

Application Number	17/00469/AS
Location	Ashford Golf Complex, Bears Lane, Bethersden, Ashford, Kent, TN23 3BZ
Grid Reference	96069/42863
Parish Council	Bethersden
Ward	Weald Central
Application Description	Hybrid Planning Application comprising:- A Full Application for the Erection of 1No. Dwelling with Associated Landscaping and Access And An Outline Application for the Erection of 6No. Dwellings including detail relating to Access, Layout and Landscaping (Scale and Appearance as Reserved Matters)
Applicant	Great Chart Golf & Leisure Limited, Bears Lane, Bethersden, Ashford, Kent, TN23 3BZ
Agent	Mr Nathan Anthony, Lee Evans Planning, St Johns Lane, Canterbury, Kent, CT1 2QQ
Site Area	10ha

Introduction

1. This application is reported to the Planning Committee because the Head of Development Strategic Sites and Design considers it to be a sensitive application.

Site and Surroundings

2. The application site is a triangular shaped 9-hole course and gravel car park comprising the Great Chart Golf Course (operated under the business Great Chart Golf & Leisure Limited owned by the applicant and his family). This operates alongside the Ashford Golf Complex to the other southern side of the railway line (and includes a clubhouse, café, bar area and merchandise shop and has diversified into archery, paintballing, family pitch and putt and a floodlit volleyball/5-a-side football pitch and is operated under the business Great Chart Leisure owned by the applicant and his family). The site does not constitute previously developed land/brownfield site.



Figure 1: Location plan

3. The site fronts onto, and is accessed from, Bears Lane and lies over 2.5km from the nearest villages of Hothfield and Pluckley and 4km from Great Chart. The land rises gradually from south to north, but its topography is fairly level across the site (except for the artificial bunds) and comprises a network of natural and man-made drainage ditches and ponds. The site is bound to the south by the railway line, its embankment and a belt of trees, with native hedgerow lining the roadside boundary. To the west is Newlands Wood, designated as ancient woodland and a Local Wildlife Site (March Wood etc. Hothfield) and part of which is covered by a TPO (No. 7 1992). Bears Lane Wood on the opposite side of the road is also designated as ancient woodland. The surrounding land is predominantly agricultural in nature, with a few scattered farms and dwellings.

4. The site is located within the Dering Woodland Farmlands Low Weald Landscape Character Area, in which the key characteristics are gently undulating landform, strong tree cover with large blocks of woodland and the railway line cutting through the landscape. The condition of the landscape is good with moderate sensitivity and the guidelines for the area are to conserve and reinforce the landscape.
5. A site location plan is attached as Annex 1.

Proposal

6. This is a hybrid application for the erection of 7no. dwellings on the site and is split into two parts: the first part seeks full planning permission for the erection of 1no. dwelling (Plot 3) and the remaining 6no. dwellings constitute the outline part of the application and includes details relating to access, layout and landscaping for consideration in detail at this stage, with matters of scale and appearance reserved for future consideration.



Figure 2: Site plan showing split in outline/detailed application

7. In terms of the first part of the application, Plot 3 would be two storey in scale measuring 18m (d) x 32m (w) x 9.25m high (the attached garage is 6.8m high). Its elevations would be made up of oak timber framing with red stock brick and lime rendered panels at first floor level beneath a brown handmade clay tile roof, with lead lining to the roof and cheeks of the dormer windows. Windows and doors would be wood stained black/brown with timber/brick/stone cills and guttering/rainwater goods would be black painted cast iron/aluminium/zinc.



