

Application Number	17/00303/AS
Location	Land south of railway line and west of, Pluckley Road, Charing, Kent.
Grid Reference	94715/48968
Parish Council	Charing
Ward	Charing
Application Description	Outline planning application for up to 245 dwellings (including 35% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area (LEAP and MUGA), balancing ponds, vehicular access point from Pluckley Road and associated ancillary works. All matters reserved with the exception of the means of access onto Pluckley Road.
Applicant	Gladman Developments Ltd (c/o agent)
Agent	Mr. K Gregson, Carter Jonas, One Chapel Place, London , W1G 0BG
Site Area	12.9 hectares

(a) 75/120R	(b) Charing PC - R Little Chart PC (adj) - R Pluckley PC(adj.) - R	(c) KHS - R, PO (Drainage) - R , KCC Drainage - X , HE - X , NR - X, KCC Arch - X, SW - X , EA - X, KCC PROW - X, RAM - X , KWT - R , NE - X, OSSS - X , Housing - R , EHM - X, EH refuse - X, Kent Police - X , KCC education/community - X, PCT - X, Kent AONB - X, North Downs Trail - X, CPRE – R.
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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 classified as a major development that requires determination by the Planning Committee under the scheme of delegation.

Site and Surroundings

2. The site is located to the south west of the village centre of Charing, sloping downwards in a south westerly direction. The northern boundary abuts the railway line with Charing Railway Station just beyond. The eastern boundary comprises the rear gardens of dwellings fronting onto Pluckley Road (two of which are grade II listed) and, where there are no dwellings, there is a dense band of trees. The southern boundary adjoins the rear gardens of dwellings fronting onto Charing Heath Road. The western boundary comprises a field boundary of trees and hedgerows with fields beyond.
3. The site is approximately 12.9ha in size and comprises improved grassland/grazing land with a hedgerow running east to west across the centre of the site. A dry ditch runs along the north western stretch of the site where it joins to an off-site stream that defines the western boundary. The two woodland compartments outside the boundary consist of broadleaved species with understorey/ground flora.
4. The wider landscape generally comprises agricultural fields interspersed with patches of woodland cover. The Kent Downs Area of Outstanding Natural Beauty (AONB) lies to the north and east of Charing and its boundary is aligned with the course of the A20 and A252.
5. The Charing Conservation Area is located approximately 170 metres to the north east of the site at its closest point, on the opposite side of the railway line.
6. The site is located within the Charing Farmlands Downland Fringes Landscape Character Area. Landscape analysis set out within the Council's adopted Landscape Character SPD, states that the landscape here is highly sensitive, and in a poor condition. The SPD seeks to ensure that development restores the landscape character.
7. The site is located within Floodzone 1 and is not subject to any other landscape or environmental designations.
8. A site plan is attached as Annex 1 to this report.

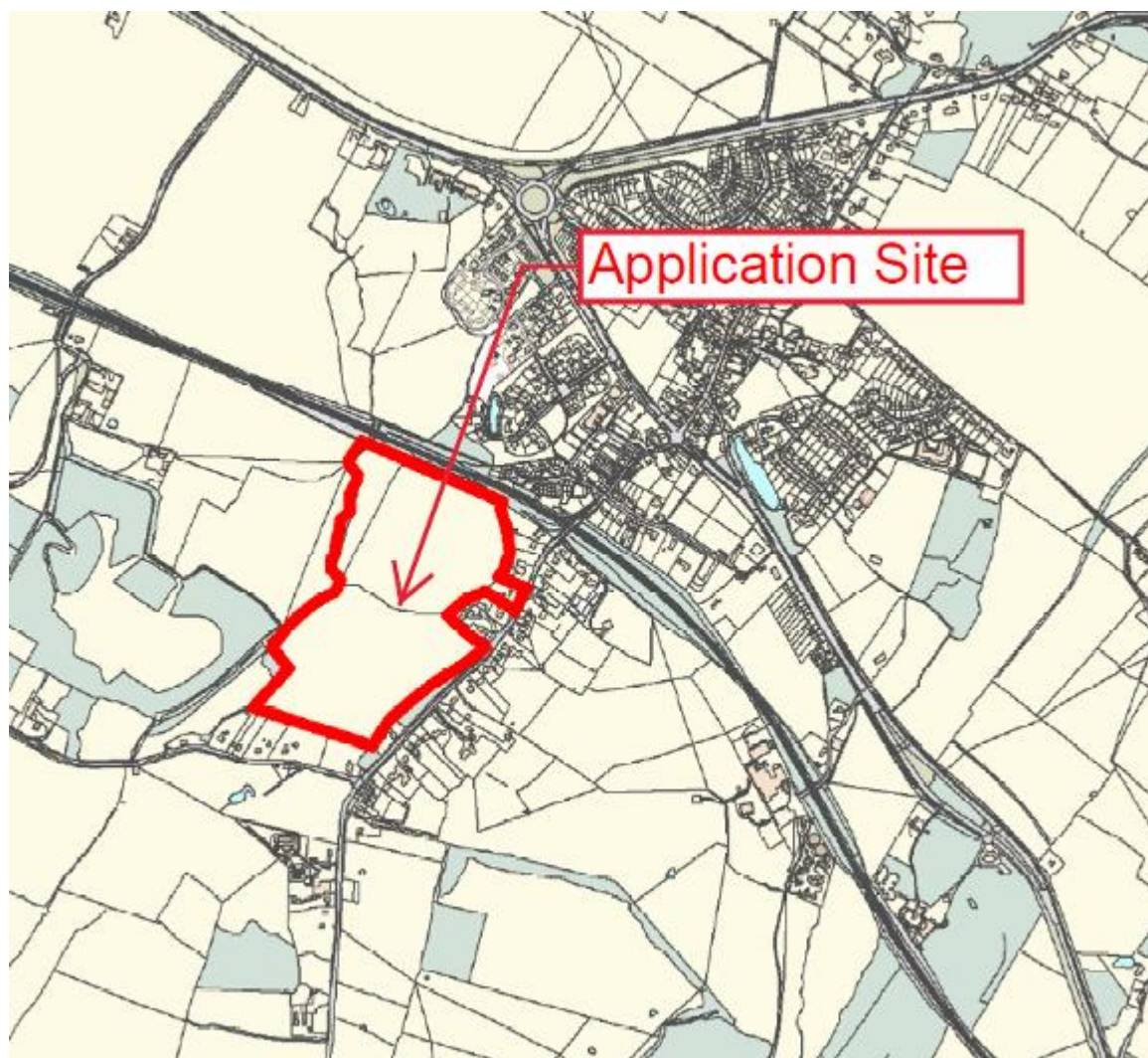


Figure 1: Site Location Plan

Proposal

9. Outline planning permission is sought for the erection of up to 245 dwellings (including 35% affordable housing), landscaping, informal public open space and children's play area (LEAP & MUGA), balancing ponds, vehicular access point from Pluckley Road, and associated ancillary works. All matters are reserved for future consideration with the exception of the proposed means of access onto Pluckley Road.
10. Detailed design would form part of a reserved matters application(s). However this outline planning application states that a key objective is to deliver a mix of housing, offering 2 bedroom to 5 bedroom accommodation in a range of house types from linked houses to detached properties. Scale is also not confirmed in the application although the submitted planning statement suggests that the development would be designed to be one and two storeys in height.

11. It is proposed that the site would be split into 3 or 4 compartments surrounding which would be green infrastructure (approx. 4.8ha). Allotments are proposed to be provided on the southern side of the site, between surface water detention basins and a children's play area is proposed within a central location.
12. A large residential dwelling (Eastlands) would be demolished to provide access to the site from Pluckley Road.



Figure 2: Proposed Indicative Masterplan

13. In support of the application, a number of documents have been submitted which are summarised below:-

Design and Access Statement

- The overall vision for the site is to provide a distinctive and high quality place, which enhances the qualities and character of Charing.

- The development will provide a choice of housing to meet the needs of the area, whilst respecting and enhancing the site's environmental and cultural assets. Housing will be set within robust green infrastructure. This will help to integrate development within the landscape and create a distinctive sense of place.
- Local character comprises a variety of design elements, from the way in which streets interconnect, development blocks and buildings are arranged, the use of common building materials, visual containment and boundary treatments etc. The site specifically does not seek to recreate, or generate a pastiche of what has gone before, but instead looks forward to contemporary sustainable design solutions which effectively integrate into the existing fabric of Charing by way of referencing common building materials, layout and street hierarchy.
- The proposed development would be in accordance with national and local planning policy.
- The site is located with easy access to local facilities, public transport links and the local footpath network. Local amenities within walking distance of the site include a doctor's surgery, post office, St. Peter & St. Paul Church, pubs and restaurants along with a number of local stores and a library. The site is also in proximity to a pre-school and Charing C of E Primary School. There is a wide network of public footpaths, which provide good connections to the wider countryside and neighbouring settlements. Charing train station is located adjacent to the site off Pluckley Road, providing direct connections to Maidstone, Ashford and London. There are bus services operating to Ashford, Lenham, Egerton, Pluckley, Harrietsham and Maidstone, with the nearest bus stops located on Old Ashford Road to the north-east of the site and to the east of Maidstone Road/Ashford Road.
- The applicant considers that the impact on the character of the '*Charing Farmlands*' LCA would be minor, with landscape effects considered to be minimal.
- The evaluation of the site and its context has identified key on-site and off-site features which have helped to inform the decision making process and the continuing evolution of the development proposals. In summary the site has relatively few physical constraints to the type of development proposed.
- The Illustrative Masterplan provides an indication of densities across the site and identifies the situations where focal buildings may be used to close a vista or turn a corner etc. In addition information is provided with regard to building scale and the appearance of the development both in terms of its architecture and landscaping. The purpose of the Illustrative Masterplan is to provide an example for the detailed design stage of reserved matters applications. It sets out the key urban design principles that the development will seek to adopt

conforming with the development parameters of the Development Framework Plan.

- The proposed development will reflect densities evident within the local area and proposes new development at an average density of 30 dwellings per hectare (dph). In general, a higher density layout will be provided along the main street with a lower density arrangement of detached and semi-detached properties along lanes and at the peripheries. The housing mix will vary to provide a range of densities along each street scene.

Planning Statement

- It is acknowledged that the proposed development would represent a departure from the development plan as the site lies outside the settlement boundary of Charing. However as Ashford Borough Council (ABC) cannot demonstrate a 5 year housing land supply, the policies that restrict housing are out of date and the presumption in favour of sustainable development and the weighted balance applies.
- The reports submitted in support of this application confirm that there are no adverse impacts that would individually or cumulatively outweigh the significant benefits of the proposed development which include:
- Delivery of up to 245 dwellings to meet an identified need including 35% affordable housing.
- Delivery of housing in a sustainable location. ABC's Core Strategy states that "most development will take place in the larger and more sustainable rural settlements, especially Tenterden, Charing, Ham Street and Wye". The emerging Local Plan also acknowledges that locations such as Charing are suitable for residential allocations and should be the focus of housing developments owing to its sustainability.
- The site is well located to connect to existing physical infrastructure, including utilities such as water, gas and electricity.
- The site is located within easy walking and cycling distance of the services within Charing.
- Delivering approximately 4.85ha of green infrastructure including play areas, formal and natural green space and allotments. This will benefit new residents and the existing community.
- The development would contribute to the economic vitality of the area by supporting local businesses and shops in the village together with increased

Council Tax revenue and the receipt of a New Homes Bonus payment (£2.3 million over 6 years) to further invest in the community.

- Economic benefits associated with jobs required for construction (spread over an 8 year build out period).
- Provide enhancements to local health services/school provision etc. Secured through financial contributions.
- Off-site improvements including traffic calming measures along Pluckley Road.
- Promotion of the use of sustainable transport and encourage the use of the nearby train station that provides regular services to London, Ashford and Maidstone.
- Ecological benefits through the protection and enhancement of existing wildlife corridors together with the creation of a balancing pond that would act as a new habitat area.
- The presumption in favour of sustainable development set out in the NPPF confirms that where there is no deliverable 5 year housing land supply, the policies of the development plan for the supply of housing are out of date and inconsistent with the NPPF. In such circumstances paragraph 14 of the NPPF applies. In the absence of any significant and demonstrable harm capable of outweighing the benefits, the presumption in favour of sustainable development is engaged which confirms that the proposed development should be approved without delay.
- The site has been promoted to the early stages of ABC's emerging local plan on the basis that it could be allocated because it is available, achievable and viable for development now. Not only could the site be allocated now, it is considered that given, its availability, it could be developed and a substantial proportion built out in the next 5 years assisting ABC with their 5 year housing land supply.
- Gladman will seek to enter into constructive dialogue with ABC to agree obligations for any necessary and reasonable on and off site provisions that are related in scale and kind to the proposed development and which meet the statutory tests set out in Reg 122.
- It is likely (subject to market conditions) that approximately 30 market dwellings would be delivered per annum. The affordable housing would be delivered simultaneously. It is anticipated that the development of the site would take 7-8 years to complete.

- The proposals would accord with the wider development plan policies.

Landscape and Visual Appraisal

- The site does not lie within any designated landscape at a national or local level. It is the landscapes, such as the AONB to the north that are generally indicators of landscapes that are high quality and sensitive to change. Overall the landscape of the site is considered to be of moderate condition.
- The majority of the site is made up of pastoral farmland, hedgerows and a number of larger trees, most of which are proposed to be in moderate condition. Overall the landscape is considered to be in moderate condition.
- The site is on the fringes of the settlement of Charing and is inevitably influenced by its relationship with the urban edge. Various urbanising influences are present including the station, platform, substation and railway, and the edge of Charing.
- The Kent Downs form the backdrop to views from within the site to the north but this is typical of views from within and next to the adjacent settlement edge. There are similar views back towards the ridge from the housing under construction to the north of the railway. The site landscape is pastoral but not of any particular scenic quality.
- The site is located within the Charing Farmland Landscape Character Area. The proposals are considered to have minor adverse visual effects on the character area. There is a need for housing and expansion of Charing will be required. Charing is effectively constrained to the north by a more sensitive landscape and topography. To the east of Charing the landscape is more enclosed in nature. The recent direction of growth has therefore been located in a south westerly direction. Whilst more open in character due to topography, the landscape to the south-west has few features of particular landscape merit, and is located adjacent to the railway, and the new settlement and away from the sensitive historic core. The proposals will continue the historic growth direction of Charing and will include a large amount of green infrastructure and planting to the west of the site and throughout.
- The site lies within the National Character Area 120 'Wealden Greensand'. The site forms a very small part of the wide character area and will consequently have negligible effects on the overall character area.
- The Kent Downs AONB lies 500 metres to the north of the site beyond the A20. The site is not visible from the lowest slopes of the AONB but becomes visible as the land rises. The views from the AONB look across the existing settlement with the site beyond that. Views are also affected by the transport

corridors. This in addition to the proposed landscape mitigation results in an overall residual negligible landscape effects on the AONB.

- The closest residential properties are located on Pluckley Road. Additional planting along the rear gardens would reduce the effects of the development although there would be initial major adverse effects for a small number of properties reducing to moderate adverse within 10 years.
- The site and landscape is pleasant and includes some scenic attributes - it does not convey any pronounced sense of scenic quality. There are no rare landscape features.
- The site is of restricted nature conservation value. The site has no features of heritage interest but lies adjacent to listed buildings.
- The vast majority of the site is not publicly accessible. The only public access is the footpath which crosses the top corner of the site, leading to a railway underpass towards housing to the north.
- The landscape is not tranquil or wild. Noise from the railway can be heard intermittently.
- The site is considered to be of medium overall sensitivity and of medium landscape value.
- It is considered that the site could absorb change of the scale and type proposed.
- The site is visible from glimpsed views from the bridleway/track within the Kent Downs which forms part of the North Downs Way and Pilgrims Way cycle trail but the site would be seen in the context of the settlement.
- The site is visible from the approach into Charing on the A20 to the west and from Hook Lane which has no field boundaries allowing open views. These are low sensitivity and transient vehicle receptors and the development would be seen in the context of the settlement. Residual effects are considered to be minor adverse/negligible.
- Overall it is considered that the development proposals demonstrate a well-considered approach to the landscape and the context of the site and appropriate development of the site has the potential to successfully integrate into the local surroundings without any unacceptable landscape or visual effects.

Ecological Appraisal

- The Ecological Appraisal provides the results of an extended Phase 1 Habitat and Preliminary Protected Species survey undertaken within the 2015 and 2016 survey seasons. The objective of the initial survey was to gain an understanding of the baseline ecology of the application site and immediate surrounding area and to determine whether the application site supports or has the potential to support protected, rare or otherwise notable species.
- A change to the red-line site boundary resulted in the inclusion of a residential dwelling and its curtilage (Eastlands). The timing of this resulted in this land being excluded from the survey due to it being outside of the bat survey time period. An external and internal inspection was however carried out and no evidence of bats was seen.
- No access was granted to survey the garden pond at Eastlands or the 5 ponds located within 500m of the site in 2015. Residential pond P1 (Eastlands) was classified as poor on the Habitat Suitability Index. Pond P2 is located approximately 110m north of the site boundary and is separated from the site by a train line and access road. The pond was not able to be assessed due to the new development being constructed around it. The remaining ponds (P3, P4, P5 and P6) are situated 136m south 160m east, 284m east and 440m east from the site boundary respectively. These ponds are in open fields associated with residential dwellings. They are separated from site by roads, open land and residential dwellings. The application site is considered therefore to have no direct linkages to these.
- The majority of the site was considered to provide sub-optimal habitat for reptiles as it was heavily grazed by cattle, leaving only narrow margins along hedgerows and ditches. The survey results identified a 'low' population of slow worm and grass snakes in the south-west and north-west field corners.
- The site comprises an improved grassland field divided into two field compartments, both of which are heavily grazed. The peripheries comprise of broad leaved woodland, boundary hedgerows, scrub and fence lines. The grassland is considered to have limited ecological value; however, two of the boundary hedgerows were classified as 'important' under the hedgerow regulations.
- A low number of trees with potential to support roosting bats were identified within the site all of which are proposed to be buffered and retained within the green infrastructure (GI).
- Commuting and foraging habitats are largely restricted to the hedgerows, scrub and woodland edges of the site. Monthly bat surveys have identified common and widespread bat species using the site, including the common

pipistrelle, soprano pipistrelle, nathusius' pipistrelle, noctule, and serotine; and three bats species which could not be identified beyond genus level Placodes species, Nyctalus species and Myotis species bats, with the majority of activity recorded being that of common and soprano pipistrelle bats.

- The majority of the site is considered to provide sub-optimal habitat for reptiles as it was heavily grazed by cattle, leaving only narrow margins along hedgerows and ditches. Consultation records confirmed the presence of reptiles in the wider area and a low population of both slow worm and grass snake has been recorded through presence/likely absence surveys. Where suitable habitat is to be lost, a passive displacement exercise will be completed prior to the commencement of construction activities.
- The surveys recorded no evidence of badger setts or associated field evidence within the application site. The site is relatively flat and is considered to be unsuitable for sett construction, although there are opportunities to the north along the railway embankment. No evidence was however found.
- Evidence of Dormice was found during the surveys. Dormouse nests were recorded within the western periphery and central hedgerow within the site, which would be retained within the GI and would be designed with specific enhancements for dormice, including structure and diversity of native species to enable foraging throughout the year. As an existing access point within the central hedgerow is likely to be widened, a Dormouse European Protected Species Mitigation Licence would need to be obtained through Natural England. The ditch and waterbody onsite were not considered suitable for the support of great crested newt and the five further waterbodies identified within 500m of the site were considered sufficiently isolated from the site either by being further than the maximum migratory range or by substantial, physical barriers to the dispersal of individuals.
- The applicant proposes that the development would retain habitats of high ecological value, including all hedgerows and wooded areas. Small sections of hedgerow would however be removed in order to facilitate the implementation of the access and these losses would be compensated for through the creation of new indigenous hedgerow and structural scrub/woodland planting. This would be supplemented by 'gapping up' and appropriate management of existing, retained features. The existing green corridors would be enhanced through inclusion of landscape buffers designed to maintain discreet dark corridors for bat species, reptiles and invertebrates. In addition to focusing on the existing features of ecological importance, the overall landscaping scheme would include new tree, shrub and hedge planting, with creation of balancing facilities designed with the intention of maximising biodiversity benefits. The enhancements to the site would result in a minor/moderate beneficial effect at site level as a result of the development.

Statement of Community Involvement

- Gladman have consulted with the local community of Charing prior to the application being submitted. It is considered that the scope of community consultation has met with, and gone beyond, the recommendations of the Local and National planning policies and legislation.
- Gladman have taken account of the views expressed by those consulted and have engaged with the local community in a variety of ways to ensure that their opinions have been considered in the evolution of the scheme.
- The Statement of Community Involvement includes the key matters that have been raised. Most of the comments relate to traffic matters, the need for housing and the capacity of local services that have already been considered.

