

Application Number	15/00260/AS
Location	Land to the rear of Waltham Close, Willesborough, Ashford, Kent
Grid Reference	03027/42640
Parish Council	None
Ward	North Willesborough
Application Description	Erection of 16 no. dwellings, 4 no. affordable dwellings and 3 no. affordable apartments, car barns, vehicle access, parking and open space
Applicant	Mr and Mrs Lee and Mrs and Mrs Walters, c/o agent
Agent	TaD Planning, 51 Bayham Road, Tunbridge Wells, Kent, TN2 5HU
Site Area	1.2 Hectares

(a) 61/29R	(b) -	(c) KHS- R, Police – X, NE –X, ABC (SUD’s) – X, SW - X, EA – X, ABC SSOS – X, EHM – X, KWT – R, ABC HM – X, KCC (Arch) – X, NHS – X, KCC (ed) – X,
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Second Consultation on Amendments

(a) 61/12R	(b) -	(c) KHS - X, ABC HM – X
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Introduction

1. This application is reported to the Planning Committee because it involves the erection of more than 10 dwellings and therefore is categorised as a major development. The application consequently requires determination by the Planning Committee under the Council’s scheme of delegation.

Site and Surroundings

2. The application site comprises approximately 1.2 hectares of land situated at the northern edge of an existing modern housing development, comprising of Abbey Way and Waltham Close.
3. The site is allocated for residential development within the adopted Development Plan.
4. The site is currently undeveloped, characterised by open grassland, with scrub, shrubs and a number of trees along the boundaries of the site. Along the eastern boundary of the site there is an existing drainage ditch. The western boundary of the application site adjoins the M20 motorway, where there is a dense landscaping belt comprised of mature trees and smaller shrubs plus an acoustic fence providing acoustic protection. This strip also acts as an informal pedestrian/ cycle access route.
5. The northern boundary is irregular in alignment and comprises sporadic trees and hedgerows. To the east there is a belt of mature trees and shrubs, providing an effective visual barrier to the housing developments beyond. To the north lies open countryside, beyond that and much further afield is an established industrial area.
6. The site is located close to the Willesborough Lees Conservation Area, the majority of which lies some distance away to the east beyond a thick mature band of trees. The nearest listed buildings, which front onto Kennington Road, are located over 120 metres away from the eastern site boundary.

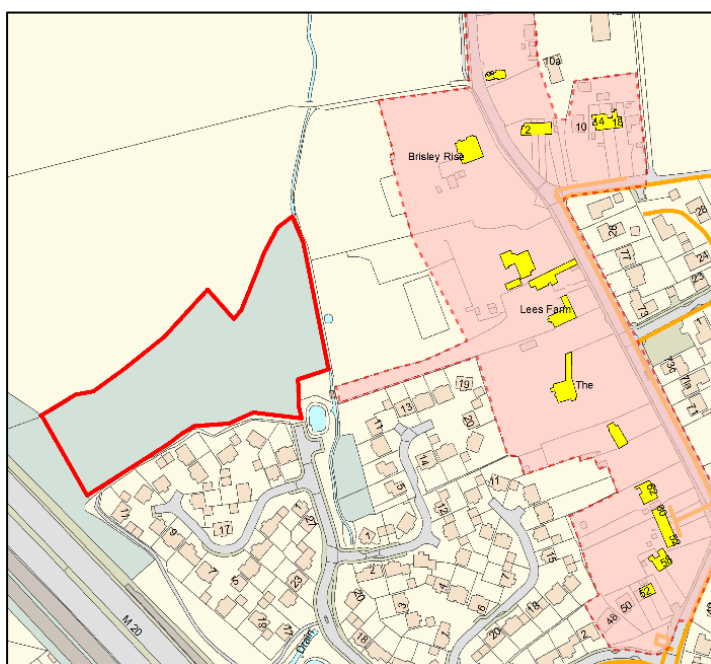


Figure 1 Site Location Plan (LB's yellow, CA red shaded area)

Proposal

7. The application seeks full planning permission for the erection of 23 residential dwellings (20 houses and 3 flats) with associated parking, landscaping and an area of open space providing an ecological mitigation area. The development would incorporate 30% affordable housing.
8. The application has been amended following concerns raised by officers which has resulted in 3 residential units being removed from the scheme and the layout altered and improved.
9. The density of the proposal would be 25 dwellings per hectare which is comparable with the surrounding area.
10. It is proposed that 3 Grade 'C' (low quality and value) groups of scrubby trees would be removed and additional landscaping provided.
11. The site layout is shown in figure 2 below.



Figure 2 Proposed Site layout (amended)

Housing Mix

12. The amended scheme comprises of the following housing mix.

Type	1 bed	2 Bed	3 Bed	4 Bed	5 Bed	Total
2 Bedspace	2					2
3 Bedspace						0
4 Bedspace		1				1
5 Bedspace			11			11
6 Bedspace				8		8
7 Bedspace						0
8 Bedspace					1	1
Total						23

Figure 3 Housing Mix

13. 11 (48%) of the dwellings would take the form of detached properties with a further 9 (39%) semi-detached. The remaining 3 properties (13%) would be flats.

Affordable housing provision & mix

14. Affordable housing would be provided within the site at 30% of the total number of dwellings which equates to 7 units. This would be in accordance with the requirements of adopted planning policy.

Affordable type	Number
1 Bed Apartment	2
2 Bed Apartment	1
3 Bed House	4
Total	7

Figure 4: Affordable housing mix

Access and Parking

15. The site would be served via the existing access from Abbey Way.
16. In total 65 parking spaces are proposed to serve the development equating to an average of 2.8 spaces per dwelling.

17. Parking will take a variety of forms to meet the needs of the future residents and visitors to the development. This is proposed either within a small parking court or on-plot and would be provided in either open spaces or in pitched roof open car barns (detached and integral). Unallocated parking is also to be provided within the street and would be typically softened by street trees and other landscaping.
18. The internal road would be a shared surface finished in block permeable paving and tarmac.

Design and Detailing

19. The design and external appearance of the properties have been conceived to be comparable with the traditional appearance of the adjacent residential development at Abbey Way/Waltham Close.
20. A mixture of house types is proposed with detailing adding character and individuality to the development including:
 - Gable, pitched and catslide roofs
 - Chimney's
 - Small dormer windows
 - Bay windows
 - Traditional painted timber joinery with brick arches and cills
 - Door canopies and pilasters
 - Entrance porches
21. The two storey properties will be finished in a combination of red brick, render, tile hanging and red tile and slate roofs. The amended layout is in the form of a cul-de-sac providing the rear gardens backing onto the existing rear gardens of the houses fronting Waltham Close.



Figure 5: Proposed street scenes



Figure6: Proposed street scenes

Ecological Meadow/Open space

22. The application proposes to retain an area of acid grassland approximately 0.3 hectares in size. This is proposed to be actively managed to provide ecological mitigation within the site with future residents paying into a management scheme.
23. Mitigation on the site would comprise retention, enhancement and management of this open wildlife area. Furthermore, the boundary hedges and other habitats will also be enhanced.
24. The wildlife area will primarily provide suitable habitat for reptiles and is not designed as a formal recreation space.



Figure 7: Artists impression across the ecological meadow

25. The following information was provided in support of the application.

Design and Access Statement

- The principle of housing on this site is acceptable.
- Proposed development will be a mix of 2 storey detached and semi-detached dwellings compatible with the surrounding area. 30% will be affordable.
- The layout centres on the existing vehicular access from Abbey Way and is dictated by the shape and constraints of the site and the need to retain a significant area of acid grassland. The western landscape buffer will be retained protecting against motorway noise.
- The refuse strategy demonstrates manoeuvrability within the site for refuse vehicles with easily accessible collection points for residents.
- Landscape details would include native hedge/tree planting.

- Architectural context has been taken from the surrounding area. The concept is strongly traditional architectural forms and language. A traditional palette of materials is proposed.
- The development would be constructed using sustainable methods of construction and energy conservation, aiming to achieve code level 4 for sustainable homes.
- Designing in crime prevention has been informed by 'Secured by Design' principles.
- The design seeks to achieve an inclusive and accessible design for future residents and visitors.
- The site is accessible to services and alternative modes of travel.
- Disabled access will be provided in accordance with Part M of the Building Regulations.