PROPOSED NORTH EAST FACING ELEVATION



NORTH WEST FACING ELEVATION

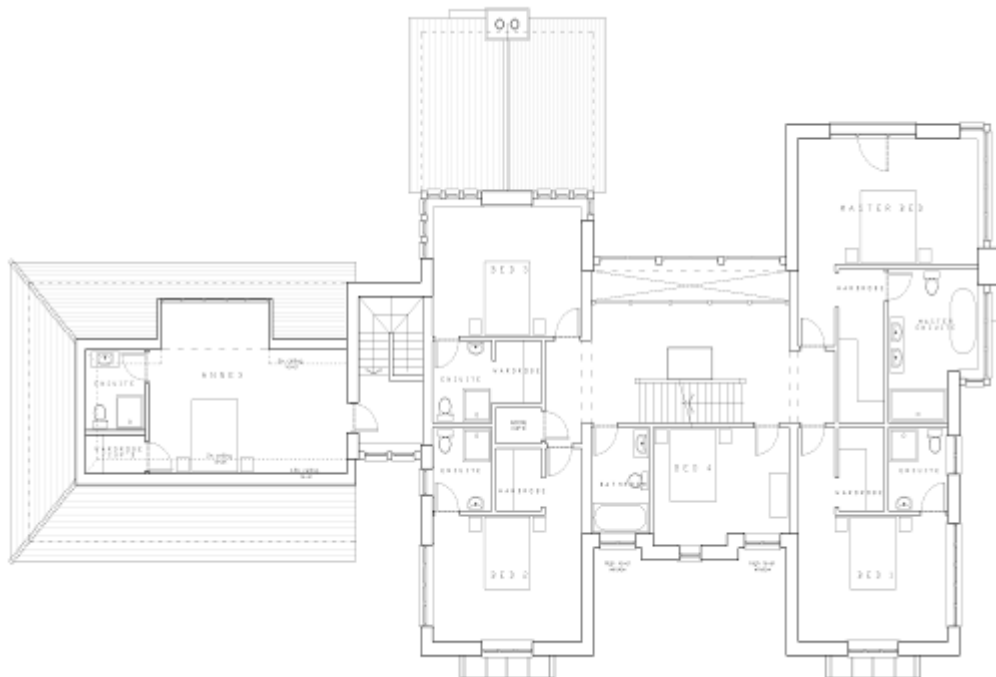
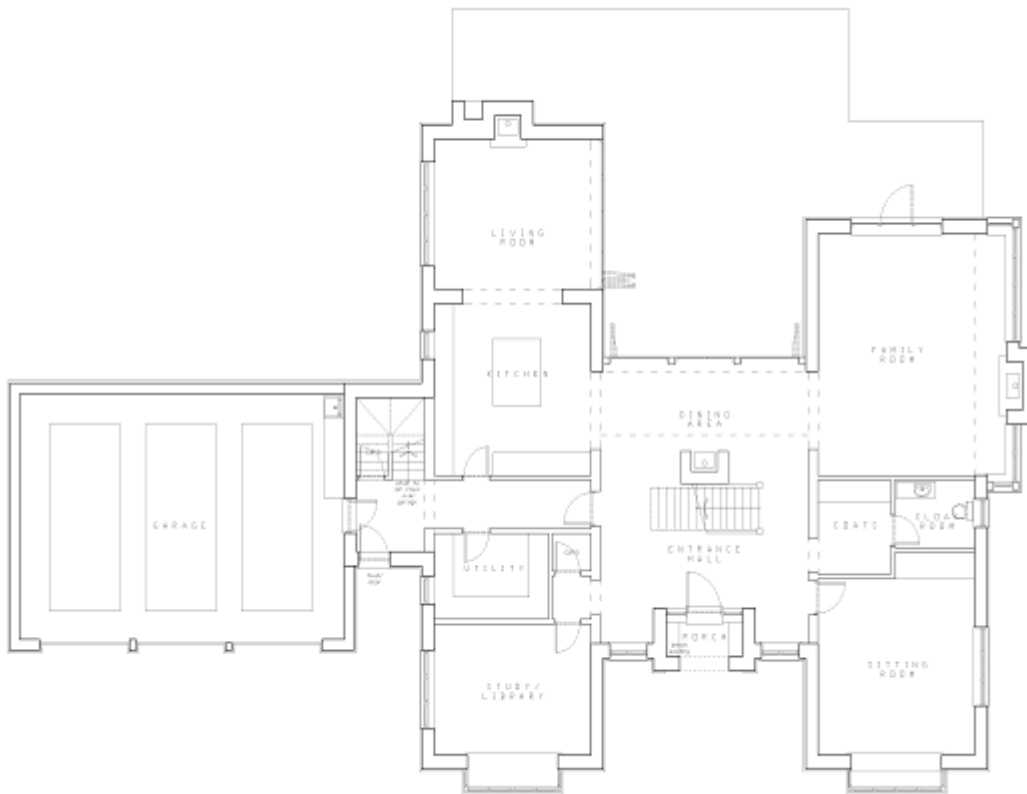


