

01 October 2025

Mr Jonathan Lee
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NOTIFICATION OF DECISION OF THE LOCAL PLANNING AUTHORITY: Town and Country Planning Act 1990 (as amended)

Case Reference PA/2025/0769

Site Address Hexden Marsh, Hastings Road, Rolvenden, Cranbrook, TN18 5PX

Proposal Extension to existing aircraft hangar including two-storey extension to include facilities and viewing platform and construction of helicopter landing area.

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

Conditions:

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

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

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

Description	Date
Proposed Ground Floor Plan - 31022C_201 Rev A	22 April 2025
Proposed First Floor Plan - 31022C_202 Rev A	22 April 2025
Proposed SW and NE Elevation - Coloured - 31022C_204	22 April 2025
Proposed SW and NE Elevations - 31022C_204	22 April 2025
Proposed NW and SE Elevations- Coloured - 31022_203 Rev A	22 April 2025
Proposed NW and SE Elevation - 31022_203 Rev A	22 April 2025
Proposed Site Plan 31022C_200 B	7 May 2025
Site Location Plan 31022C-CLA-EXSL-00-PD-A-0001-P01	4 July 2025
Proposed Block Plan 31022C-CLA-PRSL-00-PD-A-0002 P01	4 July 2025

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

- 3 No development shall be undertaken (including any site and/or vegetation clearance) until a construction ecological management plan (CEMP) which contains full details of the measures outlined in section 5 of the Preliminary Ecological Appraisal (David Archer Associates, November 2024) has been submitted to and approved in writing by the local planning authority.

The CEMP shall be based on up-to-date ecological survey information, as advised by a suitably qualified ecologist and include the following:

- a) Measures to avoid impacts to priority coastal floodplain grazing marsh (CFGM) habitat, including identification of construction exclusion zones;
- b) Specific measures (which may be presented as a series of method statements) to avoid impacts to nesting birds, badgers, great crested newts, reptiles and bats;
- c) The role and responsibilities of an Ecological Clerk of Works (ECoW) or similarly competent person(s); and
- d) Copies of any protected species mitigation licences issued by Natural England as required.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: To protect biodiversity in accordance with the NPPF 193 and Local Policy ENV1, to avoid an offence under the Wildlife and Countryside Act 1981 (as amended) and with consideration for Species of Principal Importance under the Natural Environment and Rural Communities Act 2006.

- 4 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 is commenced. Thereafter, the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

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

- 5 The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied.

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

- 6 Part 1
If unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2.

Part 2

Following completion of the remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land and

neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informatives:

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission, would be Ashford Borough Council.

There are statutory exemptions which mean that the biodiversity gain condition does not always apply and these are set out in The Biodiversity Gain Requirements Exemptions Regulations 2024.

This permission will require the approval of a Biodiversity Gain Plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

For a template and guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the approved development please follow the link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan)

Applicants will need to ensure that the Biodiversity Gain Plan to be submitted to the local planning authority for approvals is prepared in general conformity with the approved habitat plans.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Where the proposed biodiversity enhancements are considered significant, they must be

- secured appropriately. Government guidance states that such enhancements should be secured through a legal mechanism—either a planning obligation (Section 106 agreement) or a conservation covenant. Accordingly, when the Biodiversity Net Gain (BNG) plan is submitted, the applicant will be required to enter into a Section 106 agreement with the Local Planning Authority to secure the delivery and long-term management of the enhancements.

- In accordance with paragraph 39 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 application was acceptable as submitted and no further assistance was required.

Signed



Simon Cole
Assistant Director - Planning and Development

Important Notes

1 Limitation of Permission

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

Advice is available from the Building Control Section - 01233 330282 Email building.control@ashford.gov.uk

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

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

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

This grant of planning permission does not give any legal right to carry out the

development on, over or under the land of another person or contrary to the rights of any such person. If there is any doubt the applicant should seek his/her own independent legal advice before implementing the planning permission. Your attention is also drawn to the Party Walls Act

2 **Appeals to the Secretary of State**

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

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

3 **Beneficial Use**

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

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

4 **Discharging of Conditions**

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

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