Planning Statement

- Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that 'planning applications should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.'
- The application site is allocated for housing in the Urban Site and Infrastructure DPD 2012 (policy U1).
- NPPF seeks to 'boost significantly the supply of housing and deliver a wide choice of high quality homes'.
- 30% affordable housing is proposed in accordance with policy CS12.
- The traffic generated by the development will have a negligible impact on the local highway network.
- The development incorporates car parking in accordance with Ashford Borough Council's Residential Parking SPD and cycle parking in accordance with the higher requirements of the Code for Sustainable Homes.
- Core Strategy Policies CS8 and CS18 concern the provision of infrastructure and facilities to meet the needs generated by new development, including a Strategic Tariff for developments within the Ashford Growth Area.

- The applicants are willing in principle to enter into a Section 106 Agreement in this regard.
- The proposed residential development has been informed by a number of supporting technical reports and has been sensitively designed by reputable architects.
- The proposed development will provide a highly attractive living environment for future residents, with the support of a Noise Assessment, consistent with the aims of the NPPF and Development Plan.
- There are no land contamination issues which would prohibit the residential development.

Transport statement

- The transport assessment supports residential development on this site.
- The site is accessed from the existing turning head at the end of Abbey Way. This links to the A2070, Kennington Road. Kennington Road links to J10 of the M20 to the south and the A28 to the north.
- Ashford has high speed rail links
- Bus services are available from Silver Hill Road, off Abbey Way.
- The Stour Valley Walk runs north of the site and gives access to Ashford Town Centre and the wider countryside.
- The development would be expected to generate an additional 15 peak hour vehicle movements and 122 daily vehicle movements which is considered to be a negligible impact on the local highway network.
- The development incorporates car parking in accordance with ABC's Residential Parking SPD for residential parking.
- Visibility from Waltham Close is in accordance with Manual for Streets.
- The layout will allow a refuse vehicle to turn.
- The development is considered to be sustainable in transport terms.
- The development would meet the requirements of national and local planning policy in respect of transport and travel.

- The NPPF states that development should only be prevented or refused on transport grounds where the cumulative impacts of development are severe.

Phase 1 Land Contamination Assessment

Based on the Phase 1 Assessment works including the inspection of historical information, the walkover survey and environmental sensitivity of the site the following conclusions can be made:

- Historical OS maps indicate the site has remained undeveloped in the past forming agricultural land. Therefore the only potential source of contamination is from potential agricultural process undertaken on or adjacent to the site.
- Considering the historical land use, risks to future residents from the potential presence of contamination within the underlying shallow soils are considered to be moderate.
- Potential moderate to low risks have been identified with respect of controlled waters including the underlying Secondary 'A' aquifer, nearby ponds and the Great River Stour. Groundwater underlying the site is likely to be present and, therefore, dissolved or free phase contaminants entering the soil have the potential to impact groundwater.
- Potential low risks have been identified with respect to the production of ground gas from neighbouring waste treatment facilities. However as the proposed development is for residential end use, monitoring of the ground gas and completion of the gas risk assessment will be required.

Recommendations:

- Further site investigation as part of the development works.
- Refinement of the conceptual site model and production of a semi-quantitative risk assessment subsequent to intrusive investigation will enable greater understanding of potential remediation or mitigation measures that are required as part of appropriate redevelopment.
- During development, any new services (potable supply pipes) should be placed in 'clean' material and screened against UKWIR Guidance thresholds.
- Precautions should be taken by ground workers, including the use of appropriate personal protective equipment, when developing the site to protect against dermal contact. Good housekeeping rules should be observed on site.

- During re-development works in the event that unforeseen contamination is encountered, the client should stop work and further assessment undertaken by an experienced Environmental Consultant.

Arboricultural assessment

- 3 'C' grade scrubby groups will be removed to facilitate development. To compensate for the loss of these trees, replacement planting will be undertaken as part of the landscape designs for the scheme.
- Although graded as a U grade tree, T30 is potentially of high ecological value. Given its location in the ecological meadow area, a relatively low target area, this tree may be retained with a reduced crown to provide habitat. Alternatively this tree may be removed for reasons of sound arboricultural management.
- The construction of the foundations for the property in the RPA of T31 will be done using minimal dig foundations or by using a micropile HouseDeck system. All such works will only be undertaken under arboricultural supervision and will require a specialist arboricultural method statement.
- Footings for boundary walls within the RPAs of trees T5, T18 and T31 will be excavated using hand tools only and kept to a minimal depth, with the arboricultural consultant undertaking suitable root pruning. If a root cannot be cut, a lintel will be installed to bridge over the root. The edges of the excavations will be lined with impermeable plastic sheeting to prevent alkali burn to roots in the soil from the concrete.
- In order to allow the erection of scaffolding around the new structures and allow construction access trees T7, T31, T32 and T37 will be pruned back. Groups G8 and G10 will also be pruned back.
- Provided the tree protection and working methods detailed in the arboricultural report are followed the impact on the retained trees will be minimal.

Archaeological – Desk Based Assessment

- Based on the cartographic and documentary evidence the site lies within an area that has formerly been open land, principally used for agricultural purposes. Archaeological discoveries within the study area are relatively sparse. However, important discoveries of prehistoric date made nearby demonstrate that this area was occupied by humans as early as the Palaeolithic period. From the Anglo-Saxon period, much of the land in the area was administered by the Church and subsequently formed part of manorial holdings.

- It should be emphasized that the paucity of archaeological discoveries in the area is as likely due to a lack of previous archaeological investigation as a lack of archaeology. Discoveries made in the wider Ashford area, beyond the study area, recently demonstrated a high potential for the survival of hitherto unsuspected archaeological remains.
- The proposed development of residential units, along with associated landscaping, services and other excavations could have a moderate or major adverse impact on any such heritage assets if they exist. Appropriate mitigation is therefore recommended, beginning with archaeological field evaluation in order to determine the presence or absence of below ground archaeological remains. The results of the evaluation would inform further mitigation strategies such as preservation in situ or preservation by record, which would include appropriate analysis and publication of archaeological remains.
- An additional point for consideration is that the Site Policy Statement provided by Ashford Borough Council also states that the present local sewerage system may require upgrading in order to support the proposed development. Any additional sewerage work beyond the limit of the site may therefore also require archaeological works, probably in the form of an archaeological watching brief.

Noise Assessment

- With regard to the current NPPF / NPSE policy, the noise impact on the site is concluded to be between the lowest observed adverse effect level (LOAEL) and the significant observed adverse effect level (SOAEL). This is based on the fact that some mitigation has been found necessary but is quite modest in its extent.
- Between the LOAEL and the SOAEL, the policy requires that all reasonable steps should be taken to mitigate and minimise adverse effects on health and quality of life while also taking into account the guiding principles of sustainable development. This does not mean that such adverse effects cannot occur. It is concluded that, with the mitigation measures outlined in this report, the NPPF / NPSE policy requirement will be achieved.
- Noise levels in gardens will exceed the 55 dB LAeq BS 8233 guideline value at the houses closest to the motorway but are within it at houses further back into the site. It is not considered feasible to improve this. BS 8233 advises that noise above the 55 dB LAeq guideline value should not necessarily be prohibited, but there should be a compromise with other factors such as the convenience of living in the location or making efficient use of land resources to ensure development needs can be met.

- The first line of houses nearest the motorway may need a modest acoustic grade of glazing for first floor windows directly facing the road. A glass such as Saint Gobain Climaplust Silence comprising 4mm SGG Planitherm / 16mm air gap / 6.4mm SGG Stadip Silence is likely to be sufficient. The overall thickness of the unit is similar to standard double glazing so it could be readily incorporated into a normal window frame. Standard double glazing is likely to suffice for all other first floor windows, and all ground floor windows.
- Opening windows for ventilation purposes would reduce the insulation provided by the building façade and windows. Therefore mitigation measures will be required to enable occupiers to obtain ventilation with windows closed. It is anticipated that a whole-house MVHR system of continuous mechanical supply and extract of air with heat recovery, of the type which appears as System 4 in Approved Document F of the Building Regulations, will be used.