PROPOSED SOUTH WEST FACING ELEVATION



SOUTH EAST FACING ELEVATION

Figure 3: Proposed elevations of Plot 3



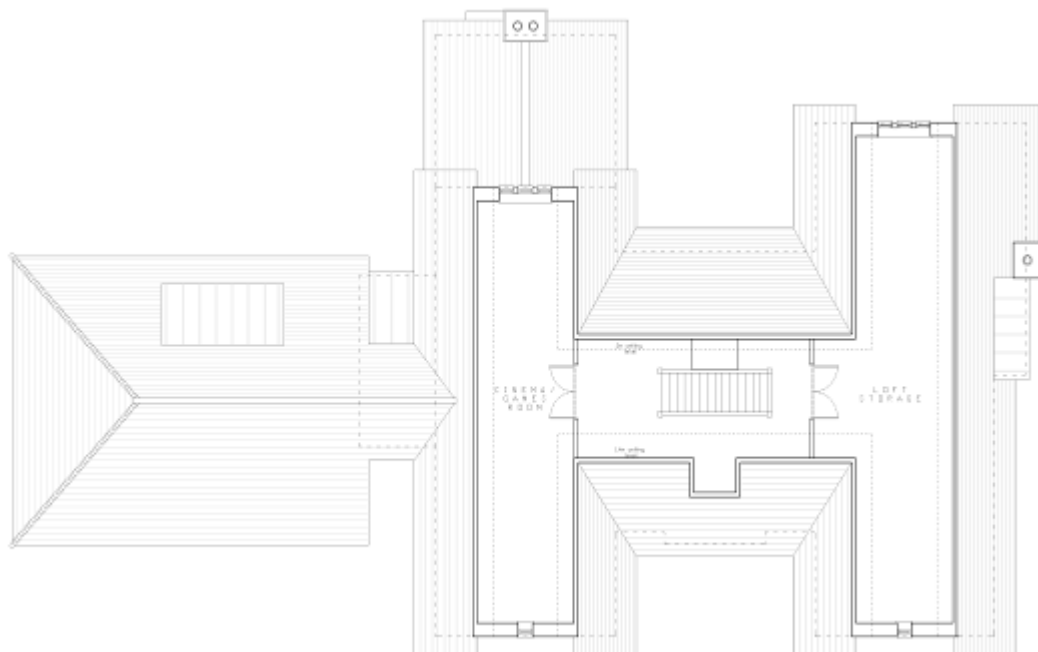


Figure 4: Proposed floor plans of Plot 3

8. Its accommodation would comprise of a porch, large entrance hall and dining area, sitting room, coat room, WC, family room, study/library, utility, and open plan kitchen/living room on the ground floor and at first floor level a bathroom and five bedrooms (four of which would be served by ensuite bathrooms and walk-in wardrobes). A cinema/games room and loft storage would be provided within the roof slope. There would be a three bay attached garage with annexe accommodation above to the south eastern elevation, with internal links at ground and first floor levels. The driveway in front of the proposed dwelling would provide off-road parking for at least 6 cars, with a further 3 spaces and cycle parking provided in the attached garage.
9. Turning to the outline part of the application, the remaining six dwellings would also be two storey (not exceeding 10m in height), with potential for accommodation within the roof slope. Their architectural style and design, parking provision and hard/soft landscaping would be similar to that of Plot 3. Each dwelling would sit within grounds of approximately 1.4 acres, with generous grounds to the front and rear.



Figure 5: Proposed site plan

10. It is proposed that the development would meet the energy performance requirements of the Passivhaus standard, providing significantly improved comfort and indoor air quality and dramatically reducing the requirement for space heating and cooling through the use of high levels of insulation and a mechanical ventilation system.
11. The existing access onto Bears Lane would be used and upgraded to serve the development and each dwelling would be served by its own driveway off the main access road. The adopted access road would be surfaced with exposed aggregate asphalt or asphalt with a gravel surface dressing, with

flush concrete edging. Private vehicular accesses would be surfaced with loose or self-binding gravel, with granite sett thresholds to define entrances, gateways and private curtilages and agricultural-style tracks with a central grass strip. Short sections of low ragstone/brick walls are proposed to the entrance of the site and the dwellings. Lighting would be in the form of ground level buried uplighting only.

12. Existing hedgerows along the site boundaries would be retained, with boundaries between the proposed dwellings consisting of predominantly native hedgerow, with simple post and rail fencing. Substantial native tree and shrub planting is also proposed along the southern boundary and native tree planting along the northern boundary of the site. Areas of the site not privately owned would be held in trust by a management company owned collectively by potential residents. On the sale of each dwellings, the owner would become a shareholder and pay an annual charge for the on-going maintenance of the areas of non-private garden land.
13. Surface water on the site would be disposed of by a sustainable urban drainage system discharging through permeable paving with a flow control device. In terms of foul sewage, a package treatment system is proposed to serve the development.
14. The agent makes the following statements in support of the application:
 - This is a unique and bespoke application, conceived and developed in light of emerging policies relating to the provision of exclusive homes and a clear desire from the Council to respond to demand for a small number of large exclusive homes - the Local Plan does not provide specifically for the full scope of housing need, specifically 'exclusive' dwellings;
 - A number of key services and facilities are found within a short drive of 5 miles from the site and so the site is well connected to all day-to-day amenities - the site is not isolated in the truest sense of the word and the development would enhance the vitality of local villages;
 - The layout of the development seeks to respond to and respect the pleasant open and green nature of the site and its surroundings - valued features in the site would be retained and enhanced to create a natural parkland setting, with the proposed dwellings taking on a subservient role and bedding into their surroundings, their location and number being dictated by existing features;
 - Drainage, water courses, trees, ecology, topography and surrounding context have all taken precedent and informed the amount of development proposed, with the position, orientation and size of plots influenced to a degree by the natural context of the site;