Phase 1 Preliminary Risk Assessment

- The land has been undeveloped since 1872 mapping, other than the addition of drains in the northwest of the study area (present by 1897 mapping). No potentially contaminative historical features have been identified within the study area.
- The study area consists of a large field split down the centre from east to west by a hedge with associated drainage ditch. The whole study area is bound to the north and west by a drainage ditch. Another drainage ditch runs along the eastern boundary of the northern half of the study area. Only limited made ground, up to depths of 0.20mbgl, was recorded in trial holes dug onsite with pottery fragments identified in the north west of the study area.
- Potential contamination sources affecting the study area were identified as pesticides and hydrocarbons from adjacent Railway Lines, a Fuel Depot, former Sheepwash and natural Alluvium deposits underlying the north west of the study area. These contaminants may pose a risk to future residents.
- In accordance with the NPPF, it is considered that sufficient information on the potential contaminative status of the study area is available in the Preliminary Risk Assessment report to allow the validation of any future planning application by the Local Planning Authority and for conditional planning approval to be granted.
- Such conditional approval will likely include standard prescriptive conditions requiring an appropriate investigation, risk assessment and, if appropriate, a remedial strategy are completed to the satisfaction of the Local Planning Authority prior to the commencement of any development.

- Based upon the available information it is considered unnecessary at this stage to undertake an intrusive contamination investigation on the study area.
- Recommend that once conditional planning approval is granted, a limited targeted intrusive survey should be carried out on the study area.
- Precautionary gas protection measures should be taken. A watching brief should be maintained by the site manager during enabling and construction works for any evidence of made ground, such as ash and clinker; any unusual ground conditions and any visual and/or olfactory evidence of hydrocarbon contamination. If any such evidence of the above is encountered then this should be reported to the Local Authority and the retained consultant pending further assessment and possible sampling.

Transport Assessment

- Vehicular access is proposed to be taken off Pluckley Road via the plot currently named 'Eastlands'. The access itself takes the form of a simple priority controlled junction with the suggested geometries being in accordance with the KDG for a Major Access Road. A 2m footway is proposed in the northern verge with a 3.7m wide shared pedestrian/cycleway in the southern verge that would facilitate access for emergency vehicles should the main access become blocked.
- The proposed access shown on drawing P16005-003, contained with Appendix F, would be accompanied by a package of traffic calming measures intended to reduce vehicle speeds along this section of Pluckley Road. Initial discussions with KCC have led to them accepting the principle of introducing traffic calming to compliment the proposal.
- Traffic calming options have been presented in Technical Note 01 which accompanies the TA however it is acknowledged that further work and consultation with local residents and emergency services will be required before the final scheme can be determined. It is possible that the scheme could be implemented by the developer as part of the s278 works, or by KCC through funding provided by the developer as part of the s106 agreement.
- The traffic calming scheme also presents an opportunity to improve the condition of the road surface along this section of Pluckley Road which on-site observation suggests would be welcomed.
- In accordance with MfS and KDG guidance, the site access proposal shows that visibility splays of 2.4m x 43m in both directions, reflective of the signed speed limit, can be achieved.

- As well as providing for pedestrians at the proposed vehicular access it is proposed that the internal pedestrian infrastructure, as shown on the Development Framework Plan, would tie in to the PROW (AW37) which runs along the western boundary of the site giving pedestrians wanting to travel north another option.
- A Draft Residential Travel Plan has been prepared alongside the TA and forms part of the suite of documents prepared to accompany the planning application.
- The location of the site has been shown to be sustainable when considering access to and from the site by modes of travel other than the private car, particularly walking, cycling and public transport. It has been demonstrated that the local primary school and local amenities are within nationally acceptable walking and cycling distances.
- The bus stops in the vicinity of the site provide connections to main urban centres in the area (Maidstone and Ashford), making bus travel a viable option for the residents of the site. Charing train station is within a short walking distance with regular services also providing options for access to Maidstone and Ashford, but also London. The sites access strategy maximises access via sustainable modes and the proposal includes measures to encourage travel by non-car modes, which is described in further detail in the Residential Travel Plan.
- An assessment of the capacity of the proposed site access point has been undertaken, this confirming that the access has ample capacity to accommodate the predicted traffic flows in 2021 with the proposed development in place.
- The assessment of neighbouring off-site junctions showed that both the A20/A252/ School Road roundabout and the A20/ High Street/ Station Road priority crossroads would continue to operate within capacity with the introduction of the development in the future year 2021.
- A review of personal injury accidents that have occurred on the local highway network in the last five years found that although 29 accidents were recorded this was not unexpected given the status, speed and nature of the local roads and the volume of traffic using them. It is concluded that the proposed development would not have a severe impact on the operation of the highway network both in terms of safety and capacity. The impact could best be described as negligible. No off-site mitigation measures should be required.
- The report demonstrates that the proposal complies with local and national policy and guidance In terms of sustainability. Section 5 concludes that the site's location and therefore the proposed development would be accessible

by non-car modes of travel. NPPF clearly states, at Paragraph 14, that there is a 'presumption in favour of sustainable development' and that 'local planning authorities should positively seek opportunity to meet the development needs of their area' unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits...' Considering such 'adverse impacts', in accordance with paragraph 32 of NPPF, it is concluded that 'safe and suitable access to the site can be achieved for all people' and demonstrated, within Section 6, that the impact of development generated traffic would be minimal and mitigated for where appropriate. Paragraph 32 concludes by stating that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.' This report concludes that the proposals would not have an adverse impact on safety and only a negligible impact in highway capacity terms. Therefore PRIME (the applicant's highway consultants) consider there to be no highways or transportation related reasons why planning permission should not be granted.

Travel Plan

- From consideration of national and local transport policy the applicant considers that it is clear that TPs have an important role in reducing congestion, minimising the environmental impact of travel and in supporting healthy living

Objectives of the TP:

- Enable residents of the site and visitors to it to make sustainable travel choices that benefit themselves, their community and the environment;
 - Design the development in such a way that it is accessible to all people regardless of any disability or impairment in order to enhance social inclusion;
 - Raise awareness of the benefits of sustainable transport modes in terms of the benefits to individuals, local communities and the environment;
 - Ensure that sustainable travel modes offer convenient options for door-to-door travel; and
 - Ensure that sustainable travel choices are encouraged in the short term and continue to be used in the long term.
- The access strategy set out within the application has been designed in consultation with KCC Highways and Transportation. Traffic Calming measures are considered to be appropriate.

- Pedestrians and cyclists would use the proposed new access which would provide good connectivity.
- Parking would be detailed with the reserved matters application and so precise details including the layout are not known at this stage. Parking would be in accordance with the Council's adopted guidance (Parking SDP).
- The site would be accessible through sustainable modes of transport such as on foot, by bicycle, by bus and rail.
- The overall responsibility for the TP will initially lie with the developer behind the potential Reserved Matters application from the first construction of the development to a 'trigger point' to be agreed with KCC. Following this, the TP will become the responsibility of a TP coordinator, site Management Company or residents' association.
- The TP will be regularly monitored and reviewed.

Socio-Economic Sustainability Statement

- Charing's population has grown by 2.6% in the last 10 years. Ashford's population has increased by 33.2% between 1991 and 2011 (Census data) and is anticipated to grow a further 30.1% by 2039. This population is likely to be accommodated across the district and their significant contribution to the economy can be captured locally by allowing smaller, sustainable settlements such as Charing to grow.
- Ashford is clearly a sought-after location to live. The ratio of house prices to average earnings at 11.8 is significantly above the national average and demonstrates this fact, but equally shows that this location is a particularly unaffordable place to live.
- The proposal to build 245 homes will go some way to improving both these situations.
- The development will provide new market and affordable homes which will open the settlement up to local people, key workers and others previously unable to purchase a house in Charing.
- NPPF Paragraph 19 states that significant weight should be placed on the need to support economic growth through the planning system. This has been endorsed by a number of Inspectors reporting on recent appeals (as discussed in the Report). In this regard, the economic benefits derived from this scheme will be substantial and will impact positively on the local area. They are a significant material consideration in the determination of this application.

Noise and Vibration Assessment Report

- The scope of the assessment includes consideration of noise at sensitive areas of the proposed development and is in line with current guidance.
- The results of the noise survey and assessment indicate that, to meet the guideline value of 55dBL Aeq (16 hour) in outdoor living areas in the northern part of the site, gardens should be located on the screened sides of the dwellings.
- For outdoor living areas located to the south eastern part of the development site, gardens could be located on the screened side of the dwellings. Alternatively, in outdoor living areas to be located between Pluckley Road and the proposed dwellings in the south eastern parts of the site, a 28 metre stand-off from the road and close boarded fencing of 1.8 metres in height located 10 metres from the road should be sufficient to protect garden areas located closest to, and with a direct line of sight of, Pluckley Road.
- Mitigation requirements will depend on the detailed design of the proposed development and upon the local topography.
- The requirements indicate that standard thermal double glazing should ensure that the internal noise limits are met in living rooms and bedroom areas for proposed dwellings located across the development site during the daytime and night time period, with windows closed. However, with windows open, the attenuation provided by the facade would allow the internal noise limits to be exceeded in living room and bedroom areas located in northern and eastern parts of the development site, during the daytime and night-time periods.
- Acoustic ventilation would need to be installed in living rooms and bedrooms located nearest to, and with a direct line of sight of, Pluckley Road and the London to Folkestone railway line. Alternatively, to meet the required noise levels, living rooms and bedrooms could be located on the screened side of the proposed dwellings, away from the main sources of noise. The buildings to the south of the site, closest to and with a direct line of sight of Pluckley Road, will need the same or similar mitigation.
- The facades of the properties further into the site will be protected by the buildings themselves and/or screened by other buildings. Acoustic ventilation may not need to be installed in the living rooms and bedrooms. Details will be confirmed on a plot by plot basis at the reserved matters stage.

Foul Drainage Analysis (updated report April 2017)

- Southern Water was consulted to assess the impact of the development's foul water flows on the public sewerage network. Although Southern Water confirmed that foul water flows could be accommodated with a direct connection to Charing Wastewater Treatment Works, this would require an offsite sewer being laid over a distance of 680 metres. The potential to make a connection to the public sewerage network at a point closer to the site has now been examined by Southern Water, with hydraulic modelling work having been undertaken. This evaluation concluded that a local connection is feasible in conjunction with improvement works carried out downstream to ensure no detriment occurs to existing network performance.
- Southern Water has determined that the development's foul water flows can be discharged to the public sewer in Pluckley Road and has outlined a scheme of public sewer improvement works that can be undertaken to ensure that there is no detriment to existing performance levels. The improvement works can be summarised as follows:
 - Upsize 833 metres of 150mm diameter gravity sewer to 225mm diameter along Pluckley Road and Charing Heath Road.
- It is important to note with reference to the development timescales, set out in the Analysis, that foul water flows from the development will not enter the existing public sewerage network until late 2019 or early 2020. This will allow Southern Water to confirm either that connection should be made in Pluckley Road with the downstream public sewer improvements outlined above, or resolve to compel (using statutory powers under section 112 of the Water Industry Act 1991) the developer of this site to connect at the location identified in its original investigations. This allows Southern Water to ensure that the development's foul water flows can be accommodated in both the short and longer term. Furthermore, given that development will increase on a gradual basis, it is probable that any works required would not need to be complete within the next 3 to 4 years.
- The updated timescales for the development referred to in the Analysis are set out below for ease of reference:-
 - Upon receipt of a valid planning approval, Gladman Developments will begin to market the site in the second half of 2017.
 - Sale of the site is likely to be completed in early 2018.
 - The developer will then complete detailed designs for the site and is likely to make a reserved matters application in mid-2018.

- Determination of reserved matters may take approximately 3-6 months, i.e. by late 2018 or early 2019.
- Initial on-site works could therefore commence in mid-2019 after allowing a few months for enabling works etc.
- Initial occupations (excluding show homes) may commence in late 2019 or early 2020 i.e. by the end of the first full year from when the development commences.
- Development will continue over approximately a 6 year period with sales/occupations at around 40 dwellings per annum.
- Site completion estimated in 2025/2026.
- The proposed development can be effectually drained without causing detriment to the existing public sewerage network. The legislative framework which governs the water and sewerage industry is also detailed and explained in the Analysis. Sewerage undertakers have statutory duties and powers designed to ensure they manage the public sewerage system in a way which can accommodate new development and a defined funding mechanism through which this can be achieved. Foul drainage does not represent a planning constraint for the proposed development and it would be unnecessary and unreasonable to impose a planning condition relating to foul drainage.
- A sewerage undertaker will typically submit representations to local planning authorities requesting that planning conditions are imposed which, as demonstrated by the Analysis and supplementary report, are unnecessary and/or unreasonable. A detailed analysis of the duties and responsibilities of sewerage undertakers prescribed by the water industry statutory framework is set out in Appendix 5 of the Analysis. The effect of these duties and responsibilities on whether it is necessary or reasonable to impose planning conditions in relation to foul drainage is also examined.

Archaeology Assessment

- There are no Scheduled Monuments or other designated heritage assets on the site. Records show a WWII pillbox on the study site but the site inspection established that this has been demolished and removed.
- No sub-surface archaeological assets are recorded on the site and based on the available evidence from the surrounding area, the site is considered to have moderate potential for late prehistoric and Roman evidence. Any archaeological evidence, if present is likely to be of local significance.

- It can be anticipated that the planning authority's archaeological advisor is likely to take a precautionary approach to record any archaeological interest on the site. In the first instance this is likely to comprise a geophysical survey. Based on the limited archaeological interest on the site, it is anticipated that this could be undertaken following planning permission secured by a standard planning condition.

Built Heritage Assessment

- There are no designated or non-designated heritage assets located within the site. Seventy-five listed buildings, three non-designated heritage assets, one conservation area, and one scheduled monument have been identified within a 1km search radius.
- The development of the site would cause no physical impact on the heritage assets listed above and therefore this report considers that the potential impact upon the built historic environment would be restricted to changes within the asset's settings. The National Planning Policy Framework defines setting to be 'the surroundings in which a heritage asset is experienced'. In accordance with Historic England guidance, this report seeks to determine the significance of identified built heritage assets and to what extent the site contributes to their settings and significance.
- The vast majority of the heritage assets' settings are not considered to be impacted upon given their distance from the application site. However, the settings of the Grade II Listed Broadway Cottages, Grade II Listed Broadway House, and Grade II Listed Lantern House are acknowledged as having potential to be affected. In particular, the setting of Broadway Cottages may be harmed if the development is not carefully considered.
- The significance of Broadway Cottages primarily lies in their aesthetic, evidential, historical, and communal values. Their setting provides a secondary level of contribution to their significance.
- The applicant contends that the significance of Broadway House primarily lies in its aesthetic, evidential, historical, and communal values. Its immediate garden setting provides a high level of contribution to its significance. However, its extended setting is suggested as providing a neutral level of contribution to its significance.
- The significance of Lantern House primarily lies in its aesthetic, evidential, historical, and communal values. Its immediate garden setting provides a high level of contribution to its significance. Again, its extended setting is suggested as providing a neutral level of contribution to its significance.

- Following assessment of the significance of the three identified listed properties, including any contribution made by their setting, the Heritage Assessment concludes that the development of the Site is not considered to impact on the significance of the Grade II Listed Broadway House and Lantern House, as long as the development is 'low-lying' (one to two storeys in height) and in-keeping with the character of the area. However, the Assessment also concludes that the development of the Site may harm the significance of the Grade II Listed Broadway Cottages, if the open green space at the rear is completely taken away. Hence, the Assessment suggests that any development in the vicinity of these cottages is kept low-lying and in-keeping with the character of the area. The Assessment advises that a section of the open green space at the rear of Broadway Cottages is kept as open grassland and tree belts are used to soften any views of new development from the cottages. The aim would be to maintain a degree of the open green space that is considered to characterise the setting of Broadway Cottages.

Arboricultural Assessment

- The tree survey and assessment of existing trees has been carried out in accordance with guidance contained within British Standard 5837:2012 'Trees in Relation to Design, Demolition and Construction - Recommendations'.
- The purpose of the arboricultural report is to firstly present the results of an assessment of the existing trees' arboricultural value, based on their current condition and quality, and to secondly provide an assessment of impact arising from the proposed development of the site. The survey has therefore focused on any trees present within or bordering the site that may potentially be affected by the future proposals or will pose a constraint to any proposed development.
- There are no Tree Preservation Orders or Conservation Areas that would apply to any trees present on, or in close proximity to, the site and therefore no statutory constraints would apply to the development in respect of trees.
- A total of twenty seven individual trees, ten groups of trees and four hedgerows were surveyed as part of the Arboricultural Assessment.
- The vehicle access to the site would be off Pluckley Road and taken through the Eastland's property. This will require the demolition of the existing dwelling along with one tree in the rear garden (a Cherry). It is considered that the loss can be mitigated through new planting. The access road would encroach within the rooting area of T23, a category B Yew tree, however it is not felt that enough root would be affected to warrant removal and mitigation could be to ensure the most sensitive construction techniques around this tree. The majority of the hedgerow would also be retained. Additional new tree planting

is proposed within the site (and would form part of the reserved matters application).

- The Assessment concludes that the proposed development would be considered as arboriculturally sound allowing for the retention of the vast majority of the existing trees on site and the additional proposed new tree planting set to greatly increase the tree cover on site and within the local area.

Flood Risk Assessment and Outline Drainage Strategy

- The site is shown on the Environment Agency's (EA) website Flood Zone Mapping as being in Flood Zone 1 (PPG Table 1).
- The site is in Flood Zone 1 – Very Low Risk – annual probability of flooding less than 0.1% (1 in 1000).
- There is a Low Risk of shallow surface water and pluvial flooding recorded due to the potential for water to collect in natural depressions within the site boundary. These depressions are likely to be reshaped or positively drained during the detailed design process.
- Site falls will be arranged to allow reasonably level access for occupants and visitors and allowing the site to be free-draining in case of local ponding at times of heavy rainfall. Floor levels of dwellings would be set as high as possible above the flood level giving regard to necessary access for the less-able.
- The development would not result in any reduction in flood plain storage compared to the existing situation.
- In considering the potential drainage options for the site at present, it is assumed that surface water runoff arising from the development would discharge into the existing ditches.
- The proposed development would increase the proportion of the site covered by impermeable surfaces and would therefore generate more runoff. Attenuation would therefore be required.
- The outline drainage strategy considers the use of attenuation based SuDS to be feasible with a discharge to the ditches on the western and southern boundaries of the site. Therefore, the most effective strategy would be to have detention facilities at the western boundary for the northern area; and adjacent to the southern boundary for the southern area.
- For the northern area the required detention facility has been estimated to be 831.5m³ for the 1 in 30 year greenfield flow restriction.

- Similarly the estimated volume to be retained on site for the 1 in 100 year storm event including the allowance for climate change is between 1507.3m³ and 1846.9m³.
- For the southern area the required detention facility has been estimated to be 808.6m³ for the 1 in 30 year greenfield flow restriction.
- Similarly the estimated volume to be retained on site for the 1 in 100 year storm event including the allowance for climate change is between 1465.8m³ and 1796.1m³.
- The site is considered to be at low risk of flooding. It is recommended that the minimum finished floor levels for the development should be set at a nominal height above the proposed ground levels. This is to allow for overland flow during exceedance flows from an extreme event or a drainage failure.
- Access close to the site is elevated above potential flood levels and would always provide safe access to and from the site from Pluckley Road to the east.

Updated technical note (PRIME Transport) providing supporting information to the Transport Assessment and Travel Plan.

The applicant has also submitted an updated technical note (dated 14th June 2017) in response to comments made by Kent County Council Highways and Transportation. This note is summarised below:

- PRIME acknowledge the proximity of the PRoW to the north-west corner of the site. Whilst it is accepted that this may not be the most direct route for all residents of the site, it would offer an attractive alternative for many.
- The connection is compliant with NPPF which states the importance of providing opportunities for sustainable access to development sites. Whilst the TA did not make reference to any improvements to the PRoW infrastructure between the site and the train station the applicant considers KCC's request reasonable and would be willing to agree a contribution to be included in any s106 agreement.
- Footpaths & pedestrian safety - Checks on the data obtained for the length of Pluckley Road/ Station Road between Charing Heath Road and the A20 confirm that the footway on the northern side measures circa 1m as it passes over the railway. This width is constant over a distance of circa 55m before the path widens from 1.2m–1.5m between the stepped access to the station and Hither Field (circa 45m).

