the secure covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. They shall be provided prior to occupation of the dwelling to which they relate and retained thereafter.

Reason: To encourage the use of sustainable transport modes

16 Prior to any works commencing on the buildings a detailed bat mitigation strategy shall be submitted for written approval by the Local Planning Authority. The bat mitigation strategy shall include the following:

- Updated scoping survey of the building
- Updated bat emergence surveys (if required)
- Overview of mitigation required
- Methodology to implement works
- Timings of the proposed works
- Details of ongoing monitoring

The works must be implemented as detailed within the approved works.

Reason: In the interests of site biodiversity.

- 17 Within six months of commencement of construction on annotated site plan detailing the ecological enhancements to be incorporated into the site shall be submitted to the Local Planning Authority for written approval. The enhancements shall be incorporated into the site as detailed within the approved plan and thereafter maintained and retained.

Reason: In the interest of site biodiversity

- 18 Prior to occupation a lighting design strategy for biodiversity shall be submitted to and approved in writing by the LPA. The strategy shall:

a) Identify those areas / features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, e.g., for foraging.

b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the LPA.

Reason: In the interest of biodiversity.

- 19 Prior to the first occupation of the dwellings, 6 of the parking bays (one per unit) shall be provided with an electric vehicle charging point. The charging point may be a dedicated electric vehicle charging socket, or a suitably rated three-pin socket capable of safely providing a slow charge to an electric vehicle via a domestic charging cable. The charging point shall thereafter be retained available, in a working order for the charging of electric vehicles.

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

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

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

- 21 Before the first occupation of unit 4 the windows on this unit at first floor level on the west elevation shall be fitted with obscured glazing, fixed shut to a height of 1.7m and shall be permanently retained in that condition thereafter.

Reason: In the interest of the residential amenity of adjacent dwellings

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

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

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

- the applicant/agent was updated of any issues after the initial site visit,
- 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.

Plans/Documents approved by this decision

Site location plan	18.051 001 A
Existing and proposed block plan	18.051 002
Proposed site plan	18.051 003 E
Proposed refurbished ground floor plan	18.051 004 B
Proposed refurbished first floor plan	18.051 005 B
Proposed refurbished roof plan	18.051 006
Proposed new floor plans Units 5 and 6	18.051 007 D
Proposed refurbished / new elevations	18.051 010 C
Proposed new build elevations	18.051 011 D
Proposed new build elevations	18.051 012 D
Tree Survey drawing	3542 DR 002
Swept path analysis/Ambulance/Transit	30827/AC/075
Proposed site plan overlay	18/051E

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.