- The access achieves the necessary visibility splays and provides sufficient width for two vehicles to pass, with it not being adopted but transferred and maintained by a management company;
- The landscape strategy is to deliver a natural native scheme that keeps identified borders and boundaries to a minimum and avoids structured overly elaborate planting plans - instead, a simple planting palette and organic layout to mirror the surrounding rural context is proposed, retaining trees of the highest quality, reinstating historic field boundaries, the use of native hedgerow to define boundaries, grassland and wildflowers dominating the landscaping scheme, substantial native tree and shrub planting, retaining and enhancing landscape structure and habitat connections and minimising hard landscaping;
- The architectural style of the development has taken influence from traditional timber framed buildings evident in the local area and it is proposed to compliment this style with some minor contemporary features;
- It is acknowledged that the development does not comply with Development Plan policy but it is submitted that there are material considerations that outweigh this, including the fact that the Council cannot demonstrate a five year housing supply and so the Development Plan cannot be considered up-to-date;
- By their very nature, 'exclusive' dwellings demand generous grounds and typically very low density or rural surroundings - it is submitted that the site is appropriate for this type of development and the development reflects policies S41 and S42 of the emerging Local Plan (site allocations for 'exclusive' dwellings);
- The aforementioned policies identify greenfield sites not within any settlement confines and it is assumed that more rural locations are intentionally chosen due to the amenity value they offer - the development can offer the same;
- The development pays respect to the special circumstances listed in paragraph 55 of the NPPF by providing dwellings of outstanding build quality in excess of standards employed on typical residential developments, being sensitive to the character of the landscape and providing significant enhancements to the immediate setting;
- The development would require construction related services, providing short-term employment and economic boosts, the target customer for the development could lead to new business/investment in the borough and new residents would benefit local services and the development would

result in some financial contributions towards local infrastructure if planning permission is forthcoming;

(Joint Development Control Manager comment: the number of dwellings proposed is under the threshold for seeking planning contributions)

- A significant material consideration is in the form of enabling development in that the development would contribute to the long-term viability and sustainable expansion of the golf complex - the funding generated by the development would be reinvested into the business, repaying all loans and debts and creating a state of the art adventure golf facility like those found in Florida and bigger golf establishments in the UK, for example Manston and Sidcup, that are currently in demand (along with the added benefit of providing job security for employees and creating new jobs);

(Joint Development Control Manager comment: a business plan for this adventure golf facility has not been provided, nor has a planning application been submitted for it)

- The landscape context of the site effectively encloses the site from wider views along two-thirds of its boundary and the sloping topography of the surrounding landscape would further reduce the visual impact of the development.
- The ecology surveys found the site to be of low biodiversity value and the development would retain and buffer valuable habitats and any potential impacts on ecological features would be mitigated;
- Flood risk does not present a risk to the development;
- The development has incorporated measures to encourage alternative means of transport but it is acknowledged that the car would be the predominant means of movement to the wider area;
- The scale of the development is considered to be minor in terms of anticipated trip generation and the local road network operates well within capacity; and,
- The site is of low archaeological potential.

15. Following officers concerns with the scheme (as outlined in this report), the agent provided estimate costs for the proposed activities to be added to the leisure complex along with the following additional comments:

- the golf course was marketing following the 12/00781/AS permission for a new club house but no interest was forthcoming and with no demand and

with very few visitors, the site is considered to be of negligible or no value; and,

- the demand for the golf course is negligible and will soon cease to trade at all with or without this permission - as a smaller scale facility, the site was not sufficiently robust to withstand the downturn in memberships, as well as the borough being saturated with golf courses.

(Joint Development Control Manager comment: it is my understand that should the golf course close, then the leisure complex would also close given that the two businesses operate side by side, have strong financial ties and are both owned by the applicant and his family)

16. Also in support of the application, the following documents have been submitted:

- Archaeological Desk-Based Assessment: this concludes that the site is within an area of low archaeological potential.
- Flood Risk Assessment: this states the following:
 - Whilst the development should not be at significant risk of flooding, the site falls within Floodzone 1 and the primary risk of flooding is from surface water runoff;
 - The underlying geology of the site is impermeable Wealden Clay formation and so the potential for rainfall to be infiltrated into the ground would be limited;
 - Any rainfall in the surrounding catchment is likely to follow the natural contours of the land, where it would be intercepted by a number of drainage ditches across the site, which discharge towards the railway embankment to a large arched culvert underneath;
 - The development should not increase flood risk elsewhere but flood resistance and resilience measures are proposed, including raising the threshold of the proposed dwellings by 150mm and the incorporation of floor resistant and resilient construction techniques;
 - The development would increase the percentage of impermeable area within the site and consequently increase the volume of surface water runoff discharged from the site - the most sustainable solution for managing runoff from the development is through the use of SUDS and mitigation measures to ensure that the rate of runoff discharged from the site is not increased;