- At 1m, this is 0.2m narrower than the minimum width recommended in the Kent Design Guide for Major Access Roads (page 125). That said, DfT's Inclusive Mobility reports that a person without a walking aid can walk along a passage way less than 700mm wide; with a walking stick this width increases to 750mm. A person with two sticks or crutches, or a walking frame, requires 900mm, which is also available through this length of restricted width. This same width (900mm) is that required by a wheelchair according to both Inclusive Mobility (Section 2.3) and Manual for Streets.
- The existing provision is therefore considered to be suitable for the majority of pedestrians and single wheelchair users. A review of the accident data confirms that two injury accidents occurred in this location within the 5-year study period, though neither involved a pedestrian nor were they related to the width of the footway. PRIME suggest that it would therefore appear that there are no safety issues at present relating to pedestrians using this footway.
- It is acknowledged, however, that pedestrian demand is very low in this area at present. Whilst this would inevitably increase if the development went ahead with 63 two-way pedestrian trips predicted in the pedestrian peak (15:00 – 16:00), this equates to around 1 pedestrian every 60 seconds, which in PRIME's opinion confirms that it is highly unlikely that pedestrians would need to pass one another over this section.
- The alternative route via the PRow network, whilst slightly longer, would offer an option to those who might prefer to avoid the route running parallel to Pluckley Road/ Station Road. Improvements suggested by KCC, and accepted in principle by the applicant, would also make this route more attractive than at present.
- There does also appear to be the possibility of redistributing the road space between the walls on the bridge. At present the footway in the northern verge measures circa 1m, as stated above, the carriageway circa 5.7m, and the southern verge approximately 0.75m. In line with MfS, the carriageway could be reduced to 5.5m, which is considered sufficient for two HGVs to pass, and the southern verge reduced from 0.75m to 0.5m, which is the minimum width permitted according to The Kent Design Guide. Accepting both changes would allow the footway in the northern verge to be increased to almost 1.5m wide. The applicant would be willing to accept a condition requiring these works to be carried out as part of any s.278 Highways Act works, or through a contribution via a s106 agreement.
- It is accepted that pedestrians would need to cross Station Road to use the signalised crossing on the A20; however, it is considered that the optimum location to do so would be in the vicinity of the Village Hall and 7 Station Road. The applicant would be willing to fund or provide a tactile paved dropped kerb crossing (or other such solution as deemed appropriate by

KCC) in this location to encourage crossing here in favour of less suitable locations. Visibility has been checked on the topographical survey and it can be confirmed that given the low speeds of left turning vehicles from the A20 on to Station Road, adequate visibility is achievable to / from the proposed crossing point in both directions.

- Improvements to the station: The applicant has contacted Network Rail to discuss the requested contributions, provided that they meet the tests. To date no clarification has been provided in relation to a workable solution for a step free access to the platform or an indication of a contribution that would be fairly and reasonably related in scale and kind to the development. PRIME note that no such developer contributions were sought by the Council to deal with such matters for a comparable recent development in Charing.
- Buses: The applicant has contacted Stagecoach who have acknowledged that the development could warrant an increase in the frequency of services. Whilst the Ashford Road stops are approximately 800m from the site, this is not considered to be unreasonable in a rural context. Train travel will also be an attractive alternative and therefore PRIME suggest that it would be preferable that contributions towards sustainable travel should be focused upon improving facilities at the train station.
- The Council's emerging Ashford Local Plan 2030 proposes to allocate three sites in Charing for housing. None of the proposed policies make specific mention of the need to increase the frequency of bus services to ensure that the sites are sustainably located in terms of public transport provision.
- The applicant sought pre-application advice from KCC and is disappointed with their response in relation to the new access and traffic calming measures. Previous meetings and correspondence gave PRIME and the applicant justifiable reason to believe that there was an agreement in principle with KCC on access with traffic calming measures incorporated. It is considered unreasonable for the highway authority to change its approach. (Head of Development Strategic Sites and Design note: Further details have been provided to KCC for further consideration and comments – see representations section below). The applicant and PRIME Transport therefore feel that KCC objections have been adequately responded to and that there are no outstanding highway or transportation reasons why planning permission should not be granted in principle.

Planning History

14. There is no planning history for this site.

Consultations

Ward Member: The Ward Member, and Leader of the Council, Councillor Clarkson, is an ex-officio member of the Planning Committee. Councillor Clarkson has made no comments in relation to the application.

Charing Parish Council: Object.

Comments are summarised as follows:

- A development of 245 dwellings would be out of scale with the village and be disruptive particularly when added to other proposed developments.
- Current facilities in the village, including the school and the surgery, would not be able to cope with this scale of expansion. Parking, already a major problem, would become a nightmare.
- The proposed access has major and serious problems that the Council do not believe could be overcome.
- It would add substantially to the well-known traffic problems on Pluckley and Station Roads and the A20/Station Road junction.
- Pedestrian access to the village centre, the school, the church, bus stops, and even the close-by station and surgery, is unsatisfactory and cannot be improved. Wheelchair access is very difficult.
- The proposed drainage plan is unsustainable. There are risks of damage to the water supply and increasing flood risk downstream.
- Protected species, including dormice, would need to be moved and would be at permanently increased risk from additional cats.
- The historical and archaeological assessments are inadequate (reference is made to the letter from Wendy Rogers of KCC Heritage in this respect).
- The proposed 8 years of development means that neighbours will be exposed to the problems of construction for far too long.
- The suggested benefits are exaggerated and in no way compensate for the disadvantages.
- Developing this site would be contrary to paragraphs 32, 35 and 103 of the NPPF, to policies CS1, CS15, CS20 and possibly CS21 in Ashford's core strategy, to TRS17 in the Tenterden and Rural sites DPD, to policies HOU4,

TRA5, TRA7, ENV8 and ENV9 in the draft Local Plan and to guidance in the Charing Village Design Statement.

- The Parish Council fully accepts that Charing will need to take its share of additional housing. But other sites, capable of delivering a substantial increase in housing, are considerably more suitable.
- The development would be a disaster for Charing.

The Parish Council has also included a list of housing under construction, granted planning permission or the subject of current planning applications, and sites being considered in other discussions. This list is attached as Annex 1 to their comments and would equate to between 306 to 320 dwelling, which they state is an increase of between 26-27% excluding windfall sites.

Little Chart Parish Council (adj.): Object.

Commenting as follows:

"As the adjoining parish, Little Chart Parish Council most strongly objects to this application on the grounds that it is completely out of scale in its proportions. The proposal will have enormous implications for the already overcrowded and potholed local roads. The residents in the new housing are unlikely to spend money in local shops and businesses, as the site of the development is out of easy walking distance from any amenities. It also represents a further burden on the nearby doctors surgery (which it is noted, has already objected), the primary school and parking facilities at Charing Station. The proposal is totally out of keeping with the locality".

Pluckley Parish Council (adj.): Object.

Commenting as follows:

"Although Pluckley Parish Council is not a consultee, Parish Councillors unanimously agreed to object to this application on the following grounds:

- *It is wholly disproportionate to its setting.*
- *It would put further strain on the access road which is too narrow.*
- *The local surgery would be overstretched and has already objected.*
- *It would increase traffic through Pluckley and exacerbate the parking problem at Pluckley station.*
- *It would diminish the residential amenity of Charing.*

- *Construction traffic during construction would be more than the narrow roads could sensibly manage".*

KCC Highways and Transportation: Objects to the application and recommends that it is refused planning permission on highway grounds.

Comments are summarised below:

- The pedestrian links are unacceptable and the development would be harmful to pedestrian safety.
- The site is poorly located in relation to public transport in terms of walking distances to bus stops and the frequency of services. The use of public transport would not be seen as an attractive alternative to the private car by the future residents.
- The proposed traffic calming measures are considered to be unacceptable.
- Further information and data is requested.

[HDSS&D Comment: KCC Highways and Transportation have been asked to provide further consultation comments in response to the additional information submitted by PRIME Transport dated 14 June 2017 on behalf of the applicant. Any additional comments will be reported to the Planning Committee in the update report as final comments have not been received prior to finalising his committee report]

Kent County Council Drainage/SUDs: Object.

Commenting as follows:

"Kent County Council as Lead Local Flood Authority currently objects to the application as it is unclear where the proposed surface water outfalls will be sited for the development, in particular within the southern portion of the site. The proposed strategy utilises detention basins at the southern boundary, however the flow directions appear incorrect given the topography.

It is likely that attenuation volumes would be required along the western boundary prior to outfall into the watercourse at a restricted rate. It is important that all water flows are kept to their natural catchment areas to avoid increased flood risk elsewhere.

We note a discharge rate of 4l/s/ha is proposed in order to comply with the requirements of Ashford

Borough Council's Sustainable Drainage SPD and we would therefore seek to ensure this requirement is met by all surface water discharges from the development given anecdotal evidence of possible capacity constraints downstream of the site."

[HDSS&D Comment: Additional information has been provided and KCC Drainage/SUDs have been re-consulted. Any additional comments will be reported to the Planning Committee in the update report.

Ashford Borough Council Project Office Drainage: Object. Stating the following:

"The comments of KCC as Lead Local Flood Authority are fully supported and further information should be provided to ensure that flood risk is not increased elsewhere as a result of the development. Surface water flows should be retained within existing catchments and the existing natural land drainage regime for the area. Therefore, until further information is available (as identified within the response from KCC's Flood Risk Project Officer), there are no further comments at this time."

River Stour Internal Drainage Board: No objections.

Stating the following:

"The site of the planning application drains via ordinary watercourses to Newland Dyke, which is an IDB adopted watercourse, and on to the Great Stour. The application therefore has the potential to affect IDB interests, downstream flood risk in particular. I am therefore pleased to note that the applicant has committed to restricting runoff to 4l/s/ha in accordance with ABC's SuDS policy."

"Should the Council be minded to approve this application, it is requested that the details of surface water drainage be made subject of a condition requiring separate LPA approval. The SuDS and details of its future maintenance should be agreed in consultation with KCC's drainage and flood risk team and ABC's own Drainage Engineer".

Highways England: No objection.

Stating the following:

"This is on the basis that having reviewed the Transport Assessment, we note that the application does not consider the impact of the proposals on the SRN nor does it consider DfT Circular 02/2013, which refers to the requirement for a ten year or end of plan period assessment.

However, based on our own data and assessment using on the Census data presented in the Transport Assessment, we are now satisfied that the proposals will not materially affect the safety, reliability and/or operation of the SRN".

Network Rail: No objections.

Commenting as follows:

"We expect due to the proposed development the expected passengers at Charing Station would likely increase and encourage more travel to/from the station.

The below requirements have been identified as the station requiring further upgrade of facilities/accessibilities, and would therefore seek contributions from the developer in order to enhance and improve station facilities.

- *Additional cycle parking*
- *DDA Level access to both platforms.*
- *Door openers through the ticket office to aid DDA passengers.*
- *Additional TVM covered by CCTV.*
- *Additional waiting shelter on country end of platform 2. Increased passengers are expected to rail head to Ashford to use the High Speed service."*

[HDSS&D Comment: The applicant has agreed to the principle of contributions towards sustainable travel provided the contributions would be would be fairly and reasonably related in scale and kind to the development].

Kent County Council Archaeology: Initially raised objections requiring the submission of additional information. Following the receipt of further information this objection has been withdrawn subject to attachment of planning conditions.

Charing Archeological Group: Object.

Commenting as follows:

"...important data regarding the history of the site is not recorded in the cited material. The area concerned appears on the 1639 Calehill Estate Map CKS U386 and the 1736 Granville Wheler Charing Manorial Map CKS U679 both of which are available from KCC as discs. The latter shows the relevant land as West Brooks and Plane Brook and these anciently formed part of the very necessary pasture for the Archbishop's requirement to provide 40 horses at short notice at the Palace. That requirement for pasture curiously continued into the 20thC when the Fire Engine horses were kept there. The latest and late Granville Wheler would have, as a horse lover, known this.

In order to set out the duties and services attached to this land reference should be made to the Survey of Archbishop Pecham's Kentish Manors 1283 – 85 translated, edited and introduced by Kenneth Witney MA., CVO (1916 – 1999) see Kent Records Vol XXVIII, 2000 . That vital publication records the Charing Customal and Lambeth Summary This land and its extension north of the railway is now nearly the last of the village's ancient pasture with the exception of Pickets adjacent the village school. The land is therefore precious to the ambience of Charing and closely relates as to why Charing evolved in the first place. There should be more information in the Wheler Papers in the Kent Archives and in the Lambeth Palace Library.

As to Archaeology in the area this is still being investigated by the Charing Archaeological Group. The land concerned appears to extend between a small Romano British huddle of huts near Charing Roundabout and scattered huts south of Coppins Corner near a tumulus noted by Harris west of the Pluckley Road. There is Romano British activity in the area dating back to Nero. A presumed Roman Road from Charing to Pluckley runs just east of the present Pluckley Road along the top of the ridge bordering Bees Mount. A minor Roman Road runs from north of Bees Mount past Coppins Corner and on to Charing Heath where it is visible south of Swan Street.

We also wish to record that the Pluckley Road is very busy and where it becomes Station Road in Charing Village it forms the southern part of the medieval High Street which is insufficiently wide to allow a HGV to pass a car without going over the pavement. At busy times there are long queues of cars attempting to enter the A20."

Southern Water: No objections. Subject to conditions and informatives.

[HDSS&D Comment: Southern Water were re-consulted on the further information provided in the form of the Foul Drainage Analysis Supplementary Report (April 2017) in which the applicant has suggested that conditions are unreasonable. Southern Water have subsequently stated that their original response remains unchanged having taken into account this further information].

Environment Agency: No objections. Subject to conditions and informatives.

Kent County Council Public Rights of Way: No comments received.

Ramblers' Association: No objection.

Commenting as follows:

"Public Footpath AW37 runs just west of the site boundary. Public Footpath AW35, beyond the terminus of AW37 and as far as the railway crossing, appears to run actually along the site boundary. However, the Public Rights of Way are very clearly acknowledged in the Design & Access Statement, new paths will be provided within

the site, and the edge of the site nearest the Public Footpaths will be a green area. Consequently there is no reason to object."

Kent County Council Biodiversity Officer: Initially raised concerns and requested further additional information. Following the receipt of further information these objections were withdrawn and the following comments made:

"We have reviewed the submitted information and we advise that sufficient information has been provided to determine the planning application.

The indicative site plan suggests that the majority of the hedgerows will be maintained within the layout. However layout is a reserved matter and we are concerned that the site layout could change and the hedgerows not incorporated in to the final site layout. We advise that if planning permission is granted a condition is included requiring the retention and enhancement of the existing hedgerows within the site. This will ensure that the areas of the greatest ecological interest are retained within the development site.

Great Crested Newts: The submitted information has detailed that for the following reasons it is unlikely that GCN are present within the site:

- *Suitable terrestrial habitat is present within the areas immediately surrounding the ponds or within 100m*
- *There are barriers to GCN directly accessing the site – these includes walls and raised curbs.*
- *The site does not provide suitable foraging habitat.*

We advise that the submitted information is sufficient to determine the application and we advise that GCN surveys are not required.

Dormice: Dormice have been recorded as present within the site and the indicative site plan indicates that it is proposing to retain and enhance existing hedgerows within the development site. While we support this approach we have concerns that the site plan is only indicative and there is a risk that if outline planning permission is granted the area of green infrastructure will be reduced at the reserved matters stage. As recommended above we advise that if planning permission is granted a condition is included requiring the retention and enhancement of the existing hedgerows within the site. This will ensure that the site is designed to incorporate the areas of greatest ecological interest.

Bats: At least 5 species of bats have been recorded foraging/commuting within the site – particularly along the hedgerows. The indicative site plan does indicate that these areas will be retained if planning permission is granted however (as

highlighted above) no definite site plan has been produced clearly demonstrating that the areas will be retained.

We advise that if planning permission is granted a condition is included requiring the retention and enhancement of the existing hedgerows within the site.

This will ensure that the site is designed to incorporate the areas of greatest ecological interest. The house/garage has been assessed as having a low potential for bats to be roosting within the building and detailed that there is a need for an emergence survey to be carried out. Additional information has detailed that it is likely that only crevice dwelling bats will be present within the building and that appropriate mitigation can be incorporated in to the proposed development site.

While it would be preferable that the survey information is submitted prior to determination as the building has low potential and the mitigation can be incorporated in to the proposed development site we do accept that on this occasion that it is acceptable to condition the surveys.”

A number of conditions have also been requested should planning permission be granted. These relate to mitigation and further survey works.

Kent Wildlife Trust: Objects.

Commenting as follows:

“We would caution Ashford Borough Council against granting an outline planning permission without the appropriate protected species survey. These should be submitted in full prior to consent, in order to inform scheme design and mitigation.

We would agree with comments submitted by KCC Ecology team, that further survey is needed for bat emergence, breeding birds and great crested newt. Full details of mitigation for dormice would also need to be provided considering the masterplan layout, where hedgerow through the centre of the site is effectively surrounding a dormouse population, which crosses the site.

Careful consideration would need to be given to sensitive lighting across the middle section and peripheries of the site, to prevent negative impacts on birds, bats and invertebrates. We would also like to see features for hedgehogs (to facilitate their movement and positive habitat management) built in at an early design stage.”

[HDSS&D Comment: Further ecological information has been received]

Natural England: No objections commenting as follows:

“Statutory nature conservation sites – no objection.

Protected landscapes - The development is close to the Kent Downs AONB. Natural England advises that the LPA uses national and local policies, together with local landscape expertise and information to determine the proposal in particular para 115 of the NPPF.

Protected species - refer to Natural England Standing Advice.

Biodiversity enhancements - The application may provide opportunities to incorporate features into the design which are beneficial to wildlife such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. If the LPA is minded to grant permission it should consider securing measures to enhance biodiversity."

Ashford Borough Council Open Space and Landscape Officer: No objections subject to financial contributions in relation to open spaces, play, sports provision, strategic parks and cemeteries.

Also comments as follows:

"For this site there is a requirement to provide informal open space on site, 1.18 ha. The minimum size of informal open space acceptable is 0.25ha, and it must be genuinely useable and easily accessible, as detailed in the Greenspace SPD. We would not count any open space that includes SUDS or areas provided as wildlife mitigation. The informal public open space must be well integrated, any peripheral spaces provided around the fringe of the development will not be acceptable as public open space.

We have also asked for play provision to be provided on site. Although the threshold is normally 415 dwellings, within the village of Charing all play provision is located north of the A20. The road is considered a barrier and therefore we would like to see a play space south of the A20. 0.28ha of play space is required.

Regarding allotments the trigger is normally 1375 dwellings, to ensure that any allotments provided have the necessary infrastructure i.e. water, lockable store, toilet facility. The development requires 0.12ha. However it is noted that the Framework Plan indicates allotments of 0.24 ha. For an allotment site of 0.24ha to be viable they will have to be provided as one whole area, with assurance that they will encompass all the facilities as detailed in the Greenspace SPD. If the allotments are provided to the necessary standard then no off site contribution will be sought.

None of the open space on site would be adopted by Ashford Borough Council."

Ashford Borough Council Housing Enabling Officer: Objects to the application with the following comments:

"In terms of mix and tenure and the recent publication of the housing white paper and the change of direction away from starter homes as a mandatory tenure on sites and our Members desire for an equal balance between affordable home ownership and affordable rented homes the mix below should be considered to give a 50% affordable home ownership and 50% affordable rent split overall.

Based on the emerging Local Plan requirement (HOU 1) for 40% affordable housing in the rural areas the expectation would be for there to be up to 98 units of affordable housing on this site.

10% of those to some form of affordable home ownership (based on white paper requirement)

15% for shared ownership

15% for affordable rent

The affordable housing property types should be sought in the range:

- 1-bed properties: 25%-30%
- 2-bed properties: 35%-40%
- 3-bed properties: 25%-30%
- 4-bed properties: 5%-10%

[HDSS&D Comment: The applicant is proposing 35% affordable housing which is in line with current planning policy. The applicant proposes the dwellings to be 2-bedroom to 5 bedroom properties].

Ashford Borough Council Environmental Health: No objection commenting as follows:

"I understand that the only matter for consideration at this stage is the means of access. Having reviewed the details of the application I have no objection/comment to raise with this regard".

Environmental Services (Refuse): No comments received.

Kent Police: No objection.

States that the applicant has considered crime prevention. Suggests that the applicant seeks pre application advice in relation to any future reserved matters applications to discuss issues such as Crime Impact Statements (CIS) and applications for BREEAM, Secured By Design (SBD) and the SBD National Building

Approval Scheme. Suggests a condition or informative to ensure further discussion with Kent Police.

Southern Railway: No comments received

Kent Fire and Rescue: No comments received.

Kent County Council Education/Community Services: No objections subject to financial contributions being sought in relation to education, community and youth services, social care and libraries. This would be sought through a S106 agreement should Members' resolve to grant planning permission.

NHS/Primary Care Trust: Requests contributions in relation to the development in order to extend the GP provision at Charing to accommodate the circa 1000 new patients that would arise from this development.

Charing Surgery: Object. Stating the following:

"The development will have a significant impact on the provision of healthcare by the Charing Surgery to the local community. The surgery has tried contacting Gladman to discuss this as the consultation leaflet made no mention of the impact on healthcare provision in Charing. So far Gladman have not responded to calls, email or letter and the planning application makes no reference to the concern raised by the surgery. Until this is addressed the surgery will have to object to the application".

Kent AONB Unit: Object. Commenting as follows:

"The site forms part of the setting of the AONB. The proposed development, by virtue of its nature, scale and location has the potential to impact on the Kent Downs AONB. From the North Downs Way national trail, the popular long distance footpath which runs along the scarp of the Downs, views are limited along the eastern section between the A252 and Hart Hill, due to the presence of trees enclosing the path. However, along the western part of this section of the path, views open up, as can be seen from the LVIA, viewpoints 23, and 21.