Foul Drainage Assessment and Surface Water Management Plan incorporating a Flood Risk Assessment

- Abbey Way is served by public sewers. These drain to Blackwall Road pumping station to the east. The foul flows from the proposed development will be 1.2l/s. A capacity check has been submitted to Southern water. This indicates that capacity is available providing an upgrade is made to the local sewerage network between the site and the pumping station. The upgrade requires replaces 48m of 225mm diameter pipe with 300mm diameter pipe. With this minor upgrade in place the development will be acceptable from a foul drainage perspective.
- The site drains to a ditch along the eastern boundary which flows into the river Stour. Shallow infiltration devices such as permeable paving may be feasible but soakaways will not be and the primary method of disposing of surface water runoff from the site will be to the watercourse running along the eastern edge of the site.
- The site lies in flood zone 1, land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year. The eastern part of the site is at risk from surface water flooding up to depths of 300mm under the 1 in 100 year event. One property is potentially affected by this and should be raised to be outside the area of surface water flood risk.
- The site satisfies the sequential test and is suitable for residential development from a flood risk perspective.
- The site is a greenfield site and covers 1.25 ha. The proposed development will include 4,300m² of impermeable area. The surface water management strategy is to use rainwater harvesting, permeable paving and underground storage to limit surface water runoff from the site to 5 l/s.

- The surface water management strategy provides a treatment train of SUDS components including oil/silt/debris traps and permeable paving allowing runoff from all areas of the development to receive the level of treatment recommended within the SUDS Manual.
- The proposed development is considered acceptable from a surface water management perspective.

Utility Statement

- Electricity connections to the site are available subject to minor off-site works.
- Gas connections to the site are available subject to minor off-site improvement works.
- The site is served by a water connection. South East Water has reviewed the effect of the proposed development on its network and has advised that the additional demand can be accommodated without the need for off-site reinforcement.
- Foul drainage is considered within the foul drainage assessment submitted with the application.

Ecological assessment and addendums

- Detailed survey work for the following species groups was undertaken during spring/summer 2013:
 - Breeding birds
 - Bats
 - Badger
 - Reptiles
 - Invertebrates
 - Botany
- Mitigation, compensation and enhancement measures are proposed for the above species with reference to development at the site.
- An initial GCN survey was also carried out. 3 water bodies were found to hold insufficient water levels to support newts through the breeding season therefore no further survey work was recommended in regard to GCN's.

- Overall, although the site provides good habitat for nesting and foraging birds, the species recorded are common and widespread.
- The most valuable habitats for birds within the site will be maintained and enhanced through native species planting, including berry and seed producing trees and shrubs, hedgerows and rough grassland.
- No roosting bats recorded in trees. There was foraging throughout the evening and dawn surveys. The tree lines provide likely commuting routes.

Recommendations allow for the retention of the ecological functionality of the site for bats post-development. A wildlife area would be retained and boundary hedgerows/scrub and tree lines will be retained/enhanced.

- Enhancements will increase roosting opportunities within the site.
- Low impact lighting scheme proposed.
- No badger or signs of badger recorded. The proposed development is therefore unlikely to impact upon this species. Precautionary mitigation during works is recommended.
- A low population density of common lizard and slow worm were present on the site.
- Recommends the retention of a wildlife area on the site (0.3 hectares), which would be enhanced and managed for reptiles (and lowland dry acid grassland). Reptiles within the construction zone would be relocated to the on-site wildlife area.
- 5 nationally scarce and 21 regionally rare species of invertebrates were recorded at the site suggesting that the site is important for invertebrates. Mitigation and enhancement measures are recommended to retain and improve habitats on site for invertebrate species.
- The botanical interests within the site are categorised into the following habitats:
 - Wet calcifugous (acid) grassland.
 - Dry calcifugous (acid) grassland.
 - Wet depressions (seasonally high water table); and
 - Hedgerows/boundary vegetation

- The habitat at Abbey Way is heterogeneous and comprises both wet and dry acid grassland. The acid grassland is of at least local value, and may be of value at a Borough or County level.
- The site supports black sedge which is scarce in Kent.
- 03 hectares of acid grassland will be retained and managed as part of the development proposals. Management will focus on enhancing the quality of the retained habitat and ensuring it is also suitable for reptiles.
- Mitigation on the site will comprise retention, enhancement and management of the wildlife area. Furthermore, the boundary hedges and other habitats will also be enhanced.

Space standards checklist

A check list against the councils essential and minimum standards outlined in the Residential Space and Layout SPD 2011. This confirms that all of the proposed dwellings exceed the essential standards required.

Planning History

26. There is no recent planning history directly related to this site however of relevance is the residential development to the south (Waltham Close/Abbey Way). This was granted planning permission under application 96/01180/AS.
27. The site has been allocated for residential development as far back as the Ashford Borough Local Plan 1994 (policy ABP38). More recently and in relation to current planning policy it is allocated for residential development within the Urban Sites and Infrastructure Development Plan Document (Policy U1). This document was adopted in 2012.

Consultations

First round of consultation

Ward Members: No objections.

KCC Highways and Transportation: Raise objections but comment that these could be overcome with amendments to the scheme. Comments are summarised as follows:

- Vehicle tracking needs to be provided for a refuse vehicle 10.7 metres long
- Visitor parking adjacent to soft landscaping should be increased in size.

- The footway to the southern side of the access road should be extended past the shared surface.
- The parking associated with plots 1, 2, 3, 4 and 5 is too remote from the dwellings. Visitors parking should also be provided in front of plots 1 and 2.
- There is only 1 visitor parking space for plots 14-18. A total of 3 visitor parking spaces need to be provided.
- Plots 19 to 26 require 2 car parking spaces each. There a total of 16 car parking spaces are required and not the 14 as currently shown. Furthermore a total of 1.6 visitor parking spaces are required for these dwellings.
- Cycle storage for 4 bedroom dwellings should be 2 metres in length by 2.5 metres in width.
- No details are provided as to the surfacing of shared surface. A hard landscaping plan should be submitted showing the proposed surfacing materials of the shared surface.
- A services and street-lighting plan should be submitted with the application showing the proposed location of services and extent of street-lighting.

[HDSS&D Manager Comment: Street lighting and services to be dealt with by condition. Amendments sought and received for the remaining issues.]

Kent Police (Crime Prevention Officer): Raises no objections stating that the applicant/agent has considered the principles of crime prevention within the application.

Kent Police – Request contributions.

Natural England: No objections stating that the proposal is unlikely to affect any statutorily protected sites or landscapes. In relation to protected species the Council is referred to Natural England's standing advice.

[HDSS&D Manager Comment: Subject to appropriate mitigation secured by condition the development proposed accords with the standing advice]

Ashford Borough Council Drainage: No objections subject to the implementation of the surface water management mitigation measures specified within the submitted foul drainage assessment and surface water management plan.

Southern Water: No objections but state that a combined sewer runs along the eastern boundary of the site. Advice is given should the applicant propose to divert the sewer. A condition is requested on any planning permission requiring full details

of foul and surface water sewerage disposal to be submitted and approved prior to the commencement of any development.

Environment Agency: No objection subject to there being no infiltration of surface water drainage into the ground except with the consent of the Local Planning Authority. It is requested that this controlled by means of a planning condition.

Ashford Borough Council Street Scene and Open Spaces & Refuse: No objections. Comments that the maintenance areas on the adoption plan are large enough to be counted and are sufficient for the number of new houses proposed. As such no off-site contribution for informal/natural open space will be needed.

Advises that there will need to be space to turn at the end of the close and as this is not proposed for adoption and indemnity will be needed for refuse vehicles. Requests off-site contributions to sports outdoors, informal/natural, play, allotments, strategic parks, cemeteries

[HDSS&D Manager Comment: The amended layout proposes the road to be fully adopted and a tracking drawing provided to demonstrate that a refuse vehicle can turn]

Environmental Health Manager: No objections – subject to conditions relating to acoustic protection for the dwellings and any unexpected contamination that may be found during construction.