- All surface water runoff from the site would be discharged to permeable paving and an orifice plate flow device would be used to attenuate the flow exiting the paving system and an overflow control pipe to direct additional runoff to dedicated positions within the landscaped areas proposed; and,
- They key requirements of any management regime are inspection and maintenance.
- Extended Phase 1 Habitat Survey: this found the following:
 - A Local Wildlife Site with ancient woodland abuts the western boundary and recommends a buffer be provided between this and the development;
 - The hedgerows bounding the site have the potential to be of value to protected species and should be retained, buffered and enhanced, with any loss compensated for through additional planting;
 - Biodiversity gains could be achieved through enhancement, hedgerow restoration and/or improved management;
 - No field signs of badgers on the site but the adjacent woodland may be utilised by foraging and dispersing badgers and as such, general precautionary techniques should be employed during construction;
 - Some trees on site were found to have 'low' or 'moderate' potential to support roosting bats and trees with roost potential should be retained and buffered from construction;
 - The development would not result in any significant habitat loss and is unlikely to affect bats by disrupting their flight paths;
 - Lighting associated with development may negatively impact on bats utilising the site or surrounding area without suitable mitigation and to minimise disturbance during construction, lighting should be kept to a minimum;
 - Enhancements for bats can be made through the planting of species known to benefit bats, along with the erection of bat boxes to provide additional roosting opportunities;
 - The scattered tree and scrub habitat on the site provide some foraging and nesting opportunities for bird species - any loss of nesting bird habitat should be cleared outside of the nesting season and there is

scope to provide habitat enhancements through the erection of bird boxes and the planting of native species;

- Potential hazel dormouse habitat is present on site and any loss of scrub should be cleared under an ecological method statement;
- A large meta-population of great crested newts were found on site and a mitigation strategy would be required to provide an enhancement to the site for the population post-development, with the retention of ponds, ditches and suitable terrestrial habitat surrounding these;
- An European Protected Species Licence (EPSL) from Natural England would be required, with an update survey carried out, exclusion fencing erected, and great crested newts trapped and translocated to a nearby receptor site;
- The proposed access track would go over a ditch to the north west of the site, which is suitable habitat for great crested newts - works here should avoid the ditch itself;
- The development should include the creation of additional terrestrial refugia, the planting of vegetation in ponds and the enhancement of suitable habitat corridors linking ponds in the site through the planting of native flora species;
- The site has little suitable habitat for rare or notable invertebrates;
- No field signs of hedgehogs, brown hare or harvest mouse, nor does the site provide suitable habitat for brown hare or harvest mouse, and whilst the perimeter of the site provides some suitable habitat for hedgehogs, this species would not be significantly impacted upon;
- The site is largely unsuitable for reptiles but there is some limited suboptimal habitat adjacent and to guide a mitigation strategy, a presence/absence survey is required;
- The site may be enhanced for reptiles through the creation of additional foraging, dispersal and hibernation habitat;
- No voles or signs of voles but the site has residual potential to support this species - as the majority of the pond and ditch network is to be retained, buffered and enhanced, it is considered unlikely that this species would be impacted;
- Otter and white-clawed crayfish are considered likely to be absent from the site;

- Great Crested Newt Survey: this makes the following statements;
 - The impact of construction works would be temporary and on completion, the habitats lost would be reinstated with enhanced habitat; and;
 - Mitigation would be required under an EPSL.
- Biodiversity Mitigation and Enhancement Plan; this comments that:
 - The majority of hedgerow on the site is to be retained and protected with temporary protective fencing;
 - The adjacent Local Wildlife site and ancient woodland should be buffered from the development through the instatement of a 15-20m planted buffer zone, comprising of native species and the erection of a temporary fence during construction;
 - The pond and ditch network should be buffered from construction, with the instalment of great crested newt exclusion fencing;
 - The pond and grassland area to the west of the site is to be used as the receptor site following the translocation of great crested newts and the terrestrial habitat surrounding the pond should be enhanced;
 - Precautionary construction techniques should be used in relation to badgers;
 - Trees with roost potential for bats should be retained and buffered from construction;
 - Lighting should be kept to a minimum during construction to minimise disturbance to foraging and commuting bats;
 - Vegetation clearance should be undertaken outside of breeding bird season;
 - Buffering of suitable habitat areas for dormouse should be undertaken;
 - The network of ponds and ditches and surrounding grassland areas are to be retained and enhanced to maintain the favourable conservation status of great crested newts and an updated survey would be undertaken to inform an EPSL - once this has been approved, exclusion fencing would be erected and trapping take place, with great crested newts then moved to the receptor site;