The site is also visible from public rights of way to the north and south of the North Downs Way, in particular from PROW AW2, both north and south of the North Downs Way and from PROW AW34A. Despite the vast majority of the application site being visible from PROW AW2, this is not included as a viewpoint in the LVIA. From both higher elevations and lower elevations in the AONB, the application site is viewed as rural undeveloped countryside. While views of the built form of Charing are possible, much of the built development associated with the village is screened by topography or existing tree cover or views are filtered by trees. The application site, in contrast is prominent in views, with the rising topography of the land exacerbating its prominence in views. Development of the scale proposed would be seen from the AONB as an extensive urbanisation of the village to the west. The

scale of development proposed and nature of the site and lack of existing vegetation within the site other than a single hedgerow would exacerbate impact and it is not considered that development here could be satisfactorily mitigated; the elevated nature of the AONB means that views will be possible over the proposed structural landscaping which would in any way take some significant time to be effective. The AONB Unit disagrees with statement at para 6.6 of the LVIA that the site does not form part of the setting of the AONB, for the reasons set out above. Furthermore, we would contend that the transport corridors referred to in the LVIA are barely perceptible visually, contrary to the assertions otherwise in the LVIA. Furthermore, we disagree with the conclusions of the LVIA that there would be residual negligible negative effects on the AONB.

Taking the above into account, it is considered that the proposal would fail to conserve the landscape and scenic beauty of the Kent Downs AONB and would therefore conflict with paragraph 115 of the NPPF. Footnote 9 to paragraph 14 of the NPPF is also relevant which confirms that the presumption in favour of sustainable development is not applicable where specific policies in the NPPF indicate development should be restricted include policies those relating to AONBs. The proposal would also be contrary to the Kent Downs AONB Management plan, in particular policy SD8. The Kent Downs AONB Unit therefore objects to the application”.

North Down National Trail Officer: No objections stating the following:

“The National trail has no objections to these plans. The Trail runs some way north of the proposed site through a wooded area. Users regularly use Charing Town Centre for trains & local services, I don’t see this project impacting on this element either.”

Campaign to Protect Rural England: Object.

Commenting as follows:

“This Greenfield site is on the south side of the railway line which forms the present southern boundary of the village of Charing. The Railway line forms a logical boundary preventing sprawl from spilling out into the open countryside.

While the ecological survey for most protected species is satisfactory, water voles seem to have been ignored. The presence of several ditches on the site and in the surrounding area indicates that Water Voles could have colonised this site.

The site forms part of the setting of the AONB being very visible from public rights of way on the ridge behind the village. Views from these footpaths are of open countryside, uninterrupted farmland and open space. This development would result in considerable urbanisation of the area and have a detrimental impact on the landscape and scenic beauty of the AONB.

Several large housing estates have already been built on the south side of the village between the A20 Road and the railway. To add a further 245 dwellings would cause an unacceptable strain on local facilities. These include the medical, water, sewage and educational facilities.”

Weald of Kent Protection Society: Object.

Commenting as follows:

“WKPS strongly objects to this application on the following grounds:

- i. This site does not appear on Ashford Borough Council’s emerging Local Plan for Charing, and is speculative development where the disadvantages would demonstrably outweigh any benefits (NPPF para. 14).
- ii. A development of this size would put an untenable strain on all local services.
- iii. The Pluckley Road access to the A20 is dangerous; an accident hotspot. The statistics provided regarding traffic movement along the Pluckley Road look misleading.
- iv. There is already a significant amount of new development in the historic village of Charing, and there is no justification to continue to build on this scale.
- v. The historic character and nature of the village of Charing should be protected from undue urbanisation.
- vi. Parking availability in the village is already a serious problem.
- vii. The site in question is often saturated and building here could only exacerbate the danger of flooding. The drainage plan does not appear to be sustainable.”

Neighbours: 75 neighbours consulted, 120 representations of objection received at the time of preparing this report. No comments of support have been received. Comments are summarised below:

Visual Impact

- The proposal will be detrimental to the character of Charing.
- The density is far too great.
- 245 dwellings are too many. Charing should remain a village not an urban sprawl of houses.

- The character of the village would be lost as all you would see from the A20 would be a massive housing estate with potential to expand further out towards Hook Lane.
- The proposed high quality landscaping would not benefit the village. Allotments would also not be of benefit to the village and would likely be an eyesore and a mess if not maintained to a high standard.
- The scale and design of the proposed development will have a negative effect on the rural area and the landscape.
- Charing will no longer be a village, should this development be allowed it will only increase over time and heritage and village character will be lost.
- A development of modern housing of this size and scale is wholly out of character with this medieval village of mainly traditional housing, including several Grade II listed properties which are in close proximity to the development.
- The development will adversely affect the character and aesthetic appeal of the village.
- There is a huge difference between the smaller, discrete Poppy Fields development and the development proposed.
- The scale of the proposed development is huge. The large number of houses will significantly increase the size of the village, destroying the village nature and character.
- Charing is a historic settlement with vernacular architecture. New “town house” developments are not the typical or characteristic style of Charing housing, but unfortunately are what have been produced by other developers.
- The development would mean a huge further growth of the size of the village taking another beautiful field.
- The development would take away lovely countryside.
- Whilst no one is entitled to a view in planning law, the development would have a detrimental impact upon the dwellings along Pluckley Road taking away their views and affecting their quality of life.
- The application states that the site cannot be seen from public areas. This is incorrect it can be seen from Pluckley Road.

- The scale is out of keeping and would substantially change the character of Charing as a village location.
- The field which comprises the application site is too beautiful and environmentally rich to be developed. The meadow grass has hosted wild orchids in the past and the field drains down to a pretty stream.
- This is too much development.
- The development would adversely affect the character and aesthetic appeal of the village.
- A development of this size should never be allowed within a village environment.
- Charing has already lost significant amounts of beautiful countryside for other developments.
- The proposal represents an overdevelopment of the village.
- The development would ruin the charm of the village.
- Green space in the village is disappearing at a rapid pace.
- Allotments are a good idea but regularly become unmaintained dumping grounds and eyesores.
- A beautiful footpath runs beside the stream. It would not be the same with a new housing development blighting the landscape.
- The development would be the slums of tomorrow.
- If housing is to be built in Charing it should be in small groups of up to 15 dwellings distributed across the area so they do not impinge on and devalue the AONB or Charing.
- The development would urbanise the southern approach to the village which has retained its rural aspect as a result of the rural buffer on the western side of Pluckley Road between Broadway Cottages and The Corn Store.
- The importance of the rural gap between the land adjacent to The Corn Store and Broadway Cottages was emphasised by the Planning Inspector in a decision relating to land adjacent to Coppins Corner - now Westlea House (97/00108/AS).
- The tree in front of Eastlands is worthy of a TPO.

- This is the garden of England and the countryside should be preserved.

Highway Safety

- The increase in traffic is a major concern and is unacceptable.
- The traffic flow in Station Road would be unsustainable without significant alteration to the road system.
- There is only one access.
- The point of access is on an incline and bend that is not favourable to a junction and appropriated sight lines could not be achieved due to the nature of the trees and hedge on the north side; and the shrubs, trees and fencing on the south side. In both cases the applicant does not have the ownership of these features.
- A single access for a development of this scale would seem unwise and inadequate.
- The increase in traffic will make a narrow road even more dangerous.
- The proposal to provide access from Pluckley Road demonstrates little understanding of the existing dangers.
- The junction with the A20 is already a notorious accident site, the road carries far too much traffic, a situation made worse by the establishment of the Smarden Freight Flow depot. Traffic on the road at each end of the working day is often stationary as it cannot enter or leave the A20.
- Pluckley Road is not straight and on the bends is too narrow for two HGVs to pass safely, presenting a danger to pedestrians. There is a notorious pinch spot by the entrance to Charing Station where it is not unusual to find passing HGVs on the pavement. The prospect of construction traffic entering and leaving the site and the vehicles of any future residents will make a bad situation untenable.
- Pluckley Road is the busiest road in the village.
- The width of Pluckley Road allows for two way traffic only and at the site of the only vehicular access into the development, the road is lined by private properties and an elderly care home with pavements that are very narrow. Lower down the pavement actually disappears on one side of the road.

- Pedestrians on Pluckley Road have to take extra care because of blind bends, rises in the road, concealing oncoming traffic, side roads and cross roads.
- Pluckley Road is heavily used by lorries.
- Where Pluckley Road joins the A20, at very dangerous cross roads (there have been at least two fatalities and numerous accidents here), drivers have to be very cautious of jay walkers, and cyclists who have regular races along this route, as well as the usual traffic.
- At times, when the M20 is closed due to accidents or Operation Stack, traffic is diverted to the A20, all the side roads become congested for several miles and the problem persists all day. The emergency services also have problems getting through.
- The proposed access would be on the worst blind spot on Pluckley Road.
- The number of lorries and larger van/construction vehicles seen on Pluckley Road every day makes it already far too congested. The added congestion, not just on the road but to the rail station and surrounding infrastructure would suggest that not much consideration has been given prior to submitting this application.
- The bridge over the railway on Station Road might not tolerate the hundreds of thousands of tons of construction materials to be brought to the site.
- Cycle paths would not benefit the village as the development would be self-contained with one access.
- The local and wider road infrastructure will be burdened by this proposal. Pluckley Road and Station Road already suffer with pinch points and cannot accommodate safely at the current time, large vehicles using this part of the highway. Unless significant measures are taken to widen and improve Station Road, especially at its junction with the A20, the road would not cope with additional traffic resulting from the development or construction traffic during the 8 year build time.
- Pedestrian safety using the pavement in Station Road and Pluckley Road would be compromised – in a time when there is emphasis on people walking more, using public transport and amenities; this would not be possible with the current road layout and carriage way width.
- There are wider implications with increased traffic using the A20, we have already seen wide development (recent and in progress) at Charing, Harrietsham and Lenham. The A20 corridor is already over stretched.

- The application makes no reference to 3 private driveways directly opposite the new junction. There will be no safe pedestrian access to or from any of these properties. Pluckley Road will have to be crossed diagonally to reach the pavement from 2 of them. There are not equal shared access rights between these 3 properties. Drawing number P16005-003 represents a gross over simplification of the access to them which are also on a steep incline making entry and exit onto Pluckley Road difficult.
- The perceived lay-by opposite the new junction is the entry point for 3 properties and will become a passing place for cars and lorries to undertake traffic waiting to turn right into the proposed development.
- The scale of the drawing and the placement of the key on drawing P16005-003 means that the traffic risks when leaving a number properties by foot or in car on the east side of Pluckley Road have been significantly underestimated.
- Questions are raised if the visibility splays to be provided are appropriate.
- The proposed traffic calming scheme demonstrates a lack of understanding and whilst traffic travels too fast the most significant risk is the size and number of lorries that frequently cannot pass each other. The concept of priority speed flows is flawed and will cause acceleration and braking with associated noise and pollution.
- A large number of young people walk up and down Pluckley Road at peak times to catch school buses.
- Whilst traffic calming is proposed the high volume of heavy trucks and farm vehicles will bounce over the sleeping policemen and create even more noise.
- There are regular accidents and near misses at the junction with the A20, High Street and Station Road and KCC have taken no action to improve the safety of the junction and slow down A20 traffic which flies through the village regularly in excess of the speed limit. The proposal would make this worse.
- Traffic issues will worsen air quality for residents.
- Village parking - there are not enough parking spaces for the existing population and visitors.
- Most if the dwellings would likely have 2 cars which would mean an extra 900 vehicle movements a day. This is unacceptable.
- Hardly anyone adheres to the current 30 mph limit along Pluckley Road.

- To walk from Pluckley Road to the village centre you need to cross the road twice.
- Tractors and lorries often have to mount the pavement to pass around the Station Road section.
- Pluckley Road is an accident blackspot/near misses. This is particularly the case near the crossroads and at the 'S' bend local to Surgery Close where two lorries cannot pass without mounting the pavement.
- Vehicles drive very quickly past Eastlands with the Gladman consultant stating average speeds of 37 mph. Because of the bend there is insufficient visibility to take action and hence vehicle conflict would grow along with road traffic accidents.
- 'Vertical' traffic calming measures at the site entrance would not slow traffic in time and would create extra noise especially from HGVs, and it is likely to be broken down by the volume of traffic which would become a danger in itself and would eliminate any calming initiative.
- Parking in the village is already a problem particularly on the High Street and running off into the Old Ashford Road as well as The Moat. The failure to use the station car park means an added burden on the local roads.
- The location of the development would mean that the village would be cut in half.
- As congestion increase more vehicles would use Hook Lane and Charing Heath Road to bypass it. These are country roads with the national speed limit applied. There are many blind bends and concealed entrances. Increasing traffic here increases the danger to life.
- The development would be harmful to the safety of cyclists.
- The northern end of the development area should be considered for providing extra parking to serve the railway station.
- The pedestrian access/entrance to the Methodist Church and the Village Hall is already hazardous when large vehicle have to mount the pavement when passing other traffic as does the entrance to the doctors' surgery and pharmacy.
- There will likely be a knock on effect on the surrounding villages on the already well used roads.

- Residents who live opposite the proposed new access into the development would not be able to safely enter and exit their properties on foot or by car.
- Pluckley Road is a designated lorry route not a residential street.
- The existing pavements are too narrow.
- Although the public footpath AW37 is a pleasant route for a walk it is not a valid alternative for pedestrians as it is twice the distance to the station than Pluckley Road. It is also unlit, muddy, narrow and unsuitable for bikes and pushchairs.
- The travel plan has omissions.
- The travel plan states that “A signal controlled crossing facility is located on the eastern arm of the Station Road/ A20 Maidstone Road junction to assist the movement of pedestrians across the A20.” However, negligently the applicant fails to point out the area of highest risk again.
- The travel plan completely fails to mention that to get to the A20 crossing to access the village centre and the village school all pedestrians will need to cross Station Road which is a very awkward crossing. It is near to a dangerous junction, there is no crossing provision, and it is on a blind bend and is a narrow pinch point on a designated lorry route.
- The accident profile of the Station Road/ A20 Maidstone Road junction under represented. The Traffic Assessment describes “One of the slight accidents... a south-westbound vehicle had drifted into the oncoming lane, thereby causing a head-on collision with a HGV. The HGV subsequently collided into a wall.” This demonstrates how easily a slight incident could become very serious when it involves lorries in very close proximity to pedestrians who are on a restricted pavement with nowhere to escape.
- All Homewood school children living in Charing walk south on Pluckley Road (as the only pick up stop is at Coppice Corner) - the children living south, walk the other way to catch their school buses from the village centre. All would cross the proposed access road of this “unplanned” development.
- If the speeds are above 30mph then the sight line calculations are invalid in the Travel Plan. The proposed sight lines must match the speeds recorded. Only after implementation of any traffic calming and proof that it successfully achieves a lower speed should a new application be considered.
- Questions the accuracy of the transport assessments submitted with the application.

- Access should be from the A20 therefore other sites/means of access should be considered.
- Station Road and Pluckley Road are not really suitable for HGVs.
- A development of this size should be accessed via a major access road. Pluckley Road and Station Road are not and are not wide enough.
- Gladman have failed to take account of recent or proposed developments in the area that could significantly increase the amount of traffic on the A20, Station Road and Pluckley Road.
- Junction with the A20 - over the past 18 months there have been site meetings and discussions with Kent County Council, Ashford Borough Council, Kent Highways, the Police and Parish Councillors to discuss how this section of road can be made safer. It has been accepted by all parties at these meetings that, currently, this section of road and its footways are not adequate for both vehicles using the junction and pedestrians.
- There should be a new bridge across the railway and an access directly onto the A20.
- Increased footfall along the pavements and footpaths means that they would need to be brought up to a safe standard.
- Traffic lights will increase air pollution.
- Extra street lights would be required and this would cause light pollution.
- The existing problems with Pluckley Road have been previously brought to the attention of the Council and the police but due to a lack of funding no solution to the problem could be found.

Policy

- The proposal does not accord with Ashford Borough Council's draft Local Plan.
- ABC is currently making amendments to the draft Local Plan and anticipates submitting a final version to the Planning Inspectorate for examination in public later this year. This site is not included within the draft proposals.
- The local need has been acceptably addressed by the CHAR 1 and CHAR 2 developments together with the additional provision proposed within the draft Local Plan.

- During the Charing Neighbourhood Plan consultation process residents favoured new residential development to be located in the north western part of the village adjacent to the Poppy Fields development (CHAR 2) and the A20.
- The developers are predatory with applications on farmland within the borough using the excuse that ABC has not got a definitive housing supply, which, with the Neighbourhood Plans being formulated is not the case.
- The village already has sites allocated for development. It does not need unofficial sites.
- The village has already been extended with the Poppy Fields development (CHAR 2).
- The proposal is neither compliant with national nor local planning policy.
- The land is a greenfield site. There are other sites already allocated and brownfield sites that should be considered and brought forward for development before this site is considered.
- There are more suitable sites identified by the community that meet the local housing need.
- The Ashford (draft) Local Plan states at 3.10 “The other rural service centres of Charing, Hamstreet and Wye will remain important providers of local shops and services, with care taken to conserve and enhance their historic centres and the delivery of limited development”.
- Charing has already taken over 100 new homes on the Charing Green and Poppy Fields estates as well as many other smaller developments on sites around the village. The likelihood is that the site on the A20 will go for further housing very soon. Another site off the A20 has also been identified.
- The development would be located outside of the village confines.
- The village is working on a Village Plan which is being overtaken in an untimely way by this planning application.
- The development takes no account of the Local Plan and the number of houses that ABC wishes Charing to take.
- The emerging Local Plan favours smaller developments.
- It is necessary to build more homes but not indiscriminately without regard for infrastructure, surroundings, people and countryside etc.

- Poppy Fields was reduced for being too big - now another 245 homes are being considered.
- The people of Charing have taken a sensible stance on development that has resulted in an acceptable outcome for all. This goes too far.
- Given the large amount of vacant land surrounding Ashford, it would make more sense to develop sites around the Ashford Ring Road rather than blight the small villages.
- The development would be contrary to policies TRS2, TRS17 and TRS18 of the Tenterden and Rural Sites SPD, policies CS1 of the Local Development Framework and policy GP12 of the of the Ashford Borough Local Plan. It would also be contrary to the Charing Parish Design Statement (supplementary planning guidance). The development would also contravene policies SP1 and SP2 of the draft Local Plan.
- The applicant is relying on paragraph 14 of the NPPF and the presumption in favour of sustainable development as well as paragraph 49 which states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered if the LPA cannot demonstrate a five year supply of deliverable housing sites. Prior to March 2016 it was believed that a failure to demonstrate a five year deliverable housing supply meant that local plans that were considered to be out of date as a result could be substantially disregarded. The interpretation of the presumption in favour of sustainable development was considered by the Court of Appeal in the case of *Suffolk Coastal District v Hopkins Homes Ltd*. In their judgements Lord Justices Jackson, Vos and Lindblom noted *"we must emphasise here that the policies in paragraph 14 and 49 of the NPPF do not make out of date policies for the supply of housing irrelevant, in the determination of a planning application or appeal. Nor do they prescribe how much weight should be given to such policies in the decision. Weight is as ever a matter for the decision maker. Neither of those paragraphs of the NPPF says that a development plan policy for the supply of housing that is out of date should be given no weight or minimal weight or indeed any specific amount of weight. They do not say that such a policy should be ignored or dis-applied"*. The judgement further states that *"The weight to be given to such policies is not dictated by government policy in the NPPF. Nor is it, nor could it be fixed by the court....there will be many cases no doubt in which restrictive policies, whether general or specific in nature are given sufficient weight to justify the refusal of planning permission despite their not being up to date under the policy in paragraph 49 in the absence of a five year supply of housing land. Such an outcome is clearly contemplated by government policy in the NPPF. It will also be for the decision maker to judge in the particular circumstances of the case and how much weight should be given to conflict with policies for the*

supply of housing that are out of date. This is not a matter of law, it is a matter of planning judgement". It is clear from the judgement that local planning policies are highly relevant to the determination of the application and it is incorrect to assume that planning permission should be given on the basis that the current development plans are out of date.

[HDSS&D Comment: This Court of Appeal judgement has been followed by a Supreme Court judgement which upheld the Court of Appeals conclusion].

- Development needs to be futureproofed. What if 245 dwellings become 500 dwellings in years to come.
- The development would breach planning law.
- Requirements of the NPPF are not designed to expressly penalise LPAs that at any one point in time cannot demonstrate a five year housing supply. There are sound economic reasons why ABC has fallen behind plan but has taken initiatives to get back on plan within a defined period.
- Gladman has not undertaken an assessment of alternative sites or cumulative impact assessments and therefore the planning application lacks the information to make a robust planning decision.
- Gladman consulted residents but has not taken their views into account.
- The Local Plan recognises that it is unrealistic to expect completion rates over the next five years to be sufficiently high to meet the housing target and recover shortfalls from 2011. To achieve the target ABC would require a significantly greater scale of residential allocations across the rural part of the borough and such a programme would greatly undermine the legitimacy of the strategic model for sustainable development in the borough which underpins the Plan. ABC has a well-researched and developed plan which Gladman clearly do not understand and are simply focused on their own financial wellbeing at the expense of residents in Charing and the borough.