Kent Wildlife Trust: Raise objections. The following issues have been raised as follows:

The survey report describes a site that contributes much to local biodiversity and the significance of this ecological interest is acknowledged. KWT draw particular attention to the lowland dry acid grassland which is a habitat of principle importance nationally and a priority habitat under the Kent BAP.

The development plans for Ashford demonstrate that there is ample supply of developable land on less ecologically sensitive sites to meet local housing needs.

[HDSS&D Manager Comment: During consultation for the now adopted Urban Sites and Infrastructure DPD KWT objected to the allocation of the site for residential development due to the loss of the acid grassland. As a result this issue was fully considered prior to the allocation of the site for development. The planning inspector argued and concluded that insufficient information had been provided to substantiate the impact of the loss and therefore the site was allocated with no provision being made for the retention of any of this habitat within policy U1. The current scheme proposes that 0.3 hectares of acid grassland would be retained and managed in order to preserve this ecologically important area. This approach is considered to be acceptable and goes further than the policy requires].

Housing Enabling Officer: No objections stating that the number and type of properties meet the housing needs of the borough. Suggests that the layout of the units is uninspired as submitted.

Kent County Council Archaeology: No objections subject to a condition to ensure that any features of archaeological interest are properly examined and recorded.

NHS – Requests contributions towards healthcare

Kent County Council – Requests contributions towards primary and secondary education and libraries.

Neighbours: 61 neighbours consulted. 29 letters of objection received. Comments are summarised below:

- The proposals may have a negative impact upon wildlife.
- Impact upon parking. Traffic will increase.
- The turning head on Abbey Way is used by residents as additional parking.
- Loss of views from existing properties.
- The trees in the rear gardens of Romsey Close are covered by a conservation order (TPO)

[HDSS&D Manager Comment: The TPO trees are located outside of the application site and would not be affected by the development]

- The main reason for buying a house on the Abbey development was the fact that there were no houses built beyond it.
- Questions why an additional access to the main road is not required.

[HDSS&D Manager Comment: At the time of allocating this site, following consultation it was not deemed necessary to provide an additional access. Kent Highways and Transportation have not requested a further access].

- The proposed development would not fit in with the existing Abbey Way development in terms of character, mass and bulk.
- The ecological survey is incomplete and contains some old data.

[HDSS&D Manager Comment: The missing information has been subsequently submitted]

- The existing estate comprises of 3 and 4 bedroom dwellings. The proposed includes semi-detached and terraced dwellings.

[HDSS&D Manager Comment: The amended plans delete the terraced properties from the scheme. Planning policy requires a range of dwelling types and sizes. The density of the development proposed is commensurate with the adjoining residential development]

- An application was previously made for additional houses and a school at this site but it was rejected due to the associated traffic movements.

[HDSS&D Manager Comment: The site formed part of a residential allocation in the 1994 Local Plan. Provision was also made for a school]

- There is a foul sewer connection under Abbey Way.
- Questions who will manage the ecological meadow.

[HDSS&D Manager Comment: The Meadow and other areas not proposed to be adopted will be managed by a private management company]

- Concerns over surface water run-off.
- Planning policy indicates that the indicative capacity is for 20 units the proposal is for more than that.
- The development would have little regard to the boundary line of Waltham Close and the trees therein.

[HDSS&D Manager Comment: Amendments have been sought to improve the layout]

- The existing Abbey Way layout will disrupt construction traffic.
- A secondary access rout should be provided.
- The ecological meadow should be relocated between the new development and the existing houses on Waltham Close.
- A foul sewer runs through the site.
- Loss of amenity through noise and disturbance.
- The inevitable problems that will come with such a large development being added to an already large established housing estate

- During construction emergency vehicles may not be able to reach existing residents.
- The existing houses on the estate have garages not carports.
- New residents should have to contribute to the upkeep of the existing estate.
- The roundabout at the entrance to the estate is not fit for purpose. Access onto Kennington Road from Silverhill Road can be difficult and will worsen.
- The development would represent an overdevelopment of the site.
- The development would affect house prices adversely.
- Problems could be overcome with a reduction in the number of houses proposed.
- There will be dust during construction.

[HDSS&D Manager Comment: A condition could be imposed on any permission relating to construction practices. Furthermore should dust become a problem this can be dealt with under the provisions of the environmental protection legislation.

- Local schools are at capacity
- Current residents of phase 1 and 2 fund a management company. Additional residents will add to wear and tear.
- Everyone on the Abbey development should have been consulted.

[HDSS&D Manager Comment: Consultations have been carried out in accordance with the Council's statutory requirements.

- The affordable units are not in keeping with the existing 4 & 5 bed houses on the estate.
- Extensive affordable housing is being provided on the Conningbrook development.
- Gardens are small.
- If there is insufficient drainage flooding will occur.

- Existing residents have a right not to live near affordable housing.
- The land has been left for decades and wildlife has benefited.

Second round of consultation carried out on amended plans

Kent County Council Highways and Transportation: No objections commenting that a services and street-lighting plan should be submitted and raising concerns that the visitors parking for plot 4 more remote than it could be.

[HDSS&D Manager Comment: There are visitors parking spaces located close to plot 4. A street lighting and services plan could be required by condition and this approach is consistent with the approach for many large developments]

Housing Officer: No objections commenting that the applicant has the required quota of 30% affordable. Comments that the 1 bed flats are welcomed but would prefer a greater mix of 2 and 3 bed dwellings.

Neighbours: 61 neighbours consulted. **11** letters of objection received. Comments are summarised below:

- The developers should pay to maintain the existing privately maintained play area on Abbey Way.

[HDSS&D Manager Comment: The residents of the existing Abbey development pay to maintain this private amenity area. Access could be restricted. New residents could use this area in the same way that other nearby residents who do not contribute to its upkeep could. Further, existing residents would not have to contribute towards the upkeep of the privately maintained areas of proposed new development].

- The development is out of character with the existing development of 4 and 5 bed houses.
- The development will result in additional traffic and be harmful to highway/pedestrian safety.
- Issues concerning flooding and wildlife have not been addressed.
- Construction traffic will have difficulty accessing the site.
- Previously it was considered a new access was required. Why has this changed?
- The application is focused on providing maximum profit for the developers.

- 26 dwellings are too many.

[HDSS&D Manager Comment: The amended scheme has reduced the number of dwellings proposed to 23]

- Local primary schools are too far away.
- Where will garden storage go?

[HDSS&D Manager Comment: Sheds are proposed to serve each property with their rear gardens]

- Gardens will be too noisy.

[HDSS&D Manager Comment: The acoustic barrier adjacent to the M20 will be retained and the Council's Environmental Health Officer does not raise any objections to the proposed development subject to a condition relating to acoustic protection]

- There are no plans for the maintenance of the ecological area.

[HDSS&D Manager Comment: A maintenance/management plan would be secured by condition]

- Car barns are out of keeping with the area.
- There is no provision for the parking and waiting of delivery vehicles, works vans or site equipment and materials, and the access roads are not graded to receive such vehicles.
- Previous development requests have been declined on the basis of there being a single access road

[HDSS&D Manager Comment: Policy U1 does not require the provision of a new access road and following consultation with Kent County Council Highways and Transportation there is no requirement for a new access road to serve the development. This is therefore in line with current policy]

- Policy U1 makes no mention of an ecological meadow. As such the number of dwellings proposed should be reduced.
- Traffic will be made worse by the new development on Blackwall Road.
- The development will result in the loss of acid grassland.
- There are important invertebrates present on the site.

Ward Members: The Ward Members (Councillor Adby and Councillor Koowaree) are not members of the planning committee. Neither Ward Member has raised any objections to the proposed development.

Planning Policy

28. The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites and Infrastructure DPD 2012 and the Chilmington Green AAP 2013.
29. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

EN32 - Important trees and woodland.

TP6 - Provision of cycle parking.

LE5 - Equipped public open space.

LE6 - Off-site provision of public open space.