- A pond is to be created to the west of the site to compensate for one breeding pond being temporarily excluded during construction;
- Wildlife-friendly kerbing is to be installed;
- Suitable areas of reptile habitat should be subject to a presence/absence survey;
- Biodiversity enhancements should include appropriate landscape planting, over-sowing of grassland with wildflower seeds, the creation of three great crested newt hibernacula, the enhancement of the terrestrial habitat surrounding the network of ponds and ditches to provide increased foraging and dispersal opportunities, the fitting of two bat boxes to mature trees along the edge of the site to provide additional roosting opportunities and two within the development, planting of species known to benefit bats and seven bird boxes to be incorporated into the development to provide additional nesting opportunities;
- Management actions should include minimum intervention management on hedgerows to ensure their biodiversity value is maintained post-development, the retention of existing grassland for great crested newts shall be enhanced through over-seeding with native wildflower species and managed to create areas of vegetation with structural diversity, annual inspections of the ponds on site, the planting of native tree and woody understorey species within the adjacent woodland, the use of any wood/brush from site maintenance to create habitat piles within the immediate proximity of ponds on the site and the annual clearing of old birds nests.
- Design Code: In summary, this has been produced to ensure that the proposed dwellings would all be of exceptional build quality (meeting the criteria required for a Passivhaus) and use exceptional quality materials used locally set within in a high quality hard and soft landscaped setting, which encourages biodiversity.
- Background & Financial Analysis (with projected profit/loss accounts, financial performance summaries and cashflow forecasts provided): this makes the following statements;
 - The family has two businesses: Ashford Golf Complex and Great Chart Leisure, and the golf course is being financially propped up by Great Chart Leisure;

- Both businesses are facing severe financial difficulty, with the possible closure of the golf course unless their debt burden (personal and bank loans and arrears) can be lifted and further capital investment made;
 - The upkeep of the golf course became impossible to fund and as a result, its quality and standard has deteriorated, which has affected membership as since 2006, there has been a decline starting in golf course activity;
 - The poor trading and current debt levels and arrears are not sustainable and restricts the ability of either business to raise any further capital;
 - The golf course needs further investment to enable the addition of new activities to maintain and improve the leisure aspect of the site (including the provision of a crazy golf course and an adventure golf facility);
 - Sale of the golf course would prove difficult and even if it did sell, it would not generate sufficient capital to make a huge difference to the overall debt position of the businesses; and,
 - Further investment is needed on staff, the driving range, pitch/putt, footy golf and frisbee golf areas, the cafeteria, archery, corporate activity days, machinery and advertising.
- List of golf courses in the area: this shows there to be 7 golf courses in the borough and 4 outside, with the site's main competitor Kingsnorth Golf Course being 4.6 miles away.

Planning History

12/00781/AS: Full planning permission granted on land adjacent to the existing access for 'New golf club house including changing facilities and groundman's store with accommodation for staff linked to the facility provided within the roofspace offering a two bedroom apartment'.

Consultations

Ward Members: the Ward Member is a member of the Planning Committee.

Hothfield Parish Council: wish to make no comments.

Bethersden Parish Council: object to the application on the grounds of a lack of information in respect of design and access.

Great Chart with Singleton PC: wish to make no comment, but observe that the development does not comply with Development Plan policy.

Environment Agency: wish to make no comments.

Environmental Health: raise no objection and request a condition re: foul drainage.

Kent Highways: comment that the development compared to the lawful use does not cause concern in terms of traffic generation and following the receipt of plans showing the visibility splays achieved from the access and that the proposed access road is wide enough for vehicles to pass are required, raises no objection subject to conditions re: a construction management plan, measures to prevent the discharge of water onto the highway, provision and maintenance of visibility splays shown on the plans, use of a bound surface for the first 5m of the access and provision and retention of vehicle parking and garaging.

KCC Ecology: make the following comments:

- the current survey, mitigation and enhancement measures are thorough and robust and have potential to provide net gains for biodiversity;
- a European Protected Species Mitigation Licence (EPSML) from Natural England will be required to carry out the development due to its impact on great crested newts but the mitigation proposed is thorough and provides opportunities to retain the population in site, so the development is unlikely to have a detrimental impact on this species;
- the mitigation measures outlines for bats, dormice, breeding birds and reptiles are sufficient; and,
- recommend conditions re: biodiversity method statement, lighting design and ecological design strategy are attached to any permission granted.

Natural England: refer to their standing advice.

Weald of Kent Protection Society: comment that they have concerns that the development would be on a greenfield site in open countryside but they believe that it could be regarded as an exception site if each of the proposed dwellings were architecturally different and of individual innovative design.

Drainage: comment that a condition re: SUDS should be attached to any permission granted.

KCC Archaeology: comment that they agree with the submission that there is general low potential for archaeology on the site and recommend a condition re: watching brief be attached to any permission granted.

Campaign for the Protection of the Rural Environment: object to the application on the grounds that the site is located in open countryside and is unsustainable.

Sport England: raise no objection, commenting that '*England Golf have responded that Great Chart Golf & Leisure disaffiliated from England Golf in 2014, with historic membership numbers being relatively small. The club now appear to be operating as a multi-activity venue... There is a good array of golf facilities within the Ashford area, which cater for both club based and independent golfers. While England Golf obviously wouldn't want to lose a golf course, there does appear to be a good level of provision and on that basis it has confirmed that it does not wish to object to this planning application*'.