Drainage

- The land to the north end of the proposed development - a field known as Lower Toll Brook Pasture - is often boggy with water draining through the accommodation bridge from Five Ponds Field which lies to the north side of the railway. The problems that the developers of Poppy Field and the Charing Green estate found with this run-off are well known. The instability of the railway embankment in this area is believed to be due largely to this water catchment area.

- There would be a risk of flooding in certain areas as the development would be changing the water flows of the land.
- A resident gives no permission for any water crossing from the development site onto neighbouring properties. This would result in flooding at the bottom of the garden and would kill the wildlife including snakes, Dormice and maybe badgers.
- The site has a history of lying wet.
- The proposal shows the directing of surface water run off to a culverted stream that runs through neighbouring property. The developers or their advisors have not sought the permission of neighbouring landowners to direct this excess water through this property or had access to assess the proposed water route. The stream already floods during periods of wet weather and could not cope with additional water.
- The development would remove natural areas for water to run off, no longer being turf but a built surface thus increasing the amount of surface water run-off.

[HDSS&D Comment: The LPA has consulted with specialist technical consultees - KCC & ABC drainage and the EA for advice. See the consultation section of this report].

- The development area is within a Groundwater Protection Zone. The spring-fed stream that borders the meadows is a major tributary to the upper Great Stour River. It is a chalk stream and as such its water is extremely pure. It is very vulnerable to pollution from development through human activity and traffic. The cumulative effect of recent developments at Poppy Fields and Charing Green already increases the risk of pollution of the Great Stour, as does proposed development at Lenham where the river rises. Ashford Borough Council's Integrated Water Strategy policies 3.2 "Groundwater quality and levels to be protected to maintain flows and quality of surface water springs" and 3.3 "Habitats and their biodiversity to be protected from poor river water". Draft Local Plan policy ENV8: "Schemes that would be likely to result in a reduction in the quality or quantity of groundwater resources will not be permitted".
- The land sits on top of an aquifer. Given current stresses on water, building a large state above a natural resource and increasing the population that draws upon this resource by up to 22% makes no sense and would have long term negative impacts.

- There would be a strain on drainage and sewerage systems. Storm drains already regularly overflow. Sewerage pipes in Station Road are often under repair.
- The development would be located within a groundwater protection zone. The spring fed stream that borders the meadows is a major tributary to the Upper Great Stour River. It is a chalk stream and as such is extremely pure. It is vulnerable to pollution from development through human activity and traffic. The cumulative effect of recent developments in Charing already increases the risk of pollution of the Stour as does proposed development at Lenham where the river rises.
- The application says it "... will utilise the natural topography of the site". A lot of the site currently rolls downwards towards the properties on Charing Heath Road. The land currently does a great job absorbing the water. The proposal will remove absorptive nature of the site. The application mitigates this with balancing ponds but it is doubtful that these will be better than what the land naturally provides.
- Digging up the road to upgrade the sewers would be a disruption.

Archaeology

- The more southerly part of the proposed development, known as Crown Meadow Pasture, together with its southwest corner, formerly Crown Meadow Wood, is, like the rest of the area, traditional ancient pasture and has never been ploughed or otherwise disturbed. Should planning permission ever be granted it is important that due consideration be given to an archaeological survey of the land, given the established importance of Charing from pre-Roman times. The new quarrying developments to the west near Burleigh Farm, being undertaken by Bretts, have already produced some important finds and there is good reason to believe that much of the land lying south of the Ashford-Maidstone railway between Charing and Lenham has been inhabited from prehistoric times. The Charing Archaeological Group has access to extensive records of the area and it is to be hoped that, should archaeological surveyors be appointed, they make contact with the Charing Group.

Ecology

- The biodiversity arguments cited are spurious as this relatively small area is unlikely to provide habitat for flora and fauna which have not already adopted it.
- There would be environmental damage during and after the works that would not be rectified after the event.

- The wildlife would be negatively affected.
- There are grass snakes, slow worms, dormice, bats, foxes, hedgehogs and a range of wild birds including Little Egrets within the proposed development site.
- Approximately 17% of households have cats and therefore there would be approximately 42 additional cats preying on the remaining wildlife.
- The wildlife of Kent is under threat from all the development that is taking place. The fields, hedges, trees and stream in this site sustain a wide variety of wildlife and contribute to its welfare. Dormice, grass snakes, slow worms, bats, foxes, hedgehogs and many wild birds including the little egret are all found there. Development of this site would displace, disrupt and/or destroy these vulnerable and valuable creatures.
- A large variety of common birds visit the area including the greater spotted woodpecker, green woodpecker, kingfishers, yellow wagtails, moorhens, herons and owls. There are also various species of newt.
- Skylarks, Kestrels and Buzzards are seen in this area.

Other

- The infrastructure of the village would come under greater pressure than it already is.
- The benefits to the village would be doubtful as most people moving into the area would be commuting and thus making the village an urban extension of Ashford.
- During the Neighbourhood Plan (sic) it was clearly identified that the residents of Charing preferred smaller developments that would not impact the village as a whole.
- The land adjacent to Crown Meadow pasture on the west side was a sand quarry, now disused, but it has left Charing with a legacy of a very large deep pit often containing substantial levels of water. Although efforts have been made to establish a tree boundary round the quarry together with fences it remains a seriously hazardous area. It is regrettable that this matter is not addressed in the proposal.
- The "new public open spaces, footpaths, cycle links, play spaces" are relevant only in the context of the proposed new housing and are unlikely to be significant or accessible to the rest of the village, already well provided for with an excellent sports field, open spaces, and footpaths.

- There are many other more appropriate sites.
- It might have been expected that the village would have benefitted from the new estates at Poppy Fields and Charing Green but many of the new residents there were unaware that the old village, on the north side of the A20, had shops, going to Ashford instead - also because of the difficulty of parking in the village High Street.
- Residents would not be prepared to risk their lives along Pluckley Road and the A20 to visit the village shop. There is a one, light-controlled, crossing point at the east end of the village and now demonstrably in the wrong place for all those who live to the south and southwest of the village. The situation is bad enough now but during the periods of Operation Stack is completely untenable - and yet the proposed new development seems to take no account of the existing problems.
- The land is used for grazing year on year. When was it changed to residential from agriculture?

[HDSS&D Comment: The land is currently classed as agricultural in planning terms. The site is not a site allocated for residential development]

- Gladman Developments on its website is proud to express its contempt of those it considers to be self-serving in their objections to buildings being built near their properties quoting every EU law that condones such encroachments. Another company statement is their "passion to win".
- We are told by Parliament that there was a need for Councils in the UK to provide 5 million more houses and to support this target, research identified four groups of people who were homeless, or in need of re-homing: 32% were immigrants, 28% adults (presumably with families), 21% single householders, and 19% pensioners. What sort of property do these people need? They would probably all like to live in big luxury houses with every convenience like the many that are being erected around the country, but how many of them could afford them? It is likely they would be happy with well-built houses that were on offer at a reasonable rent. By its own confession, Gladman's aim is to make money; therefore this scheme will not be fulfilling the Government's pledge.
- The developers state in the application that there are potential contamination sources on the site. These may pose a risk to future contaminants.
- Charing has already been subject to a significant increase in housing development and this disproportionately larger proposal would place an unacceptable level of demand on local amenities such as the school, surgery and the parking facilities within the village centre.

- Whilst not against bringing new residents to the village, this needs to be done in a gradual manner to get an indication of the impact on the surrounding services.
- Villagers bought their homes to live in a small village, if they wanted to live in a larger town they would have bought in Ashford.
- The village would not benefit from play areas within the development as there are already some at the sports field and next to the school.
- The submitted documents include photographs taken in and around neighbouring properties. This is an invasion of privacy and shows a lack of respect. This should be looked into.

[HDSS&D Comment: This is a private legal matter rather than a planning matter].

- There is no proven need for this type of development within the village of Charing.
- The local primary school would not be able to cope.
- The doctor's surgery has already stated in its representation that they could not cope with the additional development. The Orbit proposal for units elderly care units should also be taken into account (14/01486/AS).
- Noise - the application already identifies that parts of the site suffer with excess noise levels (areas where there are already existing properties fronting Pluckley Road). The 8 year construction phase and then the residential development will only increase these levels.
- There is little point in the post and wire fence when there is dense vegetation and a large tree behind it.
- The volume of housing proposed is not required to meet the forecast population growth of the area rather creating a need that does not exist.
- A village is recognised as a group of dwellings for up to 3000 to 3500 people. When the population exceeds this number the village loses its identity and becomes a small town. 254 new houses would lead to 1000 - 1500 additional residents living in the area.
- Village residents are either those whose family have lived there for many years, or who have made a decision to move there because it is a village, to enjoy the less hectic pace of life and to participate in village life.
- The proposal is approved would have a negative effect upon village life.

- This proposal would create an un-integrated sub-set of the village.
- Charing currently has no village pub. It has a small post office, a small primary school and a surgery serving the village and other nearby villages. It does not therefore have the infrastructure to cope with an increase in the size of the village population which is proposed - 3 persons per household estimate of 735 people, in a village with approximately 2,700 residents.
- There are several properties for sale in Charing at any given time with some remaining for sale for a significant period of time. There is no need for development of this scale to service the needs of the Charing residents. This is development for others and for greed.
- If this proposal is approved there will be no way back for the village.
- The development will increase the already high noise levels for residents along Pluckley Road. Residents are very aware of the traffic noise, and the vibration from passing lorries. The Vibration Assessment report states that the noise level across the development area exceeds World Health Organisation guidance, and that the proposed development will increase noise levels further for Pluckley Road residents (at 4.2.1): "The WHO's 55 dBAeq guidance value will be exceeded in indoor living areas across the development site. 3 dB(A) must be added to the freefield measured levels to allow for reflection of noise from the proposed housing facades when buildings are in place" (at 4.3.1).
- Vibration impact - The water main beneath Pluckley Road is fragile. It requires regular repairs along the whole of its length. In December 2011 it fractured at Eastlands, the access point for the proposed development, causing £96,000 worth of damage to Grade 2 listed Broadway Cottages. The additional weight of construction traffic on the road, over an 8 year build period, will inevitably take its toll on the water main – and potentially on Broadway Cottages.
- KCC advice indicates that there is a need for 66 additional school places resulting from the proposed development. The school does not have the capacity to accommodate this number of pupils.
- Gladman seek planning permission only. Ultimately they would not be involved in the final design and in their statements they make promises that the actual developer may not choose to keep.
- The development would result in the loss of a small community.
- It is unlikely that anyone living in Charing would welcome this project.

- The timing of the build is stated as 5 years in one document and 8 years in another.
- The proposal would result in a 22% increase in the village population when there are no plans to improve the infrastructure or amenities that serve the village.
- The development would be overbearing on the outlook of neighbours.
- Whilst the application does not specify the type of housing it would be likely to be mainly large executive homes which would not meet the needs of the local population. As identified at Charing neighbourhood plan meetings, the need is for starter homes and smaller properties for those who wish to downsize and stay in the village. The affordable homes proposed is the minimum required by policy.
- No additional infrastructure was provided when Poppy Fields was built. Should this development be approved, the services would be overwhelmed. This together with new housing not being aimed at meeting local needs creates nothing more than large bedroom communities not integrated populations. This cannot be called sustainable growth.
- The residents are working on their Neighbourhood Plan and it is therefore clear that the community is not trying to block the provision of new homes in the village however, the development should integrate into the village character.
- The application makes much of the claimed financial gain that the Council would achieve should the development be approved. This may be attractive given the current financial constraints upon Council budgets but this should hold no more sway over the Council's decision than any concerns individuals may have about financial loss they may incur as a result in the devaluation of their property because there is a large housing estate on their doorstep.
- If this application is approved as well as the proposed development on allocated sites the pressure on infrastructure would be even greater.
- It is unbelievable that such a development is even being considered.
- The development would increase the size of the village by over 15% in one go.
- The development would be harmful to residential amenity through noise, disturbance and loss of privacy.
- The village's heritage assets would be lost within the urban spread.

- The development would result in a worse service from the surgery and pharmacy due to lack of space and a national shortage of doctors. This would threaten existing patient safety and residents health would also be adversely affected by hundreds of extra car journeys every day.
- New residents would have to drive their children to schools outside the parish so adding to road congestion and adding to global warming.
- The existing water supply services are already overloaded and the roads are in poor order. This needs to be resolved before more houses are built in Charing.
- Vibration would affect neighbouring properties.
- Whilst a new play park is welcomed it would only really serve the new development given its location.
- The proposal emphasises the “local spending power” of new residents (£12.5M or £51k per household). This does not represent the potential spend that will occur locally. In 2013 the ONS GDHI (Gross Disposable Household Income) report suggests that the South East average is £19k per household. The application is therefore misleading. Also where the new residents will spend their money in the local community is unclear, given that there are no supermarkets or pubs in Charing.
- There is no mention of amenities that older children or young adults can use. This group has been ignored by the application.
- Charing has already had significant development in recent years and as such is ceasing to have a village atmosphere.
- Correspondence from Gladman Developments in the past has made false claims that the school would be undersubscribed without the development and that local businesses would have increased trade.
- The development is not in the public interest and only benefits the developer’s commercial interests.
- The development does not amount to sustainable development. Paragraph 38 of the NPPF states that for larger scale developments key facilities such as primary schools and local shops should be within walking distance of most properties.
- The facilities available to residents in Charing are limited with only one food store, a corner shop selling a limited range of products at prices well above supermarket prices. The nearest supermarket is in Ashford approximately 6

miles away. There are no clothes shops, or shops selling electrical goods, and the range of shopping facilities are restricted to a post office, newsagent, small general food store, butcher and coffee shop. There are limited leisure facilities within the village.

- There are no secondary schools in Charing.
- There are limited employment opportunities in Charing and most residents would have to travel to Maidstone, Ashford or distant urban centres, resulting in significant vehicle use.
- Whilst Charing has a railway station, Ashford International Station is some distance from ASDA and therefore not conveniently accessible by train. The development fails to comply with paragraphs 34 and 37 of the NPPF.
- The Planning Committee should visit the site before making a decision.
- Patients at Charing Surgery are lucky if they can get an appointment within 2 weeks currently.
- Some of the features which Gladman have put forward to make the development more palatable may well not be part of the final design, as Gladman would not be involved at that stage.
- Many homes along Pluckley Road have cracks and damage caused by vibrations from heavy vehicles.
- The proposed house to be demolished to create the access has only been chosen because it recently came onto the market.
- New housing for the village is needed, however this should be for young families and should be within close proximity of the village centre with facilities and a community.
- This application appears to go against the principles of the Wheler Foundation (the landowners) who promote the preservation of rural landscapes.
- The development would result in a loss of privacy and light for existing residents.
- It is inevitable that any increased development in the area will have an effect on house values. Whilst construction takes place, any moves from the area will be financially impossible. How will the Council compensate for financial, physical and emotional suffering?

- The local hospital is already overstretched and the development would put more pressure on its services.
- There will be no disabled access to the village to and from the development. The footpath over the railway bridge and by the Parish Hall is too narrow for a wheelchair. Disabled residents have to cross the road twice to get to the pedestrian crossing on over the A20.
- There are plenty of empty buildings in Kent and the South East. Why can't these be converted or knocked down and the land used to build?
- The new homes would be separated from the rest of the village by the A20.

Planning Policy

15. The Development Plan currently 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, the Chilmington Green AAP 2013, the Wye Neighbourhood Plan 2015-30 and the Pluckley Neighbourhood Plan 2016 - 2030. On 9 June 2016 the Council approved a consultation version of the Local Plan to 2030. Consultation commenced on 15 June 2016 and closed after 8 weeks. Proposed changes to the draft Local Plan were approved for further consultation by the Council on 15 June 2017 and consultation has now commenced. At present the policies in this emerging plan can be accorded little weight.
16. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

GP12 – Protecting the countryside and managing change.

EN9 – Setting and entrances to towns and villages.

EN10 – Development on the edge of existing settlements.

EN27 – Landscape conservation.

EN31 – Important habitats.

LE5 – Equipped public open space.

LE6 – Off-site provision of public open space.

LE 7 – Play facilities.

LE9 – Maintenance of open space.

CF6 – Standard of construction of sewerage systems.

CF7 – Main drainage in villages.

CF21 – School requirements for new housing development.

Local Development Framework Core Strategy 2008

CS1 – Guiding principles to development

CS2 – The Borough wide strategy

CS6 – The Rural Settlement Hierarchy

CS8 – Infrastructure contributions

CS9 – Design quality

CS10 – Sustainable Design and Construction

CS11 – Biodiversity and Geological Conservation

CS12 – Affordable Housing

CS15 – Transport

CS18 – Meeting the Community's Needs

CS20 – Sustainable Drainage

Tenterden & Rural Sites DPD 2010

TRS1 – Minor residential development or infilling

TRS2 – New residential development elsewhere

TRS17 – Landscape Character and Design

TRS18 – Important rural features

TRS19 – Infrastructure provision to serve the needs of new development

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

Emerging Ashford Local Plan Regulation 19 Version June 2016 (as amended in July 2017)(Draft)

SP1 – Strategic Objectives

SP2 – The Strategic Approach to Housing Delivery

SP6 – Promoting High Quality Design

HOU1 – Affordable Housing

HOU3a – Residential Development in the rural settlements

HOU5 – Residential windfall development in the countryside

ENV1 – Biodiversity

ENV3a – Landscape Character and Design

ENV4 – Light pollution and promoting dark skies

ENV5 – Protecting important rural features

ENV6 – Flood Risk

ENV7 – Water Efficiency

ENV8 – Water Quality, Supply and Treatment

ENV9 – Sustainable Drainage

ENV13 - Conservation and Enhancement of Heritage Assets

ENV15 - Archaeology

COM1 – Meeting the Community's Needs

COM2 – Recreation, Sport, Play and Open Space

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

Charing Village Design Statement 2002

18. The Charing VDS has been formally adopted by Ashford Borough Council.
19. This document states that the landscape should be preserved and future development should not be allowed to sprawl further into the surrounding countryside. 'Back' development should be strictly controlled in order to maintain the sensitive soft edges between the current settlement and the rural landscape.

Other Guidance

Informal Design Guidance Notes 1- 4 (2015)

Government Advice

National Planning Policy Framework 2012

20. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
21. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
22. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.

23. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole;
- or specific policies in the Framework indicate development should be, restricted.

24. Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It should also take account of the different roles and character of different areas...recognising the intrinsic character and beauty of the countryside and supporting rural communities within it. Planning should contribute to conserving and enhancing the natural environment. Land allocations should prefer land that is of a lesser environmental value. The NPPF seeks to ensure that authorities provide the supply of housing required to meet the needs of present and future generations. Every effort should be made objectively to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Authorities should seek to boost significantly the supply of housing, and to deliver a wide choice of high quality homes. In rural areas, authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. Authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the LPA cannot demonstrate a five year supply of deliverable housing sites, thus engaging paragraph 14 of the NPPF, as set out above.

25. 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).

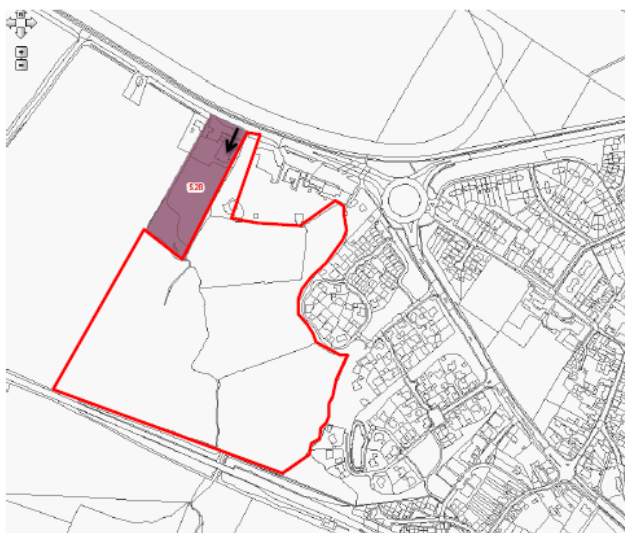
Emerging Ashford Local Plan

26. The site that is the subject of the application was promoted as a new housing site by the applicant at the early stages of the Council's emerging Local Plan to 2030. The site was not included in the draft Local Plan (reg 19 version) published in June 2016 or the proposed revisions to the draft Plan published in July 2017.
27. The draft Local Plan has considered and validated the essential land use planning strategy adopted by the Council, as being the right strategy to apply, namely focusing growth in and near the built-up area of Ashford, as well as in the main rural settlements in the hierarchy, based on sustainability considerations and seeking to recognise the character and important qualities of the villages and the countryside. The land use planning strategy in both the adopted and emerging plan documents is sound and justified.
28. Since the publication of the draft Local Plan in 2016, the government has published new household projections which have increased the quantity of housing that the plan ought to provide for. To respond to this, a series of proposed changes to the draft Plan have been proposed which were approved by Ashford Borough Council's Cabinet on the 15th June 2017 and subsequently went out to public consultation on the 7th July 2017. These changes allocated further land (18 additional housing sites) to meet the increased housing requirement and amended the text of policies relevant to housing in the rural areas. These changes also respond to consultation comments and take account of national policy developments such as the Housing White Paper.
29. A proposed 'main change' to the Draft Local Plan which is of particular importance to Charing and which should be taken into account in the consideration of this planning application as a material consideration is the proposed inclusion of an additional site in Charing close to the development site currently being considered under this planning application. This site was promoted by the current applicant, Gladman, and the majority of the site is within the same ownership as the application site.
30. Proposed site policy S55 seeks to allocate land for housing immediately to the west of the recently completed Poppyfields development. Access would be directly from the A20 to which the site fronts. The site also adjoins the proposed allocation forming Site policy S28 (Charing Motors).
31. Proposed site policy S55 states that development in that location would be a continuation of Charing's existing built form and would not encroach into the more visually sensitive areas to the north and east of the village. The site is approximately 11 hectares in area and is proposed for development of up to

180 dwellings. This would result in an approximate density of 16dph, which is considered by the Council to be suitable in this countryside edge location.