LE7 - Play facilities.

CF21 - School requirements for new housing development.

Local Development Framework Core Strategy 2008

CS1 - Guiding principles for sustainable development.

CS2 - The Borough Wide Strategy

CS8 - Infrastructure contributions

CS9 - Design quality.

CS10 - Sustainable design and construction.

CS11 - Biodiversity.

CS12 – Affordable housing

CS13 –Range of dwelling types and sizes

CS15 – Transport.

CS18 - Meeting the community's needs.

CS20 - Sustainable drainage.

CS21 - Water supply and treatment.

Urban Sites and Infrastructure DPD 2012

U0 - Presumption in Favour of Sustainable Development

U24 –Infrastructure provision to serve the needs of new developments

Site Policy U1 - Site allocation: Land off Abbey Way, Willesborough Lees

Policy U1 states the following:

Land off Abbey Way, Willesborough Lees is proposed for residential development with an indicative capacity of 20 dwellings.

Development proposals for this site shall:

- a) ensure that any scheme is designed to protect the setting and character of the Willesborough Lees Conservation Area and the listed buildings contained within it;***
- b) provide suitable landscaping and a scheme for noise protection between the development and the M20 Motorway;***
- c) provide links to the existing footpath and cycleway network; and,***
- d) provide a connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water.***

The supporting text states the following in summary:

- Allocation of this site provides the opportunity to extend the existing housing development originally proposed in the Borough Local Plan adopted in 1994.
- Proposals should be designed to respect the setting and character of the listed properties and the adjacent Willesborough Lees Conservation Area as well as the residential amenity of the neighbouring occupiers in Waltham Close.

- Development of the site would need to continue the landscaped buffer and acoustic protection between the new development and the M20.
- The depth to groundwater is limited at this site and thus the use of soakaways may not be permissible due to the risks of direct discharge to groundwater. The Sustainable Drainage SPD should be referred to in establishing suitable options for surface water disposal.
- Capacity in the local sewerage system is insufficient to service the proposed development. It will be necessary to upgrade the existing local sewerage infrastructure before development can connect into it. Liaison with the relevant infrastructure company at the time is recommended.

30. The following are also material to the determination of this application:-

Supplementary Planning Guidance/Documents

Affordable Housing SPD 2009

Residential Parking and Design Guidance SPD 2010

Sustainable Drainage SPD 2010

Landscape Character SPD 2011

Residential Space and Layout SPD 2011

Sustainable Design and Construction SPD April 2012

Public Green Spaces & Water Environment SPD 2012

Dark Skies SPD 2014

Government Advice

National Planning Policy Framework 2012

Technical Guidance to the National Planning Policy Framework 2012

31. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. Of particular relevance in NPPF is the presumption in favour of sustainable development (para14), delivering a

wide choice of quality homes (para 47 -55) requiring good design (para. 56 - 68), climate change and flooding (93- 108),

Assessment

32. The main issues for consideration are:
- a. The principle of the proposals, i.e. how the development of the site fits within the existing local and national planning polices in terms of use and location.
 - b. The design quality of the scheme and the impact on the visual character of the surrounding area.
 - c. The impact on residential amenity.
 - d. Car parking/refuse provision and the impact on the surrounding highway network.
 - e. Other planning issues such as drainage/flooding, affordable housing, residential space standards, ecology, contamination, sustainable design and construction.
 - f. Whether planning obligations are necessary.

The principle of the proposals, i.e. how the development of the site fits within the existing local and national planning polices in terms of use and location

33. The site is allocated for residential development under policy U1 of the adopted Urban Sites and Infrastructure DPD with an indicative capacity of 20 units.
34. The NPPF states that applications for housing development should be determined in accordance with the development plan and considered in the context of the presumption in favour of sustainable development.
35. The detail and housing numbers of the scheme are considered further below however; the principle of housing development on the site is in accordance with an up-to-date adopted development plan and is therefore acceptable in principle.

The design quality of the scheme and the impact on the visual character of the surrounding area

19. The site is located at the edge of the built confines of Willesborough so has a typical mixed character of built development and rural countryside beyond. The site is well contained by the existing boundary trees and surrounding built development that is mainly detached two storey houses with established mature landscaping.
20. The amended proposal is for 23 dwellings with a mixture of mainly detached and semi-detached units. I note the comments of some of the objectors who are concerned that this approach is not in keeping with the character of the existing Abbey Way development, which is characterised by large detached dwellings, however; policy U1 does not specify that only detached dwellings will be acceptable on this site. In fact policy CS13 of the Core Strategy requires proposals to incorporate a range of dwelling types and sizes to meet the housing needs of the Borough. I therefore consider that the mix of unit types would be appropriate. That said 48% of the dwellings would be detached 3, 4 and 5 bedroom dwellings.
21. Policy U1 indicates that 20 dwellings would be acceptable on this site however it is important to note that this is an indicative figure. Following officer negotiation the number of dwellings proposed has been reduced from 26 to 23. Flats have also been incorporated into the development to reduce the overall built footprint within the site, whilst retaining a commercially viable scheme. The resulting density of the scheme equates to 25 dwellings per hectare, which is commensurate with the density of the surrounding area and is in line with the requirements of policy U1 in my view. It is important to note that the presence of flats has beneficially resulted in a greater amount of land being available for houses and consequently improves the spaciousness of the proposals providing more detached units.
22. I am satisfied that the layout of the scheme responds to the shape of the site and results in a logical and legible layout which links to the existing access from Abbey Way in coherent manner.
23. A shared surface is proposed throughout the site, which I consider a more appropriate form of street design. This would in my view result in a softer and more human environment compared to a standard and overly engineered approach. This approach is in keeping with the street design of the adjoining residential development.
24. Most of the dwellings have private off-street parking. Due to the shape and size of the site, a small parking courtyard would be provided to serve the small group of dwellings to the western end of the site. This approach is not uncommon, and is supported in where it forms part of a considered design

ethos. I am satisfied that this parking arrangement, which combined with soft landscaping would break up the parking area to reduce the level of hardstanding softening the visual impact of the parking and the eventual street scene. Resulting in a pleasant residential environment

25. The layout provides dwellings fronting on to the road and as a result would provide both natural surveillance and an active streetscape with semi-private frontages, which would in my view contribute to a sense of safety.
26. I consider that the architectural styles and design features have been chosen to compliment the style of the adjoining development.
27. The proposed two-storey scale of the buildings is appropriate and in context with the surrounding area.
28. The proposals incorporate both hipped and gabled ends to create a varied and interesting roofscape. Chimneys are proposed on a number of dwellings providing vertical emphasis, visual interest and punctuation to the roofline. In some cases these are expressed as external chimney breasts on the end elevations. This traditional feature would in my view add to the visual richness of the architecture and the resulting street environment.
29. Efforts have been made to disguise the flat block as a pair of semi-detached dwellings to retain the sense of detached and semi-detached character. This approach is considered to be appropriate.
30. Materials are varied and include the use of facing brick, tile hanging and render, which in my view would be appropriate for the architectural style and rural edge location. In addition I consider that they would complement the materials used in the neighbouring development off Abby Way.
31. The development would be over 120 metres away from the listed buildings identified in policy U1. I consider that given the design approach and distance involved that the development would respect the setting of the listed buildings.
32. The high quality design and vernacular design approach combined with the landscaping within the site and resulting density would not result in harm to the character and appearance of the neighbouring Conservation Area.
33. In light of the above I am satisfied that the development would not be harmful to the visual amenity of the area.

The impact on residential amenity

34. The introduction of new dwellings to the rear of the dwellings on Waltham Close and in particular numbers 11, 14 and 20 Waltham Close would naturally

change the outlook from these properties, by creating a new back to back relationship – such a relationship is fairly common. That said the new dwellings would be located some 16.5 metres to 18 metres from the rear of 11, 14 and 20 Waltham Close. In addition an existing boundary of mature trees and hedging along the southern and intervening boundary would be retained and additional trees are proposed within the gardens of the new dwellings. Furthermore, the proposed orientation of the new dwellings and window placement is such that any overlooking would be long range and not direct.