Neighbours: 7 neighbours consulted and 2 representations received, one supporting the application on the ground that there is a need for high quality executive homes and one objecting to the application on the ground that the development would cause damage to ancient woodland and wildlife.

Planning Policy

17. The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites and Infrastructure DPD 2012, the Chilmington Green AAP 2013 the Wye Neighbourhood Plan 2015-30 and the Pluckley Neighbourhood Plan 2016 - 30. 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 'Main Changes' to the draft Local Plan were approved for further consultation by the Council on 15 June 2017 and this ended on 31 August 2017. At present, the policies in this emerging plan can be accorded little weight.
18. 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

EN31 - Important habitats

EN32 - Important trees and woodland

LE10 - Loss of leisure facilities

Local Development Framework Core Strategy 2008

CS1 - Guiding Principles

CS2 - The Borough Wide Strategy

CS6 – The Rural Settlement Hierarchy

CS7 - The Economy and Employment Development

CS9 - Design Quality

CS10 - Sustainable Design and Construction

CS11 - Biodiversity and Geological Conservation

CS13 - Range of Dwelling Types and Sizes

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

TRS7 - Retention of existing employment sites and premises

TRS17 - Landscape character & design

Local Plan to 2030

SP1 - Strategic Objectives

SP2 - The Strategic Approach to Housing Delivery

SP3 - Strategic Approach to economic Development

SP4 - Delivery of Retail and Leisure Needs

SP6 - Promoting High Quality Design

HOU5 - Residential windfall development in the countryside

HOU12 - Residential space standards internal

HOU15 - Private external open space

EMP2 - Loss or redevelopment of Employment Sites and Premises

EMP6 - Promotion of Fibre to the Premises (FTTP)

TRA3a - Parking Standards for Residential Development

TRA7 - The Road Network and Development

ENV1 - Biodiversity

ENV3 - Landscape Character and Design

ENV4 - Light pollution and promoting dark skies

EN7 - Water Efficiency

EN9 - Sustainable Drainage

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

Supplementary Planning Guidance/Documents

Landscape Character Assessment SPD 2011

Residential Space and Layout SPD 2011 (now external space only)

Residential Parking and Design SPD 2010

Sustainable Drainage SPD 2010

Sustainable Design & Construction SPD 2012

Dark Skies SPD 2014

Government Advice

National Planning Policy Framework (NPPF) 2012

20. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-
- Paragraph 7 outlines the three dimensions of sustainable development: economic, social and environmental;
 - Paragraph 9 states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including widening the choice of high quality homes;
 - Paragraph 14 sets out the presumption in favour of sustainable development;
 - Paragraph 17 sets out the 12 core planning principles, including delivering the homes that the country needs, identifying the housing needs of an area, securing high quality design, conserving and enhancing the natural environment and seeking to secure a good standard of amenity for all existing and future occupants of land and buildings;
 - Section 1 seeks to support sustainable economic growth and support existing business sectors, taking account of whether they are expanding or contracting;
 - Section 3 requires planning policies to support a prosperous rural economy;
 - Section 6 sets out that housing should be considered in the context of the presumption in favour of sustainable development and that Local Planning Authorities should identify the size, type, tenure and range of housing required in particular locations that reflect local demand and of particular relevance to the consideration of this application are paragraphs 50 and 55, extracts of which are provided below;

50. To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

55. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling. Such a design should:
 - be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
 - reflect the highest standards in architecture;
 - significantly enhance its immediate setting; and
 - be sensitive to the defining characteristics of the local area.

- Section 7 requires great importance to be attached to the design of the built environment, Local Planning Authorities to consider using design codes where that could help deliver high quality outcomes and great weight to be given to outstanding or innovative designs which help raise the standard of design more generally in the area; and,
- Section 8 recognises that access to opportunities for sport and recreation can make an important contribution to the health and well-being of communities and states that existing sport and recreational land should not be built on unless:
 - An assessment has been undertaken which has clearly shown the site to be surplus to requirements;
 - The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or,
 - The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- Section 11 sets out conserving and enhancing the natural environment, minimising impacts on biodiversity and encouraging opportunities to incorporate biodiversity in and around developments.

National Planning Policy Guidance (NPPG) states the following:

- To the extent that Development Plan policies are material to an application for planning permission, the decision must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise;
- The NPPF stresses the importance of having a planning system that is genuinely plan-led - where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the NPPF requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified; and,
- There are a range of issues that could be considered through the plan-making and decision-making processes, in respect of health and healthcare infrastructure.