32. The inclusion of S55 in the draft Local Plan (rather than the current application site) demonstrates that the Council considers the S55 site to be the better located and preferable site for a major new housing development in Charing, of the two submitted for consideration by the applicant. Members should note that the application site has been previously considered and felt to be unsuitable and also consider the potential for cumulative impact if both developments are developed within the Plan period, which would equate to approximately an additional 425 dwellings being provided within this part of the village involving these two sites alone, with S28 at Charing Motors providing up to a further 20 dwellings i.e. 445 dwellings.

MC 155 Policy S55 – Charing, Land adjacent to Poppyfields



Policy S55 – Charing, Land adjacent to Poppyfields

Land to the west of the Poppyfields development is proposed for residential development for an indicative capacity of 180 dwellings. Development proposals for the site shall:

- a) Be designed and laid out in such a way as to integrate the development into the existing settlement, with particular attention given to the topography of the site, taking into account design guidance set out in the Charing Parish Design Statement and impact upon the adjoining AONB. The development should take account of the residential amenity of neighbouring occupiers;
- b) Create an appropriate soft landscaped northern and western edge to the development to establish a clear western edge to the development with substantial boundary planting;
- c) Retain and enhance the current hedge and tree boundaries between the site and the Poppyfields development;
- d) Be accessed directly from the A20;
- e) Provide new pedestrian and cycle routes throughout the development to connect with the adjoining Poppyfields development and to existing adjacent PRow;
- f) Provide an appropriate contribution towards the provision, management and maintenance of related community facilities and infrastructure;
- g) Provide a connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water, and ensure future access to the existing sewerage system for maintenance and upsizing purposes.

Figure 3: Proposed policy S55 Draft Local Plan

Assessment

33. The main issues for consideration are:
- (a) 5 year housing land supply and the status of the development plan
 - (b) The principle of the development
 - (c) Landscape character and visual impact
 - (d) Heritage and impact upon heritage assets
 - (e) Transport and highway safety
 - (f) Ecology/Biodiversity
 - (g) Flooding, water treatment and drainage
 - (h) Affordable housing/housing mix
 - (i) Other matters (socio-economic impacts/residential amenity/trees archaeology etc.)
 - (j) Whether planning obligations are necessary

(a) 5 year housing land supply and the status of the development plan

34. Paragraph 49 of the NPPF sets out that where a deliverable 5 year housing land supply cannot be demonstrated, relevant policies for the supply of housing are deemed out of date, engaging paragraph 14 of the NPPF.
35. Since April 2016, it has been accepted that the Council cannot demonstrate a deliverable 5 year housing land supply. At a recent planning appeal in Smarden earlier this year, where the appellant was the same as the applicant for this proposal (APP/E2205/W/16/3159895), the Council's up to date housing land position was agreed as 3.28 years. Given the lack of a five year housing land supply as matters stand today, considerable weight should be given to the benefit of the provision of housing.
36. Since the Smarden appeal, the Council has published proposed revisions to the Regulation 19 draft Local Plan to 2030. This proposes to amend both the housing target for the Local Plan and the number of housing sites allocated to address this target, as well as the text of relevant draft policies. Consequently, the housing land supply position will also have changed.

37. In planning for growth, the housing targets of the adopted Ashford Core Strategy required the delivery of 16,770 homes within the plan period to 2021 (with an additional 10% contingency). As is the case in many local authorities areas, housing completions over the plan period have fallen well below the level required. This is, not surprisingly, largely attributed to the effects of the national economic recession together with the difficulties associated with bringing forward major sites where S106 contributions agreed prior to the recession affected viability and the lack of major infrastructure investment required to enable house building.
38. The under-delivery in Ashford should be considered within the proper context. That being that the Borough was subject to substantial housing targets due to its growth area status within the South East Plan. Substantial urban extensions were therefore allocated in the Core Strategy 2008 to deliver the large majority of the growth. However, with the onset of the recession there was little market appetite to deliver the planned large scale growth. House prices also fell. Development in Ashford is also reliant on major infrastructure including junction capacity improvements at J10 of the M20. This lack of capacity has constrained the ability for some of the larger allocations to come forward. In light of these constraints, a primary cause of the failure to deliver the overall housing target in recent years lies largely outside of the Council's control rather than it arising from a failure to allocate sufficient land or from a failure of the Council's land use planning approach and the policies which implement it.
39. The housing delivery targets contained within the emerging Local Plan to 2030 are based on a fundamentally different basis. With the revocation of the South East Plan, the emerging Plan is based on the guidance in the NPPF which requires the identification of objectively assessed housing needs for housing market areas. The housing target in the emerging Local Plan is set to meet the most up to date objectively assessed housing need for the borough.
40. Following the proposed changes to the emerging Local Plan, it is now calculated the Council could demonstrate a deliverable 4.2 year housing land supply based on the 'Sedgefield' method of recovering any shortfall in housing delivery over the next 5 years. However, if the shortfall were to be recovered over a slightly longer period, then a 5 year housing land supply would be achieved.
41. The emerging Local Plan is still at a relatively early stage and the housing target and the draft allocations have yet to be examined. However, the proposed revisions to the emerging Plan reflect up to date evidence on housing need and land use planning issues. They set out a clear strategy for meeting both the overall need and the need for a deliverable 5 year housing land supply, through allocations and policy wording. Having carefully assessed the sites included in the July 2017 revisions, the Council is prepared

to grant planning permission for draft allocations ahead of adoption of the Local Plan in appropriate circumstances. The Council is also taking interim measures to ensure that housing comes forward as quickly as possible and has been seeking to grant planning permission in all appropriate cases.

42. The current lack of a 5 year housing land supply triggers paragraph 49 and 14 of the NPPF, such that relevant policies for the supply of housing are not considered to be up to date. This engages paragraph 14 of the NPPF, which says that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole (subject to the caveat about specific policies in the Framework indicating that development should be restricted).
43. The assessment of the scheme in the context of the '*tilted balance*' within paragraph 14 of the NPPF does not however remove the statutory obligation to determine the applications in accordance with the development plan, unless material considerations indicate otherwise.
44. Therefore the starting point is the Development Plan. Recent Court judgments make clear that any out-of-date development plan policies should not be ignored and that the weight attributed to them is a matter for the decision maker. The Supreme Court in the case of *Suffolk Coastal DC v Hopkins Homes* [2017] UKSC 37 effectively endorsed this approach. It emphasised the primacy given by statute and policy to the development plan, even where paragraph 14 of the NPPF is engaged: [21]. In applying that paragraph, the weight to be given to various policies in the development plan is purely a question of planning judgement for the decision maker: [56]. It is not determinative whether or not a policy is a 'relevant policy for the supply of housing' under NPPF paragraph 49: see [59] and [65].
45. If there is not a five year housing land supply, then the "tilted balance" in the second bullet point in paragraph 14 of the NPPF is applicable (subject to the exception in the last part of paragraph 14), as an other material consideration. Consideration should be given to what weight to give to all relevant development plan policies (including housing supply policies) in the balance under s38(6) of the Planning and Compulsory Purchase Act 2004, in light of the need for housing and there being no five year housing land supply. The weight to be given to development plan policies in the circumstances is a matter of pure planning judgement for the Council in accordance with ordinary principles. Factors relevant to the weight to be given to development plan policies where there is not a five year housing land supply include for example: the particular or specific purpose of a policy; the rationale for a policy and its evidence base; whether the objectives of the policy continue to be soundly justified; the nature and extent of the five year supply shortfall; the reasons for or causes of the shortfall; how the shortfall is likely to be

overcome; action being taken to address shortfall; whether the shortfall will be addressed within an appropriate timescale by other means; and, any interim measures being taken to address shortfall.

46. It is clear that the development plan policies should be the primary determining factor when a decision maker decides on whether to grant planning permission or not. Paragraph 14 is an important material consideration, but it is not the primary framework for decision making. Consideration of the circumstances must include the weight to be given to any development plan policies (including those deemed out of date) and also whether the scheme delivers sustainable development within the scope of the NPPF itself. The approach to paragraph 14 has been further confirmed in the recent Court of Appeal case of *East Staffs DC v SSCLG & Barwood* [2017] EWCA Civ 893.
47. As stated above, the steps that the Council is making to rectify the 5 year housing land supply position (together with the broader demands of sustainability and good planning) represent reasons why current development plan policies (including those which may be deemed out of date) should be given weight. Paragraph 14 of the NPPF applies in addition as a material consideration.
48. It is not simply open to the Council to refuse this application as a matter of principle on the basis that the site lies outside of the built-up confines of Charing. The Council must consider if the development would result in harm or other adverse effects which would be contrary to development plan policies and whether the adverse effects would significantly and demonstrably outweigh the benefits of the development (an example of which would be its ability to help meet the housing land shortfall, and to provide affordable housing). The following sections of this report will consider the other wider impacts of the proposed development.

(b) Principle of the development

49. The site is a Greenfield site which lies in the countryside beyond the existing built-up edge of the settlement of Charing. The land is classed as grade 3 (good to moderate) value on the Agricultural Land Classification (England). The site has not been allocated within the current or the emerging development plan for any kind of development.
50. Policy CS1 of the adopted LDF Core Strategy 2008 (LDF CS) establishes a number of key planning objectives for development to adhere to including the promotion of high quality design, the protection of the Borough's high quality built and natural environments, protection for the countryside, landscapes and villages from the adverse impacts of growth, the promotion of strong rural communities and the conservation and enhancement of the Borough's historic

environment and built heritage. The policy is not considered to restrict housing supply. It identifies the strategic principles which should be applied to development proposals to steer development in a sustainable way. Such an approach adopts sound planning principles and is consistent with the aims of the NPPF which seeks to deliver sustainable development. Full weight should be given to it.

51. Development of the application site of the scale proposed would not protect the countryside, landscape character or visual amenity (as is considered further below) and as a substantial development would represent a significant departure from the adopted development plan including Policy CS1. The proposal would therefore conflict with Policy CS1 of the Core Strategy.
52. Policy CS2 of the LDF CS sets out the Borough Wide Strategy and formally states Ashford's 'Growth Status' and the need for land to supply 16,770 new dwellings and related uses. The policy also sets out the rest of the borough's need for 1,180 new dwellings to be identified by 2021. These aspects of Policy CS2 are no longer up-to-date in light of the revised approach to planning in the Borough. The approach of locating large scale development near Ashford, and smaller scale development in identified sustainable settlements, remains sound and is consistent with the NPPF. In the supporting text to policy CS2, paragraphs 2.37 and 2.38 emphasise that development should be at an appropriate scale to the role of a rural settlement. The proposed development is not considered to be smaller scale development or at an appropriate scale for Charing and if allowed would result in a significant increase to a rural community of approximately 21% additional households (*based upon Office for National Statistics data which estimates 1163 current households within the Charing ward*) and therefore the requirements of Policy CS2 would not be met. The scale of the proposed development should be viewed both of itself and in the context of the proposed allocations for Charing in the draft Local Plan.
53. Policy CS6 of the LDF CS sets out the rural settlement hierarchy. Charing is recognised as a 'second tier' settlement identified for limited expansion; phases 1 and 2 identify up to 110 additional dwellings to be allocated within the plan period (2006-2021). Sites CHAR1 and CHAR2 were allocated on this basis, for 35 units and 55 units respectively (with an overall capacity of 90 allocated on CHAR2, the remainder of which would fall into phase 2 taking place after 2016). CHAR 2 has subsequently received planning permission and been implemented for 61 residential units. CHAR1 for 55 units was resolved to be granted permission in June 2017 subject to the completion of a s.106 agreement.
54. Whilst Charing is a second tier settlement, the number of dwellings allocated within the Core Strategy is not as significant as the 245 now proposed for this one site. Such a scale of development in one location and in one phase would

represent an overdevelopment which would be disproportionate for Charing, as a second tier settlement. Such an approach would undermine the overall settlement strategy in the Borough and would put unreasonable pressure upon local facilities and services.

55. All proposals must be tested against the rural hierarchy and are expected to reinforce it. This policy promotes housing delivery in locations which are sustainable and is consistent with the principles of the NPPF. The rationale for the policy is not to restrain housing in the rural areas, but to direct housing development of an appropriate scale towards settlements identified in the hierarchy, based on sustainability considerations. The policy is therefore relevant and should be afforded significant weight in the consideration of this planning application.
56. Policy TRS1 of the Tenterden and Rural Sites DPD 2010 (TRS DPD) states that minor development and infilling will be acceptable within the built-up confines of Tenterden and some of the larger villages (including Charing) provided the following is met:
- a) the development can easily be integrated into the existing settlement without the need to substantially improve the infrastructure or other facilities;
 - b) the proposal is of a layout, scale, design and appearance that is appropriate to the character and density of its surrounding area;
 - c) it does not result in the displacement of other active uses such as employment, leisure or community uses in the area; and,
 - d) the proposal would not result in the loss of public or private open spaces or gaps that are important characteristics of the settlement.
57. The preamble to this policy states that *“The scale and quantity of housing development proposed should be not be out of proportion to the size of the settlement concerned and the level of services there in order to ensure a sustainable pattern of development is maintained”*.
58. This policy is again permissive to allowing minor residential development requiring it to be delivered in a way that is consistent with a range of criteria to ensure that development comes forward in a sympathetic and sustainable way. This policy reflects the hierarchy based on sustainability considerations, and also identifies sound criteria in (a) to (d). This is consistent with the aims of the NPPF and I consider that Members should apply significant weight to this policy. The development is contrary to this policy as by clear implication it explains what would not be acceptable.

59. According to the definition of the built confines set out in paragraph 7.8 of the TRS DPD the application site is outside of the built confines of Charing. The proposal to erect up to 245 new dwellings cannot be considered to represent minor development or infill development as set out within this policy.
60. Policy TRS2 of the TRS DPD relates to proposed new development elsewhere, i.e. outside of the built confines in the rural areas. It states that new residential development will not be permitted in these areas unless it constitutes one of the following:
- a) it is an agricultural dwelling, justified under PPS7, or,
 - b) it is a re-use or adaptation of an existing rural building of architectural or historic interest, justified under policy TRS13, or
 - c) it is a replacement dwelling that is justified under policy TRS3, or,
 - d) it is a 'local needs' scheme on an exception site justified under policies TRS4 or TRS5.
61. This policy identifies locations where housing would be unsustainable. The policy remains sound and is consistent with the NPPF. This policy is consistent in particular with paragraph 55 of the NPPF. None of the specified criteria apply in the case of the current application and therefore the proposal fails to meet the requirements of the policy.
62. The intention underlying the policy, to ensure that housing development of any scale is directed to land in the more sustainable locations remains valid and sound.
63. Saved Policy GP12 of the Ashford Borough Local Plan 2000 (ABLP) applies to the Borough's villages and rural areas. It is a guiding policy that states the following:
- “protect the countryside for its own sake, for its landscape and scenic value”*
64. It is accepted that the countryside is no longer to be protected for its own sake under the NPPF, and that this aspect of the policy is not therefore up-to-date as it is not consistent with the NPPF. However, other aspects of the policy are clearly relevant to the environmental considerations as specified in the NPPF (notably paragraphs 17 and section 11 - Conserving and Enhancing the Natural Environment). Significant weight should be applied to the policy's requirement in relation to managing change and protecting the countryside in terms of its landscape importance and scenic value.

65. Turning to national planning policy, as a material consideration, paragraph 17 of the NPPF sets out the core planning principles that should underpin both plan-making and decision-taking. These include:
- be genuinely plan-led, empowering local people to shape their surroundings;
 - take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
 - contribute to conserving and enhancing the natural environment and reducing pollution;
 - always seek to secure high quality design;
 - conserve heritage assets in a manner appropriate to their significance;
 - actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
66. The proposed development would fail to adhere to these key principles (see further below). The proposal is not plan-led, indeed it is quite the opposite. It is contrary to the established provisions of the Council's Development Plan. The scale of the development proposed significantly exceeds any adopted Plan provision for Charing. In addition, the site is clearly located outside the built confines of the village and is therefore located within the countryside. As a result of the points noted above, the development would be contrary to both the Development Plan and the NPPF.
67. In June 2016 the Council published its regulation 19 version of the Ashford Local Plan (ALP). Proposed revisions to the draft ALP were published in July 2017. This plan covers the period of 2011 - 2030. Whilst this document is in a draft form, when it is adopted it will supersede the LDF CS, the TRS DPD as well as the ABLP, all of which are relevant to the current application. The ALP proposes to allocate additional sites in Charing (site specific policies S28, S29 and S55) for up to 235 residential units. The application site has been considered and discounted and as such the Council does not intend to include it within any subsequent versions of the draft ALP. Both of the proposed allocations set out within the plan would be accessible from the A20 and provide good links to the village centre.
68. Proposed allocation S55 (Land adjacent to Poppyfields) is proposed to be allocated for up to 180 dwellings. This is considered to be a preferable site in

relation to the landscape impact, relationship to existing services in the village and accessibility to the main highway network.

69. The emerging Local Plan also revises the considerations relating to new windfall housing development in the rural areas in the light of the NPPF and PPG. The proposed revisions to draft policy HOU5 published in July 2017 accept that proposals for residential windfall development adjoining or close to settlements may be permitted subject to meeting a range of criteria that assesses the sustainability of the scheme. Central to this is the relative scale of the proposal in light of the availability of local services and their capacity to absorb additional demand, accessibility to and suitability of the local road network, and impact on landscape character in the area. It is clear that a scheme of this size (either of itself or taken together with the proposed allocations elsewhere in Charing) would have a significant adverse impact when considered against the criteria in the revised HOU5 which are as follows:
70. In light of draft policy HOU5 I do not consider that the development would comply with criteria a) – f) relating to development close to existing settlements. It would also not adequately comply with the strategic objectives of the emerging Plan set out in policy SP1 of the emerging Plan.
71. I accept that the emerging policies carry limited weight as such at this stage, however they are still relevant material considerations, especially as they are consistent with the NPPF. They should therefore be taken into account in the planning balance as material considerations for the determination of this application.
72. When considered against the emerging development plan policies contained within the Regulation 19 draft version of the Local Plan (June 2016) and the proposed revisions to that Plan (July 2017), the application can also be seen to be in conflict with these policies and the emerging strategy for development in Charing.
73. In light of the above, it is my view that the principle of the proposed development would be contrary to current and emerging development plan policy as well as to Central Government guidance set out within the NPPF.

(c) Landscape character and visual amenity

74. Policy CS1 of the LDF CS aims to protect the character of the countryside, landscape and villages from the adverse impacts of growth. This is further endorsed by emerging plan policy SP1 of the ALP which sets out similar core planning principles for development within the Borough.

75. Policy TRS17 of the TRS DPD requires that development in the rural areas is designed in such a way that it protects and enhances the particular landscape within which it is located, and, where relevant, any adjacent landscape character area. Proposals are required to have regard of the following:
- a) Landform, topography and natural patterns of drainage
 - b) The pattern and composition of trees and woodlands
 - c) The type and composition of wildlife habitats
 - d) The pattern and composition of field boundaries
 - e) The pattern and distribution of settlements, roads and footpaths
 - f) The presence and pattern of historic landscape features
 - g) The setting, scale, layout, design and detailing of vernacular buildings and other traditional man made features
 - h) Any relevant guidance given in an AONB Management Plan or in a Landscape Character SPD.
76. The policy also states that existing features that are important to the local landscape character shall be retained and incorporated into the proposed development. Policy ENV3 of the emerging local plan is not significantly different in its approach to landscape character and design.
77. Policy TRS18 of the Tenterden and Rural Sites DPD 2010 seeks to protect, and where possible enhance, features in rural areas such as rural lanes that have a landscape importance as well as public rights of way. Again emerging policy ENV5 follows this approach.
78. The site does not fall within the AONB. It is within the Charing Farmlands Downland Fringes Landscape Character Area. Landscape analysis set out within the Council's adopted Landscape Character SPD states that the landscape here is highly sensitive, and in a poor condition, and seeks to ensure that development restores the landscape character.
79. The applicant's submitted Landscape and Visual Appraisal concludes that the site is considered to be of medium overall sensitivity and medium landscape value. It also states that the land is not designated and contains relatively few significant or particularly distinctive landscape features. It identifies that the site lies within the close context of the existing settlement edge.