35. Overall the proposal in its amended form would provide acceptable relationship with surrounding dwellings and would not be harmful to residential amenity.

Car parking/refuse provision and the impact on the surrounding highway network

36. Kent Highways and Transportation are satisfied with the proposed level of traffic on the surrounding highway network. A new footway would be provided and would continue as an extension to the footpath from Abbey Way into the development site.
37. The number of parking spaces provided would be 2.8 per dwelling, which exceeds the minimum requirements. All of the allocated parking is provided on-plot either within open spaces on driveways or within open fronted carbarns. In addition visitor parking spaces are provided within the street.
38. The applicant has provided a tracking diagram demonstrating that a refuse vehicle could negotiate the site appropriately. Kent Highways and Transportation have raised no objection to this. The applicant has looked to incorporate refuse pathways for wheelie bins from the rear to the front of dwellings.
39. Visitors parking is appropriately located to serve the proposed new dwellings. I note the concern of Kent Highways that the visitor parking is a distance from Plot 4, however as there would be 4 visitors spaces just across the road I am satisfied with the proposals.
40. This level of parking and the means in which it has been integrated into the site is in my view in accordance with the Council's 'suburban' standards outlined in the Residential Parking and Design Guidance SPD.
41. The requirement for payments to Junction 10a will be undertaken through the section 278 agreement with Highways England. The development will be subject to an SPG6 Contribution of 0.26 DU's as it is within a 5 minute isochrome of Junction 10 of the M20. This should be secured through a Section 278 Highways Agreement with Highways England

Other planning issues such as drainage/flooding affordable housing tenure, residential space standards, ecology, contamination, sustainable design and construction.

42. The site lies within Flood Zone 1, and area consider to be of a low risk of flooding.
43. The FRA concludes that the proposal minimises flood risk for the development and does not increase the risk to surrounding areas.
44. The disposal of surface water will be a combination of rainwater harvesting, permeable paving and underground storage to limit surface water runoff from the site to 5 l/s. The Council's Project Office Drainage Engineer is satisfied that the proposals would not worsen any localised flooding conditions and that the SUDs approach is acceptable.
45. The proposal provides 7 affordable units or 30 % of the total in accordance with Policy CS12 of the adopted Core Strategy. The Housing Enabling Officer would have preferred the dwellings not all to clustered in one area, however, in my view the clustering is a result of the considered approach to the layout and not a product of segregation. I am satisfied with the dispersal of the affordable units.
46. Each individual house type proposed accords with the Council's Residential Space and Layout SPD essential minimum floor areas and room dimensions. Indeed, the majority of the proposed dwellings would exceed the advocated space standards.
47. The proposed garden sizes also meet or exceed the standard and each of the 3 flats/apartments would benefit from either a garden area or an enclosed private balcony. It is concluded that this layout would provide an acceptable level of outdoor amenity space for all of the units, in line with the Supplementary Planning Document, published further to Core Strategy Policies CS9 and CS10.
48. I note the objection in principle from Kent Wildlife Trust. However; the principle of developing this area of acid grassland was accepted during the examination of the Urban Sites DPD and in its subsequent adoption by the Council. KWT's objection seeks to revisit the allocation of this site, which we are not able to do as Local Planning Authority. It should be noted that the site specific policy (U1) does not require any of this habitat to be retained however the applicants propose to retain and manage 0.3ha of the acid grassland. The management would focus on enhancing the quality of the retained habitat and ensuring it is also suitable for reptiles. Furthermore, the boundary hedges and other habitats would also be enhanced by native planting.

49. It is not considered that there are any ecological objections that would justify withholding planning permission.
50. Potential contamination remediation can be dealt with by condition.
51. The scheme is proposed to be built to a Code for Sustainable Homes Level 4. The proposals will need to comply with the water and energy requirements of policy CS10 of the Core Strategy and Sustainable Design and Construction SPD. This would be subject to a condition.

Whether planning obligations are necessary

52. There are a number of planning obligations considered to be necessary. These are listed below. The SPG6 payment to Junction 10a will be achieved through a section 278 agreement.

Planning Obligations

53. Regulation 122 of the Community Infrastructure Regulations 2010 says that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is:
 - (a) necessary to make the development acceptable in planning terms,
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development
54. I recommend the planning obligations in Table 1 be required should the Committee resolve to grant permission. I have assessed them against Regulation 122 and for the reasons given consider they are all necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development. Accordingly, they may be a reason to grant planning permission in this case.

Table 1

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
1.	<p>Affordable Housing</p> <p>Provide not less than 30% of the units as affordable housing, comprising 60% affordable rent units and 40% shared ownership units in the locations and with the floorspace, wheelchair access (if any), number of bedrooms and size of bedrooms as specified. The affordable housing shall be managed by a registered provider of social housing approved by the Council. Shared ownership units to be leased in the terms specified. Affordable rent units to be let at no more than 80% market rent and in accordance with the registered provider's nominations agreement</p>	<p>4 affordable rent units</p> <p>3 shared ownership units</p>	<p>Affordable units to be constructed and transferred to a registered provider upon occupation of 75% of the open market dwellings</p>	<p>Necessary as would provide housing for those who are not able to rent or buy on the open market pursuant to Core Strategy policy CS12, any applicable site-specific policy in the Ashford Town Centre AAP or the Urban Sites and Infrastructure DPD, the Affordable Housing SPD and guidance in the NPPF.</p> <p>Directly related as the affordable housing would be provided on-site in conjunction with open market housing.</p> <p>Fairly and reasonably related in scale and kind as based on a proportion of the total number of housing units to be provided.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
2.	<p>Allotments</p> <p>Contribution towards provision of 0.33 ha of allotments and ancillary facilities at Lower Vicarage Road Ashford and maintenance thereof</p>	<p>£258 per dwelling for capital costs</p> <p>£66 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>	<p>Necessary as allotments are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2 and CS18, Urban Sites and Infrastructure DPD policy U24 (if applicable), Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use allotments and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
3.	<p>Carbon Off-Setting Contribution</p> <p>Contribution for funding carbon savings (excluding infrastructure) based on the residual carbon emissions of the dwellings set out in the approved energy performance certificates and quantified over 10 years</p>	<p>To be calculated using the shadow price of carbon set out in the Sustainable Design and Construction SPD</p>	<p>Payable on the occupation of each dwelling</p>	<p>Necessary in order to ensure the development is carbon neutral pursuant to Core Strategy policies CS1, and CS10 (C), the Sustainable Design and Construction SPD and guidance in the NPPF.</p> <p>Directly related as only carbon emissions from this development would have to be off-set.</p> <p>Fairly and reasonably related in scale and kind as off-setting would not be required in the absence of carbon emissions from this development and any payment is based on the amount of carbon dioxide to be offset.</p>
4.	<p>Children's and Young People's Play Space</p> <p>Contribution towards provision</p>	<p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>	<p>Necessary as children's and young people's play space is required to meet the demand that would be generated and must be maintained in order to continue to</p>

Planning Obligation			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
of new play area at Hythe Road Recreation Ground			<p>meet that demand pursuant to Core Strategy policies CS1, CS2 and CS18, Urban Sites and Infrastructure DPD policy U24 (if applicable), Ashford Town Centre AAP policy TC27 (if applicable), Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use children's and young people's play space and the play space to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
5.	Health Care Contribution towards improvements to Willesborough Health Centre	£0 for any affordable units £504 for each 1-bed Open Market Dwelling £720 for each 2-bed Open Market Dwelling £1,008 for each 3-bed Open Market Dwelling £1,260 for each 4-bed Open Market Dwelling £1,728 for each 5-bed Open Market Dwelling or larger	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings	<p>Necessary as additional primary care premises required to meet the demand that would be generated pursuant to Core Strategy policy CS18, Urban Sites and Infrastructure DPD policy U24 (if applicable), saved Local Plan policy CF19 and guidance in the NPPF.</p> <p>Directly related as occupiers will use primary care facilities and the facilities to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has been calculated based on the estimated number of occupiers.</p>
6.	Monitoring Fee	£1000 per annum until development is completed	First payment upon commencement of development and on	Necessary in order to ensure the planning obligations are complied with.

