

13 February 2026

Mr Gary Young
54 Boston Place, London, United Kingdom, NW1
6ER



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

Case Reference PA/2025/2069

Site Address Mercers Of Tenterden, Station Road, Tenterden, TN30 6HE

Proposal Change of use from commercial into 2no flats with changes to fenestration, associated parking, amenity space, refuse, recycling and cycle storage (part retrospective)

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

Conditions:

- 1 The use 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
Ground Floor Plan Residential Building A - 15048(P)211_Q	5 November 2025
CYCLING PARKING AND REFUSE AND RECYCLING DETAILS - 15048 (P) 102_C	5 November 2025
Section BB Residential Building A - 15048(P)205_D	5 November 2025
Proposed site plan vehicle manouvers - 15048(P)214_rev D	5 November 2025
Proposed site plan Approval Building A - 15048(P)213_rev D	5 November 2025
Section AA Residential Building A - 15048(P)204_D	5 November 2025
Proposed site plan Building A - 15048(P)210_rev D	5 November 2025

Location Plan 15048(P)500_revD	2025 7 November 2025
First Floor Plan Residential Building A 15048(P)212_Q	7 November 2025
North West Elevation Residential Building A 15048(P)207_D	12 November 2025
South East Elevation Residential Building A 15048(P)208_C	12 November 2025
South West Elevation Residential Building A 15048(P)209_D	12 November 2025
North East Elevation Residential Building A 15048(P)206_D	12 November 2025

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

- 3 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 and to safeguard the character and appearance of the conservation area.

- 4 The drainage system approved under application reference OTH/2025/0805 shall be maintained in accordance with the approved details and shall be retained in working order until such time as the development ceases to be in use.

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 pursuant to Policy ENV9 of the Local Plan.

- 5 The approved development shall be completed in such a manner as to avoid damage to the existing trees within and adjacent to the application site, including their root systems, and other planting to be retained by observing the following:

(a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction - recommendations) and in accordance with the hereby approved Tree Protection Plan (drawing number E579TPP Rev R2) and Arboricultural Method Statement. The approved tree protection measures shall be implemented before commencement of any works on site and shall remain throughout the period of construction;

(b) No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;

(c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;

(d) No roots over 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 Areas (whichever

the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority; and

(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.

(g) There shall be no mechanical digging within the spread of the branches or Root Protection Areas of the existing / retained trees and other vegetation. All digging within these areas shall be carried out by hand only.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy ENV1 of the Local Plan.

- 6 Details of any walls and fences to be erected within the development (including any boundary treatments) shall be submitted to and approved in writing by the Local Planning Authority before the development is first occupied. The walls and fences shall then be erected before the development is first occupied unless previously agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and residential amenity.

- 7 Neither flat shall be occupied until the covered bicycle storage provision hereby approved has been completed. Such approved covered bicycle parking shall be retained in perpetuity.

Reason: To ensure the provision and retention of adequate off-street parking and storage facilities for bicycles in the interests of highway safety and to promote cycle use in the interests of facilitating more sustainable patterns of movement related to local trips.

- 8 The ongoing ecological enhancement measures identified in the ecological enhancement plan approved under application ref: OTH/2025/0542 shall be implemented as approved.

Reason: In the interests of the ecology of the site / surroundings and amenities of the locality.

- 9 Prior to the occupation of any dwelling, details of proposed external lighting within the development (including lighting attached to buildings, in the parking areas, and in the communal areas) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include a lighting design strategy for not impacting on bats (in accordance with the best practice guidance within Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night' 2) including downward facing and motion sensor lighting. All external lighting shall be installed in accordance with the approved details and maintained thereafter.

Reason: In the interests of the ecology of the site / surroundings and amenities of the locality.

- 10 None of the dwellings hereby approved shall be occupied until works for the disposal of

sewage have been provided to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such approved works shall be appropriately retained and maintained in perpetuity.

Reason: To avoid pollution of the surrounding area.

- 11 The storage facilities for refuse and recycling shall be completed as per the plan hereby approved before the occupancy / first use of the dwellings to which they relate. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any other Order or any subsequent Order revoking or re-enacting that Order, such approved facilities shall be retained in perpetuity and access thereto shall not be precluded.

Reason: To ensure satisfactory arrangements are put in place and retained in perpetuity for the collection and storage of refuse and recycling.

- 12 The vehicle parking spaces and turning areas shown on the Proposed Site Plan shall be provided before the dwellings hereby approved are first occupied. The residential parking spaces shall be retained for the use of the occupiers of, and visitors to, the dwellings and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to the reserved parking spaces and turning areas.

Reason: Development without provision of adequate accommodation for the parking and manoeuvring of vehicles is likely to lead to parking inconvenient to other road users and potential highway safety issues.

- 13 Prior to the first occupation of the dwellings hereby approved, details of the electric vehicle charging provision within the development shall be provided to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points and associated infrastructure shall be installed and made available in accordance with the approved details before the residential building is first occupied. The approved electric vehicle charging facilities 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.

- 14 Neither dwelling shall be occupied, until it has been constructed and fitted out to ensure 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, and a copy of the Notice required by the Building Regulations 2010 (as amended) confirming this, shall be submitted to the Local Planning Authority.

Reason: In order to set a higher limit on the consumption of water by occupiers as allowed by the Building Regulations 2010 (as amended) and increase the sustainability of the development and minimise the use of natural resources pursuant to policy ENV7 of the Ashford Local plan 2030 and guidance in the NPPF.

- 15 The flat roof area to the building shall not be used as a veranda, balcony, roof garden or

similar amenity area and shall not be used for any plant or other associated equipment other than the photovoltaic panels shown on the approved plans. Furthermore, no balustrades, railings or other means of enclosure shall be erected and access to this flat roof area shall be restricted solely for the purpose of future maintenance and for no other purpose.

Reason: In the interest of visual and residential amenity.

- 16 The Photovoltaic panels on the roof of the building shall be installed in accordance with the approved plans prior to its occupation / first use and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of energy efficiency.

- 17 The first floor window openings on the north east flank elevation of the building shall be fitted with obscured glass (privacy level/grade 3 or higher) and shall be non-opening up to a minimum height of 1.7 m above the internal finished floor level and maintained as such thereafter.

Reason: To safeguard against overlooking and loss of privacy in the interests of the amenity of the occupiers of neighbouring properties.

Informatives:

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

The applicant was provided the opportunity to address issues.

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>