80. It is agreed that the site carries no landscape designations. However, the site does reflect elements of local landscape character and I consider it to be important as part of the rural village edge setting of Charing. It is removed from the main village settlement by the physical and visual barrier formed by the railway embankment and would not form a natural extension to existing development.
81. The site is also clearly visible in long distance views from the AONB as open countryside and I consider that it contributes to the rural nature of the views which form the AONB setting.
82. Paragraph 109 of the NPPF has regard to conserving and enhancing the natural environment stating that:-
83. “The planning system should contribute to and enhance the natural and local environment by:
- *protecting and enhancing valued landscapes, geological conservation interests and soils”*
84. The Courts have found that the consideration of whether a site is a valued landscape should consider whether it has demonstrable physical attributes to warrant such a description.
85. The site comprises two open fields divided by a single hedgerow across the central part from east to west. The site slopes east-west, rising from a hedgerow and watercourse along the western boundary to a ridge along Pluckley Road, where the site meets the rear boundaries of properties of mixed age and style which line the road. To the south, the site is bordered by a hedgerow at the rear of properties along Charing Heath Road, to the north by the railway embankment, which separates the site from an area of grassland to the north and western edge of the settlement of Charing. A footpath enters the site from the north by way of a tunnel under the railway embankment and crosses the corner of the site.
86. The site reflects the characteristics of the Character Area: undulating landform, with pastoral land use. Key Characteristics described within the Landscape Character assessment are also present: gently undulating landform, with narrow and deeply set streams often marked by native vegetation. Other features are also present: native deciduous woodland blocks to the east, enclosure provided by native hedgerows which line minor roads and dissect fields in places. In the light of this, I consider the site to comprise a valued landscape in terms of paragraph 109 of the NPPF.
87. The character of the site is largely rural. Development along Pluckley Road clearly indicates a traditional settlement edge. Architectural styles vary from

traditional to modern, and the rural character of the area is partly compromised by modern development as seen from the footpath. However, more traditional styles sit within the village edge landscape setting and are set amongst mature trees and are not in my view urban edge in character.

88. The outline of the site follows the historic field boundary which is constrained by the stream to the SW, the tree belt south of Broadway Cottages and the rear gardens of the modern development further north along Pluckley Road. The field also retains its historic division which runs from east to west.
89. The rural edge is one where the rural character dominates. Dwellings are scattered at a low density with large areas of open space in between. This is a traditional pattern with the character becoming more rural and less dense as one moves further away from the settlement. The existing properties surrounding the application site are accessed from Pluckley Road and Charing Heath Road, fronting onto the main roads. The proposal would introduce a significant amount of new development to the rear of these properties, the layout of which would be extremely urban in its character and alien and incongruous in comparison with the form of the surrounding development. This would be contrary to the guidance contained within the Charing Village Design Statement which states that the sprawl of development should be strictly controlled in order to maintain the sensitive soft edges between the current settlement and the rural landscape.
90. The proposed development of the site would form a block which has no immediate relationship with the existing settlement edge and would be of a scale which would significantly increase the size of the rural village. It would fail to form a natural extension to recent new development (Poppy Fields) within the area of the main settlement north of the railway line which is located at lower level close to the A20 corridor. The development would alter the settlement pattern significantly and unacceptably by changing the nature of the existing village edge. Viewed from the AONB, the site is a small part of a wide expansive view; however its topography, rising to the Pluckley Road ridge, substantially enhances its visibility in the landscape and that view from the AONB. Whilst the railway embankment would form a partial screen to the northern part of the site, almost all of the rest of the site would remain visible in views from the AONB.
91. As a result of the above, it is my opinion that the development of the site as proposed would substantially increase the scale and the extent of the settlement as it is viewed from the AONB. Topography would also be very likely to render the development more visible in the long term than other parts of the settlement such as close to the A20 corridor, although it is recognised that this could be mitigated in part by landscaping. Notwithstanding this, I consider that the development as proposed would have a significantly adverse impact upon the landscape and the overall visual amenity of the area.

92. In light of the above I consider that the development would fail to protect or enhance the character of the valued landscape within which it would be located, would be at odds with the important and established character of the rural edge and would result in a visually harmful form of development due to the proposed location, scale and density. The development would also have a detrimental impact upon views from the AONB which should be protected.
93. As a result the development would fail to comply with policies GP12, EN9, EN10, EN12, EN27, CS1, Cs9(a), TRS17 and TRS18, and it would also be contrary to the guidance contained within the Council's adopted Landscape Character Assessment SPD and the Charing Village Design Statement. The development would also fail to comply with emerging policy SP1, ENV3 and ENV5. The development would also fail to conserve or enhance the natural environment, and a valued landscape, which is contrary to paragraph 109 of the NPPF, and would not comply with paragraphs 56 and 64 of the NPPF which opposes development of poor design that fails to take the opportunities available for improving the character and quality of an area.

(d) Heritage and impact upon heritage assets

94. The NPPF attaches great importance to the protection of designated heritage assets. It seeks to conserve heritage assets in a manner appropriate to their significance. The Charing conservation area lies approximately 170 metres to the north east of the site at its closest point on the opposite side of the railway line.
95. Pluckley Road is an historic route from Pluckley, northwards, to Charing. Prior to the arrival of the railway, the development along this road would have been sporadic and limited to intermittent houses along the road frontage. Judging by the differing widths of the road, this was likely a drovers' route, allowing livestock to be moved from pasture to Charing market. Later development has infilled the frontage, particularly to the south side of the road, leaving the north side of Pluckley Road with wide areas of woodland bounding the road.
96. To the south of the application site, Pluckley Road is intercepted to the west by Charing Heath Road, which lies to the south of the development site. Again this road was historically a rural link road and the development was very sparse. There are views into the development site from Pluckley Road and Charing Heath Road, through gaps between the houses and also from Hitherfield and the various public rights of way. These rural views contribute to the historic character of the road as changing from the open countryside, through the outskirts of the village, to the main development area.
97. As stated above, the outline of the site follows the historic field boundary which is constrained by the stream to the SW, the tree belt south of Broadway Cottages and the rear gardens of the modern development further north along

Pluckley Road. The field also retains its historic division which runs from east to west.

98. There are three listed buildings along Pluckley Road. Broadway Cottages, a pair of C18 cottages, are sited directly adjacent to the boundary of the site. Broadway House and Lantern House are more substantial houses, dating from 1800/early C19 and are set back from the road frontage in much larger plots, as befitting their “higher status” at the time they were built. There are also a few non-designated heritage assets along these roads, such as The Old Corn Store and Brook Cottages and Brambly and Bexley Cottages. Apart from a small cul-de-sac development adjacent to Broadway Cottages, the main pattern of development is fairly consistently confined to detached dwellings, set within large plots, set back from the edge of the pavement. Pluckley Road itself is a direct road, with no major deviations, for obvious practical reasons. This has resulted in a clear, linear, ribbon development, which is very typical of rural roads on the fringes of villages and settlements.
99. The proposed development would not follow this established pattern of development, but rather would consist of looping roads, with densely packed houses. Whilst a matter for the reserved matters the street form, furniture and garden size will need to conform to modern standards, rather than the loosely laid out development along the main road. Dense urban-style development, as this would inevitably be, would appear completely contrary to the current historic street scene and the sense of being a rural fringe settlement will be completely lost.
100. The insertion of a new road access into Pluckley Road and the creation of such a substantial residential development will conflict with the character of Pluckley Road as a rural link road. This impact on the character of the road will affect the setting of Broadway Cottages. They will no longer be distinct from the main Charing settlement, but will be subsumed into a larger, sprawling one. The width of the access road by removing the existing house will exacerbate this perception by allowing easy views into the site and so the large number of new houses will be clearly evident. The construction of this access, for obvious highway safety reasons, will also need to be of a certain standard, which will appear at odds with the informal nature of Pluckley Road.
101. I consider that the setting of Broadway Cottages will be significantly affected by the development. The applicant’s Heritage Statement is dismissive about the impact of 245 houses sited behind the rear gardens of Broadway Cottages, stating that “The setting provides a secondary level of contribution to their significance”. I disagree with this assessment. They are typical rural cottages in their character and siting. Their setting has historically been a rural road with open countryside surrounding them. The small development directly to the north has had an impact, but the extent of the open space behind them and to the south, has retained this historic setting to a great degree. I consider

that this direct relationship between the cottages and the open countryside has a major contribution to their setting. Without it, they lose an intrinsic part of their special character. The Heritage Statement suggests that the height of new buildings will be comparable to the existing buildings. Again, whilst this is a matter reserved for future consideration, this seems unlikely given the particularly modest scale of the cottages. I do not consider that the proposed green space proposed behind the cottages could be sufficient to ameliorate the harm to the setting of Broadway Cottages. The Heritage Statement does acknowledge that the development may harm the significance of Broadway Cottages, but does not say to what extent. i.e. substantial harm/less than substantial harm. Although these listed cottages are modest in character and have not been identified as of outstanding interest, they are listed and special regard needs to be given to preserving their setting. Given the extent of houses proposed and the proximity of the site, I consider that the harm to their setting would be significant, albeit less than substantial, and would therefore be contrary to the objectives of the NPPF. This harm should be weighed against the public benefits of the proposal pursuant to paragraph 134 of the NPPF.

102. I consider that the wider rural landscape also positively contributes to the setting of Broadway House and Lantern House, but to a lesser degree than Broadway Cottages. The harm to the setting of these listed buildings would be less than substantial, but not unimportant. It would weigh in the balance against the grant of permission, as well as engaging the statutory duty in s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of listed buildings (which would also apply in relation to Broadway Cottages).
103. Charing Conservation Area lies to the north of the railway line and so will not be seen in direct connection with this development. However, Pluckley Road is one of the main routes into the village and probably the last rural road, the others having become major roads over time. Therefore, this rural approach does actually make a contribution to the setting of the Conservation Area: setting not necessarily being confined to direct views into and out of. That said, given the distance from the Conservation Area, I do not consider that this would be sufficient to warrant refusal of the application however I consider that it weighs in the balance against granting planning permission.

Transport and highway safety

104. Policy CS15 of the Core Strategy states that development that would generate significant traffic movements must be well related to the primary and secondary road network, and this should have adequate capacity to accommodate the development. It states that new accesses onto the road network will not be permitted if a materially increased risk in accidents or

traffic delays would be likely to result. The NPPF also states that development should ensure that a safe and suitable access can be achieved for all people.

105. Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether: (i) the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure, (ii) safe and suitable access to the site can be achieved for all people; and (iii) improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
106. Kent Highways and Transportation have been consulted and have raised objections to the scheme in relation to highway and pedestrian safety. The issues are considered in more detail below:

(NOTE: Additional information has been received in response to these objections which is being considered by KCC at the time of writing this report. Members will therefore be updated with any additional consultation comments in the update report).

Pedestrian safety:

107. Whilst the existing PROW adjoining the site and the link under the railway and on to the station have the potential to be upgraded they are insufficient to serve the whole site because some residents would have to walk out of their way to use them, increasing walking distance and resulting in use of the existing footpath on Pluckley/Station Road into Charing.
108. The existing footways to the north of the site access linking to the station and village centre facilities, schools and bus services are, in places, sub-standard. The continuous footway on the northern side of Station/Pluckley Road narrows to less than a metre in width for approximately 100m as it crosses the railway bridge. The footway on the south side in this location is equally narrow and the footway terminates north of the railway.
109. The Transport Assessment states that, north of the train station, pedestrians are well catered for. This is not the case. Pedestrians heading further north into the village centre to access the shops, the primary school and bus stops etc. would need to access the signalised pedestrian crossing on the A20. This is located to the south of the Station Road junction so pedestrians would have to cross Station Road to use it. There is however another section of narrow footway, this time on the southern side of Station Road for approximately

80m. Pedestrians needing to avoid this narrow footway such as parents with pushchairs or wheelchair users would then have to cross Station Road close to the A20 junction. Drivers turning left into Station road from the A20 would have poor forward visibility of people crossing in this location. This is unacceptable.

110. The applicant's Transport Assessment quotes Ashford Borough Council Policy TRA5 which states that 'developments shall demonstrate how safe and accessible pedestrian access and movement routes will be delivered and how they connect to the wider movement network'. I consider that the development would be contrary to these aims and would fail to comply with policies CS1 and CS15 of the Core Strategy. The development would also be at odds with requirements of the NPPF.

Public Transport:

111. A key principle of the NPPF is to promote sustainable transport and reduce the need to travel. This is endorsed by policy CS15 of the Core Strategy. Policy CS1 of the same document also states that there should be a wide choice of easy to use forms of sustainable transport to serve developments that generate significant demands for movement.
112. There is currently no step free, mobility friendly, access to the London bound platform of Charing train station. The applicant has agreed to the principle of providing financial contributions in relation to helping improve this provided they are Reg 122 compliant. My view is that a contribution would be appropriate.
113. Walking distances to the local bus stops on the A20 for service 737a (one service per day) are approximately 660m from the centre of the site (880m from the southern end). Service 10X from Old Ashford Road is hourly (less in the PM peak) and Service 124 (once daily) are approximately 830m from the centre of the site (1060m from the southern end). Although I accept that perhaps less of a rigid figures in a rural environment should be considered, these walking distances are all well above the 400m walking distance recommended by government guidance.
114. The applicant has provided details of the Kent Carrier and Wealden Wheels small scale transport schemes. Although relevant to a small proportion of some potential residents, they not considered to be a suitable alternative sustainable high quality public transport scheme.
115. The Transport Assessment outlines how the applicant views the proposal as being in line with NPPF para 35, in terms of suitability of access to and provision of public transport. I do not agree, when combining the walking distance to bus stops and the poor frequency of service with the barrier of

poor pedestrian links, this does not make for a sustainably located development. For a development of this scale in this location, public transport (which they estimate at 4%) would not be seen as an attractive alternative to the private car.

116. The proposed development would therefore be contrary to policies CS1 and CS15 of the Core Strategy and to the guidance set out within the NPPF.

Proposed access design:

117. The deliverable vision splays from the proposed new 'give way' access junction would be 2.4m x 43m, which is consistent with 30mph traffic speeds. The speed survey information provided is not all considered to be valid in representing average driven conditions. The driven speeds demonstrated by the ATC survey at 85th percentile are 44.7mph Northbound and 43.3mph Southbound. This would require vision splays of 110m and 104m respectively. It does not appear that these splays can be delivered within land under control of the applicant.

Traffic Calming:

118. Details have been submitted of two suggested traffic calming schemes aimed at reducing speeds to 30mph and to ensure the suitability of the proposed 43m vision splays. Unfortunately, neither of the traffic calming measures (table junction and vertical traffic calming scheme -speed cushions/ horizontal deflection - one way working kerb build outs) are considered to be unsuitable by Kent Highways and Transportation.
119. It is considered that any scheme of vertical traffic calming would be a hindrance for the free passage of the emergency services and that the effect of HGVs regularly passing over vertical calming features would cause a noise, vibration and disturbance issue for local residents.
120. Kerb build out traffic calming schemes would introduce a degree of congestion in peak times. Although an average speed reduction would be delivered, so would negative impacts such as noise and traffic fumes, depending on driver behaviour sometimes having an additional negative effect where drivers will increase speed locally to get past the restriction before vehicles come the opposite way to slow them down. These issues aside, there is a flaw in the delivery of such a scheme with the set objective of reducing driven speed specifically to allow safe use of a set visibility splay. For such a traffic calming scheme to be effective, there has to be traffic travelling in the opposite direction. In rural areas, off peak traffic flows are often light and sporadic; as such, kerb build-outs at such times do not greatly reduce traffic speed. This issue is acknowledged by the applicant who has recommended that the scheme be implemented, checked afterward and then

additional measures be introduced if necessary. A 'wait and see' approach is not considered to be acceptable. Considering safe visibility from the proposed site access is dependent on a scheme of traffic calming being delivered and as both options currently on the table for discussion are unsuitable, in this case I do not believe this is an acceptable approach.

121. In addition to the above, Kent Highways and Transportation have requested clarification and further data to be provided in order to fully consider the submitted proposals. This has been provided (see note at paragraph 132).
122. In view of the above, I agree with Kent Highways and conclude that the proposed development would fail to comply with the requirements of the local plan specifically policies CS1 and CS15 and the NPPF and would impact adversely on highway and pedestrian safety.

(e) Ecology and biodiversity

123. Guiding Principles set out within policy CS1 of the LDF CS identify objectives of ensuring protection of the natural environment and the integration of green elements enhancing biodiversity as part of high quality design. Against these overarching objectives, Policy CS11 of the LDF CS specifically requires development proposals to avoid harm to biodiversity and seeks to maintain and, where practicable, enhance and expand biodiversity. This is also included within policy ENV1 of the draft ALP. Policy CS9 and emerging policy SP6 seek to ensure that natural features of interest are incorporated to celebrate local distinctiveness as well as respond to landscape character and help to minimise the ecological footprint of Ashford's growth over time. These policies pre-date, but are aligned with, the general advice in section 7 of the NPPF on the importance of good design and section 11 which relates to conserving and enhancing the natural environment.
124. Whilst accepting that the majority of the site is in arable production with limited intrinsic ecological value, there are still habitats and features in and around the site that have intrinsic ecological value and the potential to support protected and designated species, including hedgerows and trees. In particular the ecological report submitted with the application identifies a presence of various species of bat, dormice and reptiles.
125. Following consultation with KCC Ecology and Biodiversity, and the submission of additional information by the applicant, it is considered that ecological and biodiversity issues can be subsequently mitigated through conditions should planning permission be granted. In light of this I am satisfied that the development would not be harmful to protected species and their habitats and that ecology and biodiversity can be enhanced through the appropriate use of conditions.

(f) Flooding, water treatment and drainage

126. The site is located within flood zone 1. The development will incorporate measures to deal with storm and surface water drainage which are in accordance with all current national and local guidance. It is noted that a discharge rate of 4l/s/ha is proposed in order to comply with the requirements of the SUDs SPD which would be appropriate.
127. The Council's technical consultees have requested the provision of information which has now been received. Formal additional comment have not been received at the time of writing this report. However, it is considered that this could be dealt with by condition or at the detailed reserved matters stages through the provision of a fully detailed drainage strategy in any event. I am satisfied that this can be adequately dealt with and therefore I do not consider this to be a reason to warrant refusal of planning permission.

(g) Affordable housing and housing mix

128. Affordable housing is proposed at a rate of 35% in accordance with Policy CS12 of the LDF CS. Whilst the emerging local plan policy HOU1 seeks 40% affordable housing on rural sites, this policy can be afforded less weight due to the draft status of the plan at this point.

On a 40% basis, the required housing tenure mix would need to provide:

- 10% of some form of affordable home ownership (based on white paper requirement)
 - 15% for shared ownership
 - 15% for affordable rent
129. On the existing policy CS12 basis, the proposal would need to provide for 21% affordable social rented and 14% shared ownership in order for it to comply. If planning permission were to be granted for this development then this would be set out within the necessary S106 legal agreement.
130. The applicant's proposed maximum 35% affordable housing does not specify the mix of affordable housing and thus it is not possible to conclude at present that it meets the requirements of policy CS12. In the absence of a planning obligation that commits the development to providing the mix of affordable rent and shared ownership properties set out in policy CS12, it must be assumed that this policy is not met by the application. Nonetheless, the provision of affordable housing is a significant benefit which needs to be taken into account and given significant weight.

(h) Other matters

Socio/Economic benefits

131. It is accepted that the scheme will deliver some economic benefits in terms of increased spending from local residents, and therefore the potential to support local shops and facilities is increased. However, no evidence has been submitted to suggest that local shops are struggling through a lack of custom. Further development is in any event planned in Charing separate from and in addition to this scheme. It is also agreed that the provision of more houses in the area would lead to greater, albeit temporary, job creation through their construction. These factors would apply to any large scale development site in the area and is not an overriding factor to warrant a departure from the Development Plan on this particular site in my opinion.
132. It is stated by the applicant that the proposed development would also help with the supply of housing in the borough where there is currently a deficit. The scheme would also deliver affordable housing for which there is a need. Whilst it would be reasonable to assume that the proposal would make some contribution to meeting the 5 year housing land supply requirements in the borough, it is unlikely in my view to reasonably anticipate that all 245 dwellings proposed here would be completed within a 5 year period. In fact, on other rural site allocations in the emerging Local Plan, the applicant has openly questioned whether much smaller developments will come forward at all within the next 5 years. As demonstrated by the emerging Local Plan, this site is not required to help deliver the overall housing requirement for the borough and hence its only benefit in housing supply terms would be in the context of short term delivery and the 5 year housing land supply. Therefore, only moderate weight should be applied to this potential benefit. The provision of housing is nonetheless a significant benefit from this scheme.
133. That said, I do not consider that this large scheme for up to 245 dwellings would be easily supported by the current services and facilities within the village. This is something that many of the residents who have written letters of objection have stated as a concern in their comments to the Council. There would clearly some need to travel for jobs, as well as for a wide range of health, retail, sports and cultural provision. This will likely lead to significantly more car trips. In addition, whilst financial contributions towards education and healthcare would mitigate the impact in the long term, the short term impacts would likely be significant as the required expansion to both the school and the surgery are arguably some way off.