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
	Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking		the anniversary thereof in subsequent years (if not one-off payment)	<p>Directly related as only costs arising in connection with the monitoring of the development and these planning obligations are covered.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the obligations to be monitored.</p>
7.	<p>Outdoor Sports Pitches</p> <p>Contribution towards provision of new all-weather MUGA at Hythe Road</p>	<p>£1,589 per dwelling for capital costs</p> <p>£326 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings	Necessary as outdoor sports pitches are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2 and CS18, Urban Sites and Infrastructure DPD policy U24 (if applicable), Ashford Town Centre AAP policy TC27 (if applicable), Public Green Spaces and Water Environment SPD and guidance in the NPPF.

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>Directly related as occupiers will use sports pitches and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
8.	<p>Primary Schools</p> <p>Contribution towards additional primary school places at Willesborough Primary School, Ashford to facilitate a new reception class.</p>	<p>£2360.96 per dwelling</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p>Necessary as no spare capacity at any primary school in the vicinity and pursuant to Core Strategy policies CS1, CS2 and CS18, Urban Sites and Infrastructure DPD policy U24 (if applicable), saved Local Plan policy CF21, Developer Contributions/Planning Obligations SPG, Education Contributions Arising from</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>Affordable Housing SPG (if applicable), KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as children of occupiers will attend primary school and the facilities to be funded would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of primary school pupils and is based on the number of dwellings and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
9.	<p>Secondary Schools</p> <p>Contribution towards the phase 2 extension at Highworth School, Ashford.</p>	<p>£2359.80 per dwelling</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p>Necessary as no spare capacity at any secondary school in the vicinity and pursuant to Core Strategy policies CS1, CS2 and CS18, Urban Sites and Infrastructure DPD policy U24 (if applicable), saved Local Plan policy CF21, Developer Contributions/Planning Obligations SPG, Education Contributions Arising from Affordable Housing SPG (if applicable), KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as children of occupiers will attend secondary school and the facilities to be funded would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and</p>

Planning Obligation			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
			because the amount has taken into account the estimated number of secondary school pupils and is based on the number of dwellings
10.	<p>Strategic Parks</p> <p>Contribution towards provision of controlled public access through ecologically sensitive area of park, connecting the new development with the Stour Valley walk.</p>	<p>£146 per dwelling for capital costs</p> <p>£47 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p> <p>Necessary as strategic parks are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2, CS18 and CS18a, Urban Sites and Infrastructure DPD policy U24 (if applicable), Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use strategic parks and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.
11.	Libraries Contribution towards: bookstock at Ashford Library.	£48.02	Upon occupation of 75% of the dwellings	<p>Necessary as no spare library space available to meet the demand generated and pursuant to Core Strategy policies CS8 and CS18, Urban Sites and Infrastructure DPD policy U24 (if applicable), KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF</p> <p>Directly related as occupiers will use library facilities and the facilities to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and</p>

Planning Obligation			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
			because amount calculated based on the number of dwellings
12.	<p>Junction 10A</p> <p>Contribution towards construction of junction 10A of the M20</p> <p>To be paid through an agreement with Highways England under section 278 of the Highways Act 1980</p>	£3487.12 per dwelling	<p>Section 278 agreement to be completed before the grant of planning permission.</p> <p>Payment of the contribution as per the section 278 agreement</p> <p>Necessary in order to meet the demand generated by the development and in the interests of highway safety pursuant to Core Strategy policies CS1, CS2, CS15 and CS18, Urban Sites and Infrastructure DPD policy U24 (if applicable), Kent Local Transport Plan and guidance in the NPPF.</p> <p>Directly related as occupiers will travel and the facilities to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has been calculated based on the scale of the development and the estimated number of relevant trips.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
<p>Notices will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be index linked as set out on the council web site in order to ensure the value is not reduced over time. The costs and disbursements of the Council's Legal Department incurred in connection with the negotiation, preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs.</p> <p>If an acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused.</p>				

Human Rights Issues

55. I have also taken into account the human rights issues relevant to this application. In my view the "Assessment" section above and the Recommendations below represent an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties).

Working with the applicant

56. In accordance with paragraphs 186 and 187 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 as explained in the note to the applicant included in the recommendation below.

Conclusion

57. I am satisfied that the proposals would result in a high quality design that would not result in an adverse impact on the visual character of the surrounding area. The development would not harm the character or setting of the nearest listed buildings or the Willesborough Conservation Area.
58. The scheme is acceptable in terms of highway safety and provides at least the minimum parking as required under the Council's Residential Parking and Design Guidance SPD.
59. The layout of the scheme would not adversely impact on the residential amenity of adjoining residents or future occupiers.
60. The scheme provides acceptable refuse facilities and affordable housing provision. The matters of contamination, ecology and drainage in principle are also acceptable.

Recommendation

- (A) Subject to the applicant first entering into a Section 106 agreement/undertaking in respect of planning obligations as detailed in Table 1, in terms agreeable to the Head of Development Strategic Sites and Design or the Joint Development Control Managers in consultation with the Head of Legal and Democratic Services, with delegated authority to either the Head of Development, Strategic Sites and Design or the Joint Development Control Managers to make or approve minor changes to the planning obligations and planning conditions (for the**

avoidance of doubt including adding additional conditions or deleting conditions), as they see fit.

(B) The applicant entering into a section 278 agreement in relation to the SPG6 payments

(C) Permit

Subject to the following conditions and notes:

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.

Material and details

2. Written details including source/manufacturer, and samples of bricks, render, tiles and cladding materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity

3. No dwelling shall be commenced above ground level until the following details (at a scale of 1:20 or 1:50 as may be appropriate) have been submitted to and approved by the Local Planning Authority in writing and no further additions shall be made without subsequent further approval by the Local Planning Authority:-
 - a) windows and doors (including cill detail, depth of reveals within openings) and other external joinery.
 - b) dormer windows (including materials and details of materials for cheeks), bay windows
 - c) porch canopies (including materials and colour)
 - d) front door details (including glazed panels, colour and materials),
 - e) the form, colour and location of any necessary external meter boxes (including visual screening by landscaping),

- f) rainwater goods down-pipes and final finish colour,
- g) any other external fittings to dwellings (including aerials, dishes and amenity lighting),
- h) balcony details (including guard and decorative railings and final colour finishes).
- i) details of proposed materials/cladding/finishing to the interior walls of the carbarns
- j) eaves details
- k) external extracts/vents / terminals (including any proposed venting to roofs) and details of final finish colour

Reason: Such fine details have not yet been submitted but are important in the interests of visual amenity and to ensure delivery of high quality development.

4. Details demonstrating 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.

5. Full details of walls and fences (including materials and colour) to be erected within the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The walls and fences shall then be erected before the adjoining part of the development or dwelling is occupied in accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

Highways and Parking

6. The area shown on the drawing number 2179-77 as vehicle parking space, carbarns and turning space shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, 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 this space.

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

7. 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, the attached and detached car barns shall be provided in accordance with the detailing shown on the approved plans and shall not be further altered through the addition of further doors without the prior permission of the Local Planning Authority in writing.

Reason: To ensure that the covered space is retained available for the storage of a vehicle when not in use in order to prevent the displacement of car parking and subsequent inappropriate car parking.

8. 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, no additional structural posts boundary fences or walls shall be created within the approved car barns without the prior permission of the Local Planning Authority in writing.

Reason: Additional structural posts have the capacity to obstruct the opening of vehicle doors and bring the minimum internal dimension below that forming Council SPD policy. Creation of fences and walls within car barn structures that serve more than one plot are similarly likely to reduce the usability of these covered allocated parking spaces leading to the displacement of car parking and subsequent inappropriate car parking. Fences and walls within such car barn structures may also adversely affect the external visual appearance of the car barn.

9. No development shall take place until details of the bicycle storage facilities showing a covered and secure space for each dwelling have been submitted to an approved in writing by the Local Planning Authority. The approved bicycle storage shall be completed prior to occupation of each dwelling and shall thereafter be retained.

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

10. Before the first occupation of each dwelling the following works between that dwelling and the road serving the dwelling shall be completed as follows:

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

The final wearing course shall be applied within 1 year of the occupation of the dwelling unless otherwise agreed by the Local Planning Authority in writing.

Environmental Protection

- 11. Prior to the commencement of development, a scheme for protecting the dwellings hereby approved from noise from the M20 motorway shall be submitted to and approved in writing the Local Planning Authority. The approved protection measures shall thereafter be completed before the approved dwellings / development are occupied, and thereafter shall be retained as effective protection.

Reason: In order to protect the occupiers of the dwellings from undue disturbance by noise.

- 12. 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 subsequently be undertaken and submitted to the Local Planning Authority. Should remediation be required the following details shall be submitted and approved in writing by the Local Planning Authority:
 - a) A detailed remediation scheme to ensure that the site is suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment). The scheme must describe all the relevant works to be undertaken including, the proposed remediation objectives and performance criteria, a schedule of works and site management protocols. The scheme must deliver a site that will not qualify as 'contaminated land' under Part 2A of the Environmental Protection Act 1990, having regard to the intended use of the land after remediation. The approved scheme shall thereafter be carried out in accordance with its approved terms, unless otherwise

agreed in writing by the Local Planning Authority. The Local Planning Authority must be notified at least two weeks prior to commencement of the remediation scheme works.

- b) 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)

13. Prior to the commencement of the development a Code of Construction Practice shall be submitted to and approval in writing by the Local Planning Authority. The construction of the development shall then be carried out in accordance with the approved Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites and the Control of dust from construction sites (BRE DTi Feb 2003).unless previously agreed in writing by the Local Planning Authority

The code shall include:

- An indicative programme for carrying out the works
- Measures to minimise the production of dust on the site(s)

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)

- Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site(s)
- Design and provision of site hoardings
- Management of traffic visiting the site(s) including temporary parking or holding areas
- Provision of off road parking for all site operatives
- Measures to prevent the transfer of mud and extraneous material onto the public highway

- Measures to manage the production of waste and to maximise the re-use of materials
- Measures to minimise the potential for pollution of groundwater and surface water
- The location and design of site office(s) and storage compounds
- The location of temporary vehicle access points to the site(s) during the construction works
- The arrangements for public consultation and liaison during the construction works

Reason: To protect the amenity of local residents

Archaeology

14. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological 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 archaeological interest are properly examined and recorded.

Drainage/SUDs

15. Prior to the first occupation of any house, a rainwater butt shall be provided to serve each dwelling (with the exception of the first floor flat) and connected to a rainwater down pipe. Rainwater butts shall thereafter be retained.

Reason: To allow residents to store rainwater on site for the watering of soft landscaping in ground level private amenity areas and thereby reduce the demand for mains water on site.

16. No development shall commence until plans and particulars of a sustainable drainage system (including the details below) for the disposal of the site's surface water have been submitted to and approved in writing by the Local Planning Authority. This detail shall include the following:

The final drainage and sewerage plan for the scheme will be approved by Ashford Borough Council in consultation with Southern Water to ensure that surface water runoff from the site is being dealt with appropriately and in line with Ashford Borough Council's Sustainable Drainage SPD. This will include a

modified surface water drainage strategy which satisfies the requirements of the SPD.

All discharging of surface water runoff will be dealt with within the application boundary via suitable methods approved by Ashford Borough Council where practicable. Proposals should identify any overland flow paths, channelling of flows, or piped flows along with the final point of discharge of the water from the site into a suitably agreed point of discharge.

The submitted system shall comprise retention or storage of the surface water on-site or within the immediate area in a way which is appropriate to the site's location, topography, hydrogeology and hydrology. The submitted system shall be designed to (i) avoid any increase in flood risk, (ii) avoid any adverse impact on water quality, (iii) achieve a reduction in the run-off rate in accordance with the Ashford Borough Council Sustainable Drainage SPD document, adopted October 2010. (iv) promote biodiversity, (v) enhance the landscape, (vi) improve public amenities, (vii) return the water to the natural drainage system as near to the source as possible and (viii) operate both during construction of the development and post-completion.

The submitted details shall include identification of the proposed discharge points from the system, a timetable for provision of the system and arrangements for future maintenance (in particular the type and frequency of maintenance and responsibility for maintenance).

The approved system shall be provided in accordance with the approved timetable. The approved system 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.

If the proposed surface water discharge point is to be the existing public sewer the applicant must provide written confirmation from Southern Water of their agreement to the proposals.

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 Core Strategy Policy CS20 Sustainable Drainage.

17. No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To prevent pollution of controlled waters and comply with the National Planning Policy Framework.

Sustainable design and construction

18. The development shall be carbon neutral. Each dwelling hereby approved shall be constructed and fitted out so that:
- a) 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;
 - b) carbon emissions are reduced by 15% through Low and Zero Carbon Technologies once energy efficiencies have been applied.

Unless otherwise agreed in writing by the Local Planning Authority, no work on each dwelling shall commence until the following details for those dwellings have been submitted to and approved in writing by the Local Planning Authority:

- a) Standard Assessment Procedure ("SAP") calculations from a competent person stating the estimated amount of carbon emissions from energy demand with and without LZC technologies installed.
- b) Details of the LZC technologies to be used to achieve the 15% reduction in carbon emissions.

The development shall be carried out in accordance with the approved details. The approved LZC technologies shall thereafter be retained in working order unless otherwise agreed in writing by the Local Planning Authority.

Unless otherwise agreed in writing by the Local Planning Authority, no dwelling shall be occupied until SAP calculations from a competent person have been submitted to and approved in writing by the Local Planning Authority for that dwelling 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.

No dwelling shall be occupied unless the notice for that dwelling required by the Building Regulations 2010 (as amended) of the potential consumption of wholesome water per person per day has been given to the Local Planning Authority

Reason: In order to (i) achieve zero carbon growth and ensure the construction of sustainable buildings and a reduction in the consumption of

natural resources, (ii) seek to achieve a carbon neutral development through sustainable design features

Landscaping/Trees

19. No development shall take place until full details of both hard and soft landscape works including within the on-site open space/ecological meadow have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc)].

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

20. The details of soft landscape works required in condition 19 above shall include 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 an implementation programme.

Reason: To ensure that adequate details of the proposals are submitted in the interests of the protection and enhancement of the area.

21. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority; and any trees or plants whether new or retained which within a period of 5 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 similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenity of the area

22. A landscape management plan for the ecological meadow, including long-term objectives, management responsibilities and maintenance schedules for this area, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of that phase of the development for its permitted use. The management plan shall be carried out as approved.

Reason: To ensure the ecological meadow is properly maintained in the interest of the amenity and biodiversity of the area.

23. In this condition a “retained tree or shrub” is an existing tree or shrub which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the (occupation of the building/commencement of use of the approved development) for its permitted use.
- 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 LPA. All tree works shall be carried out in accordance with BS3998:2010 *Recommendations for Tree Work*).
 - b) If any retained tree or shrub is cut down, uprooted, destroyed or dies, another tree shall be planted at the same place 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 LPA.

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.

24. The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:
- (a) All trees to be preserved shall be protected during any operation on site by temporary fencing in accordance with the approved Tree Protection Plan and any approved Arboricultural Method Statement to the satisfaction of the Local Planning Authority. Such tree protection measures 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.

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.

25. Prior to commencement of the development full details of all streetlight light fittings and any other external lighting to be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with these details prior to the occupation of the dwellings.

Reason: To protect against light spillage and pollution and to harm to bat flight corridors

Restrictions to development/ use

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or 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 Classes Order 1987 as amended.

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.

Other

27. 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.

Note to Applicant

1. This development is also the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990 which affects the way in which the property may be used.
2. Working with the applicant

In accordance with paragraphs 186 and 187 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 submit amendments to the scheme/ address issues.
- The application was dealt with/approved without delay.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

INFORMATIVES:

1. 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. 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.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 15/00260/AS.

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Annex 1



Ashford Borough Council



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