Residential Amenity

134. The application site is located behind existing residential properties that front onto Pluckley Road and Charing Heath Road. A single access would be

provided from Pluckley Road by the demolition of Eastlands, a large residential dwelling. The development proposed would be significant in scale and it is obviously important that it would not harm the living conditions of the occupiers of these neighbouring homes. In addition thought must be given the future amenity of the intended occupiers.

135. The detailed design of the development is not being considered at this outline stage of the application, as these matters are reserved. It is therefore not possible to judge conclusively whether the development would result in overlooking into the most private gardens and windows of these dwellings. Notwithstanding this, the illustrative master plan and Design and Access Statement show that the development would be set back from the site boundaries to allow for existing vegetation to be retained and enhanced creating a buffer between the proposed and the existing built development. Further, given that the majority of the neighboring properties have large gardens, consistent with the character of the rural edge of the settlement, I am satisfied that the development could be arranged so that it was not overbearing development.
136. In terms of the future occupiers of the development, should planning permission be granted, the reserved matters applications will need to show that the houses themselves meet with the prescribed space standards for both the houses and gardens which should be sufficiently private. Further, the layout will need to ensure that reasonable levels of privacy would be achieved.
137. In addition to the above, as noted in the highway safety section of this report, the proposed traffic calming measures would likely result in an increase in noise, vibration and fumes which could be detrimental to the amenity of the occupiers of nearby dwellings. Whilst I do not consider that this, in itself, would be sufficient to warrant the refusal of this application, it is a material consideration weighing against the grant of permission and I consider that it further reinforces the difficulties that have been already identified concerning the development of this site at this scale and the impact that this would have on the way in which this area functions. On balance I consider that the development would not be harmful to residential amenity.

Trees

138. The majority of individual trees along the site boundaries were identified within the arboricultural report as being of moderate quality (Category B) apart from a single mature field maple assessed as Category C, located outside the site but adjacent to the eastern boundary. A number of Category C trees of low quality, alongside Category B trees of moderate quality, were identified in the garden associated with Eastlands. One tree will be removed from the garden of Eastlands. A small section of hedgerow would also be removed. The

applicant also proposes to enhance landscaping along the edges of the site and to incorporate additional trees into the site layout. The exact details of this would need to be considered further at the reserved matters stage should Members decide to approve the application.

Archaeology

139. Kent Council Council's Senior Archaeological Officer has assessed the scheme and the information provided (including additional information submitted) and is satisfied that there are no archaeological objections. She comments that the site could still contain important finds and therefore has requested a condition on any grant of planning permission requiring archaeological field evaluation works followed by any appropriate investigation and recording deemed necessary. I consider this approach to be reasonable and necessary to protect important archeology.

Planning Obligations

140. 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
- 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 35% 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</p>	<p>86 Affordable Units</p> <p>Breakdown to be agreed at Reserved Matters Stage</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, 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>
2.	<p>Primary Schools</p> <p>Project: Towards the expansion of Charing Primary School.</p>	<p>£3,324.00 per *applicable house.</p> <p>£831.00 per *applicable flat</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of</p>	<p>Necessary The development would give rise to up to 68 additional primary school pupils. Pursuant to Core Strategy policies CS1, CS2 and CS18, Tenterden and Rural Sites DPD policy</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
		*Applicable excludes 1 bed units of less than 56 sqm GIA.	the dwellings	<p>TRS19, 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 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)	
3.	<p>Secondary Schools</p> <p>Project: Phase 1 Norton Knatchbull School expansion.</p>	<p>£2359.80 per *applicable dwelling</p> <p>£589.00 per *applicable flat</p> <p>*Applicable excludes 1 bed units of less than 56 sqm GIA.</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, Tenterden and Rural Sites DPD policy TRS19, 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 because the amount has taken into account the estimated number of secondary school pupils and is based on the number of dwellings and because no</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.
4.	Libraries Towards the additional book stock for Charing Library required to meet the demands of the additional borrowers from this development.	£48.02 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings	Necessary as more books required to meet the demand generated and pursuant to Core Strategy policies CS8 and CS18, Tenterden and Rural Sites DPD policy TRS19, KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF. Directly related as occupiers will use library books and the books to be funded will be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and because amount calculated based on the number of dwellings.
5.	Sports Outdoor Offsite provision towards the provision or improvement to outdoor sports pitches and associated facilities at the	£1,589 per dwelling for capital costs. £326 per dwelling for maintenance.	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

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
	Arthur Baker playing fields and maintenance thereof.			<p>Strategy policies CS1, CS2 and CS18, Tenterden and Rural Sites DPD policy TRS19, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <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.</p>
6.	<p>Informal/Natural Green Space</p> <p>Onsite provision (1.18ha)</p>	£362 per dwelling for capital costs £325 per dwelling for maintenance.	Upon occupation of 75% of the dwellings.	<p>Necessary as informal green space is 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, Tenterden and Rural Sites DPD policy TRS19, Public Green Spaces and Water Environment SPD and</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>guidance in the NPPF.</p> <p>Directly related as occupiers will use the facilities.</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.</p>
7.	<p>Children's and Young People's play</p> <p>Onsite provision (0.28ha)</p>	<p>£541 per dwelling for capital costs.</p> <p>£663 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings.	<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 meet that demand pursuant to Core Strategy policies CS1, CS2 and CS18, Tenterden and Rural Sites DPD policy TRS19, 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>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				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.
8.	<p>Allotments</p> <p>Onsite provision of 0.12ha. The allotments must be formed as one area and be compliant with the adopted Greenspaces SPD.</p> <p>Or</p> <p>Contribution towards provision of or improvements to allotments and associated facilities and maintenance thereof. Project to be confirmed.</p>	<p>£284 per dwelling for capital costs.</p> <p>£176 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</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				maintained and the maintenance period is limited to 10 years.
9.	<p>Cemeteries</p> <p>Contribution towards provision of or improvements to cemeteries and associated facilities and maintenance thereof. Project to be determined.</p>	<p>£284 per dwelling for capital costs. £176 per dwelling maintenance costs.</p>	<p>Before completion of 75% of the dwellings</p>	<p>Necessary as cemeteries 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 cemeteries 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)	
10.	<p>Strategic Parks</p> <p>Contribution towards Conningbrook Strategic Park. Project: Provision and maintenance of lake aeration system.</p>	<p>£146 per dwelling for capital costs</p> <p>£47 per dwelling for maintenance</p>	Upon occupation of 75% of the dwellings	<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, Tenterden and Rural Sites DPD policy TRS19, 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 number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
11.	<p>Healthcare</p> <p>Expansion of Charing doctors</p>	<p>£504 for each 1-bed dwelling</p> <p>£720 for each 2-bed</p>	Half the contribution upon occupation of 25% of the dwellings	<p>Necessary as additional healthcare facilities required to meet the demand that would be generated pursuant to</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
	<p>surgery</p>	<p>dwelling £1008 for each 3-bed dwelling £1260 for each 4-bed dwelling £1728 for each 5-bed dwelling or larger</p> <p>£0 for any affordable units</p>	<p>and balance on occupation of 50% of the dwellings</p>	<p>Core Strategy policy CS18, Tenterden and Rural Sites DPD policy TRS19, saved Local Plan policy CF19 and guidance in the NPPF.</p> <p>Directly related as occupiers will use healthcare 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>
12.	<p>Network Rail</p> <p>Improvements to Charing railway station including</p> <p>Additional cycle parking DDA Level access to both platforms. Door openers through the ticket office to aid DDA passengers. Additional TVM covered by CCTV Additional waiting shelter on country</p>	<p>To be agreed with Network</p>	<p>To be agreed in consultation with Network Rail</p>	<p>Necessary</p> <p>As a result of the development the expected passengers at Charing Station would likely increase and encourage more travel to/from the station. These additional facilities are required to meet the demand that would be generated pursuant to Core Strategy policy CS15, CS18, Tenterden and Rural Sites DPD policy TRS19, saved Local Plan policy CF19</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
	end of platform 2. Increased passengers are expected to rail head to Ashford to use the High Speed service.			<p>and guidance in the NPPF.</p> <p>Directly related as occupiers will use the station 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>
13.	<p><u>Monitoring Fee</u></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking.</p>	£1000 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years.	<p>Necessary in order to ensure the planning obligations are complied with.</p> <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>

Human Rights Issues

141. 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

142. 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

143. The application has resulted in significant local objection from both residents of Charing and the Parish Council. The neighbouring Parish Councils have also raised strong objections to the proposed development. It is nonetheless necessary to judge the scheme objectively on its merits.
144. The site is identified as countryside and is not allocated for development in either adopted or emerging Development Plans. The Council acknowledges that it is not currently able to demonstrate a deliverable 5 year supply of housing land and hence its policies for the supply of housing must be considered out-of-date. The application, if allowed, would provide some additional housing at a time when there is an undersupply and this must be added to the planning balance and given significant weight, as well as the supply of affordable housing that the scheme would provide.
145. The NPPF advises that planning permission should only be granted against the Development Plan where the plan is absent, silent or out of date and where any adverse impacts would be significantly and demonstrably outweighed by the benefits of development when judged against the provisions of the NPPF as a whole (subject also to the caveat in the last part of paragraph 14). Whilst it is accepted that some policies are deemed out-of-date, that does not mean they should necessarily carry no or limited weight. The land use planning strategy in the adopted development plan remains sound and valid, as do the policies which seek to implement it. The settlement hierarchy set out in the plan is based on sustainability principles and should be accorded significant weight. As a generality, the development plan policies are consistent with the NPPF and should not for this reason have the weight to be given to them reduced. As has been explained above, the Council is

taking action to address the shortfall in the five year housing land supply, which is not, in any event, due to a failure in the Council's planning strategy. The shortfall will be addressed by appropriate means and within an appropriate timescale, without having to grant planning permission on an ad hoc basis for schemes which are not acceptable in planning terms.

146. The development that is proposed:

- i. would not represent a sustainable form of development, either overall or in transport terms,
- ii. would not represent a plan led approach,
- iii. would result in a scale of development that would be disproportionate and harmful to the character, function and size of Charing,
- iv. would be harmful to the setting of the adjacent listed buildings (especially Broadway Cottages),
- v. would be harmful to pedestrian safety and highway safety; and the proposed traffic calming measures would result in noise, vibration and disturbance,
- vi. would result in visual harm and harm to the character and amenity of the countryside, including from the urban character of a single development of the scale proposed in this location, and
- vii. the adverse impacts of the development would significantly and demonstrably outweigh the benefits of it proceeding.

147. For these reasons, and taking into account the fact that relevant policies for the supply of housing are deemed out of date due to the current lack of a five year housing land supply, the proposal is contrary to both important policies of the development plan and the overall thrust of the development plan. Planning permission should therefore be refused unless material considerations indicate otherwise.

148. Whilst there would be some minor economic benefit, and the benefits from the provision of housing (including affordable housing), these benefits would not outweigh the significant and harmful adverse social and environmental impacts of allowing this proposal and its inconsistency with important policies in the NPPF.

149. In respect of matters relating to archaeological findings, contamination, housing mix, trees, drainage and ecology, the proposal is considered to be acceptable subject to appropriate mitigation that could be secured by planning conditions.

150. The site was previously submitted as an omission site to the Reg 19 draft Local Plan and went through the site assessment process (SHELAA) published in July 2017. The site was discounted at stage 2 and not considered suitable for allocation. The Council has identified alternative housing sites in Charing, notably S55 of the draft Local Plan which is closer to the settlement and could provide up to 180 dwellings. Other sites have been put forward along the A20 corridor. Whilst the site policies in the emerging plan are subject to consultation and examination, the fact that there is a better alternative site that the Council considers to be deliverable within 5 years and which would have less of a significant impact, is relevant. The publication of the draft plan and the subsequent amendment of policies and addition of 18 more housing sites also demonstrates the Council's commitment to resolving the undersupply of housing land. The Council would be prepared to grant planning permission for sites identified in the emerging local plan, prior to its adoption, in appropriate circumstances, to seek to move towards a full housing supply position as soon as possible. This commitment to resolving the housing land supply position is also evident through the other interim measures the Council is taking, including in development control decision-making. It is not necessary to grant planning permission for the development of sites which are unacceptable in planning terms simply to seek to make up the five year housing land supply position.
151. Although the second bullet point in the decision-taking part of paragraph 14 of the NPPF is relevant, as relevant policies for the supply of housing are deemed out of date because the Council does not currently have a five year housing land supply, the "tilted balance" provision is not applicable because of the caveat in the last part of paragraph 14. The specific policies in the NPPF which indicate that the development should be restricted, for the reasons given above, are paragraphs 56, 64, 109 and 134. Alternatively, even if the "tilted balance" was to be applied to this scheme, I consider that, for the reasons given above, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole. Accordingly, for either of these two reasons, the "tilted balance" presumption does not weigh in favour of granting permission in this case as a material consideration. This does not provide a justification for departing from the development plan in this case.
152. The proposed development would be contrary to policies GP12, EN9, EN10, and EN27 of the Ashford Borough Local Plan, policies CS1, CS2, CS6, CS9 and CS15 of the Local Development Framework Core Strategy, policies TRS1, TRS2, TRS17 and TRS18 of the Tenterden and Rural Sites Development Plan Document. It would also be contrary to policies SP1, SP2, SP6, HOU4, HOU5, ENV3, ENV5 and ENV13 of the Draft Ashford Local Plan (Reg 19 version) which is a material consideration.

153. In light of the above assessment there are no factors that would justify a departure from the development plan and I recommend that planning permission is therefore refused.
154. Given the significant adverse impacts of the proposal set out above and that it is demonstrably in conflict with policies in the emerging Local Plan, the issue of whether the scheme should be refused on grounds of prematurity arises. Guidance on this is set out in national planning practice guidance (Paragraph: 014 Reference ID: 21b-014-20140306) which states that refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination and so, at this point in time, I would not recommend that prematurity should be cited as a ground of refusal for this scheme. However, should the application be refused and an appeal subsequently lodged, it will fall to a different decision-maker to consider the application in light of the circumstances prevailing at the time. I consider that the proposals are of such a scale and impact that would undermine the plan-making process, in particular the strategy for development in the rural parts of the borough, and Charing specifically, that the relevant test in the guidance would be met and therefore objecting to the scheme on grounds of prematurity may be applicable at that time if, for example, the emerging Local Plan has been formally submitted.

Recommendation

Refuse

on the following grounds:

1. The proposal would be contrary to Policies CS1, CS6, CS9, CS15 and CS18 of the Local Development Framework Core Strategy 2008, Policies TRS1, TRS2, TRS17 and TRS18 of the Tenterden and Rural Sites DPD 2010 and Policies GP12, EN9, EN10 and EN27 of the Ashford Borough Local Plan 2000, and emerging Policies SP1, SP2, SP6, HOU4, HOU5, ENV3, ENV5 and ENV13 of the Ashford Borough Local Plan 2030, and the National Planning Policy Framework, and would therefore represent development contrary to interests of acknowledged planning importance which are not considered to be outweighed by the benefits of the development cited by the applicant, for the following reasons:
 - (a) the scale and location of development proposed would have a significant adverse urbanising impact, out of character with the established edge of settlement character and would be unacceptably harmful to the visual amenity of the area.

- (b) The resulting development would harm a valued landscape which forms part of the Charing Farmlands Landscape Character Area. Impacting upon its acknowledged rural character that forms an important component of the setting of, and entrance to Charing.
- (c) given the topography and levels of this part of the Charing Farmlands Landscape Character Area relative to other parts of the existing settlement including the A20 movement corridor running through the village of Charing, the scale and location of the development proposed would have an adverse impact on the landscape views currently available to the site from the nearby AONB, the North Downs Way and the PROW, to the detriment of the landscape and how the settlement of Charing is read within that landscape.
- (d) The development would not protect landscape character, visual amenity or scenic value and would result in a significant and unacceptable extension to Charing.
- (e) The development by virtue of its scale and location would fail to preserve or enhance the setting of the adjacent listed building (Broadway Cottages) and would harm its significance.
- (f) The new access, visibility splays and traffic calming measures would be unacceptable in this location. The resulting development would be harmful to pedestrian and highway safety.
- (g) The necessary planning obligation has not been entered into in respect of the list below so that the proposed development is unacceptable by virtue of failing to mitigate its impact and failing to meet demand for services and facilities that would be generated and the reasonable costs of monitoring the performance of the necessary obligations:
 - (i) affordable housing
 - (ii) Charing primary school expansion
 - (iii) secondary schools
 - (iv) libraries
 - (v) sports – outdoor pitches
 - (vi) informal / natural project
 - (vii) children's and young people's play project

- (viii) allotments provision
- (ix) strategic parks project
- (x) cemeteries project
- (xi) healthcare improvements at Charing doctors' surgery
- (xii) Charing station improvements
- (xiii) monitoring fee.

Note to Applicant

1. 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 application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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 17/00303/AS.

Contact Officer: Alex Stafford

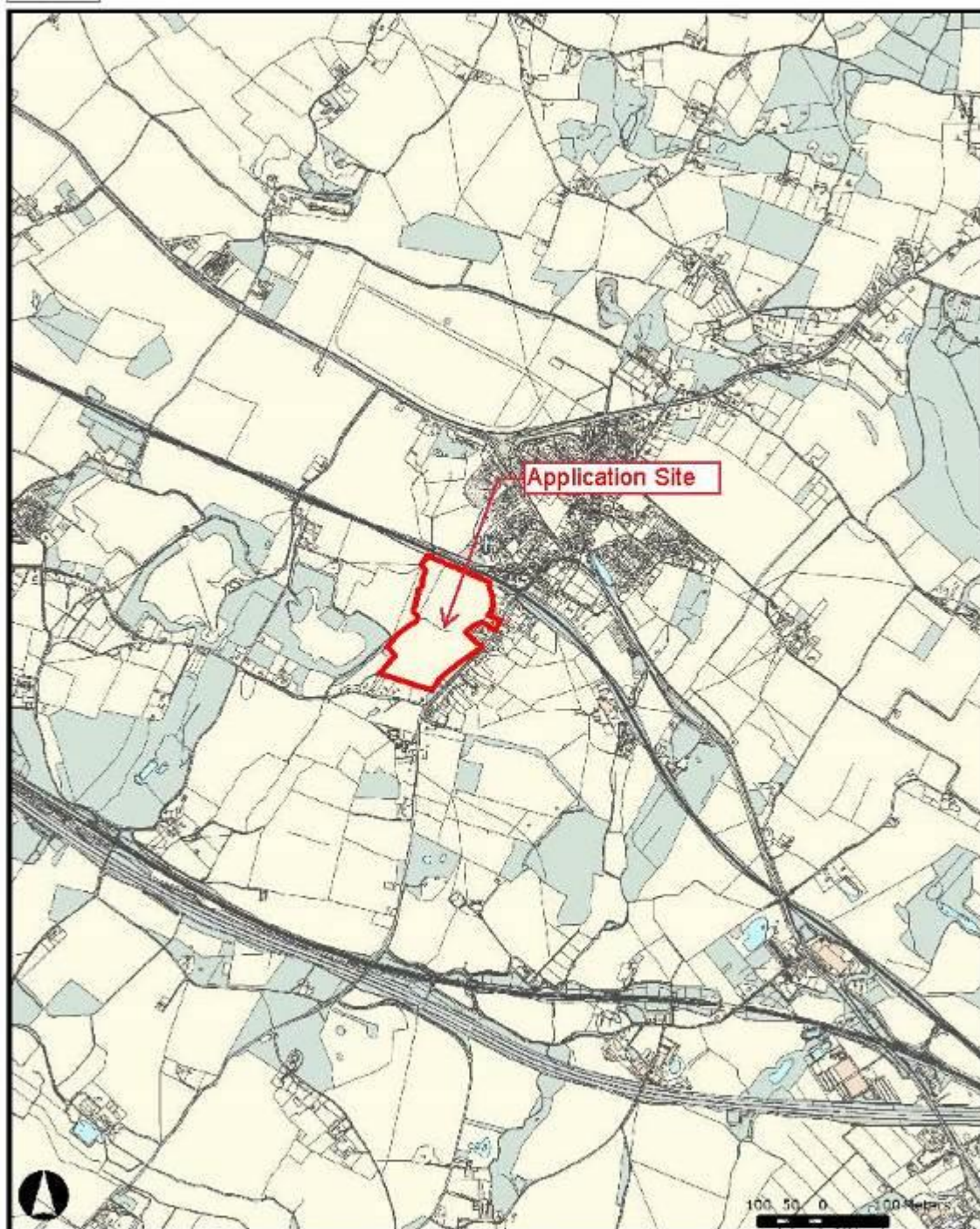
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Annex 1



Ashford Borough Council



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