Assessment

21. The main issues for consideration in the determination of this application are:

- Principle
- Visual amenity
- Residential amenity
- Highway safety
- Ecology
- Drainage
- Trees
- Archaeology
- Balancing Exercise / Conclusions

Principle

22. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraphs 2 and 11 of the NPPF state that planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
23. Paragraph 14 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development and this should be seen as a “golden thread running through decision-taking”. There are three dimensions to sustainable development: economic, social and environmental and to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.
24. The mechanism for applying the presumption in favour of sustainable development is set out in paragraph 14 and states that 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 this Framework taken as a whole; or,
 - specific policies in this Framework indicate development should be restricted.
25. Assessing the development against Development Plan policy, policy CS6 of the Core Strategy sets out the rural settlement hierarchy, against which all proposals must be tested and are expected to reinforce it. This policy promotes housing delivery in locations that 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. Policy TRS1 of the Tenterden and Rural Sites DPD reflects this hierarchy based on sustainability considerations and its criteria are consistent with the aims of the NPPF. The site falls outside the built confines of a settlement suitable for minor residential development or infill and so does not comply with policy TRS1 (or the equivalent policy HOU4 of the emerging Local Plan).
26. Turning to policy TRS2, this relates to new development elsewhere, i.e. outside of the built confines in the rural areas and identifies locations where housing would be unsustainable. The intention underlying this policy is to ensure that housing development of any scale is directed to land in more sustainable locations and this is consistent with the NPPF and in particular with paragraph 55 (which is considered further in paragraph 32 below). The development would not fall within one of the 'exception' criteria listed in this policy TRS2 of the Tenterden and Rural Sites DPD for new residential development in the countryside (or the equivalent policy HOU5 of the emerging Local Plan). The agent acknowledges this in the Planning, Design & Access Statement.
27. However, the Council cannot demonstrate a five year supply of deliverable housing sites and in accordance with paragraph 14 of the NPPF, its relevant policies for the supply of housing cannot be considered up-to-date. Rather, in situations where the existing development plan policies have failed to secure a sufficient supply of deliverable housing sites, the NPPF's 'presumption in favour of sustainable development' must be duly applied and of particular relevance to this application are paragraphs 50 and 55 that deal with the delivery of housing (the full text of which are provided in the Planning Policy section of this report).

28. Paragraph 50 of the NPPF states how Local Planning Authorities should deliver a wide choice of high quality homes. In terms of the first requirement to plan for a mix of housing, the agent claims that the emerging Local Plan does not provide specifically for the full scope of housing need, specifically 'exclusive' dwellings.
29. The emerging Local Plan has been informed by the Strategic Housing Market Assessment (SHMA) commissioned in 2014 and updated in 2015, which provided an assessment of future housing need, including the identification of the scale and mix of housing and the range of tenures that is likely to be required by the local population over the plan period to meet household and population projections (and included specific evidence and analysis of need and demand of different sizes of homes). It sets out a clear strategy for both meeting the overall need and the need for a deliverable 5 year housing supply in the borough identified by the SHMA through allocations and policy wording, including two site allocations for exclusive homes (policies S41 in Old Wives Lees for up to two dwellings and S42 in St Michaels for up to three dwellings). Sites may come forward for exclusive homes and these would be assessed against the relevant housing policies of the Development Plan and NPPF. For the reasons given later in this report, this particular site is not considered acceptable for the development proposed.
30. With regards to the second requirement of paragraph 50, as stated above the SHMA identified the likely scale and mix of housing and the range of tenures required over the plan period and this has fed into the site allocations and housing policies of the emerging Local Plan. Again, no evidence to the contrary has been submitted.
31. In terms of the third requirement of paragraph 50, the scheme does not propose affordable housing and falls below the threshold to provide this on site or make a financial contribution to make equivalent provision elsewhere.
32. Turning to paragraph 55 of the NPPF, this states that housing should be located where it would enhance / maintain the vitality of rural communities and avoid new isolated homes in the countryside unless there are special circumstances, to promote sustainable development in rural areas (this is endorsed by policy HOU5 of the emerging Local Plan). In terms of the isolation point, the site is located in the countryside over 2.5km from the nearest villages Hothfield and Pluckley and 4km from Great Chart, where the surrounding roads lack safe stopping places, footways/verges or lighting for pedestrian use and are poorly related to public transport links - future occupiers would therefore rely solely on private car use. Furthermore, whilst the site is bound to the south by the railway line and the leisure complex beyond, it is viewed in the context of the surrounding countryside to the north where built development is sparse. The site is therefore considered isolated and would result in scattered dwellings in the countryside - in this instance, it

is necessary to consider whether the development constitutes one of the special circumstances listed.

33. The development is not to house a rural worker and it would not use a heritage asset or redundant building. Turning to the exceptional quality or innovative nature of the design of the dwelling, the high quality and energy efficiency credentials of the proposed dwellings have been emphasised by the agent, with a Design Code produced to ensure that they would all be of exceptional build quality (meeting the criteria required for a Passivhaus) and use exceptional quality materials used locally set within in a high quality hard and soft landscaped setting. However, there is an expectation of all new dwellings in the countryside to be of a high quality design with landscaping being a dominant feature, but I appreciate that what is proposed would go beyond this, the design of the dwellings having to meet a specified standard and the layout of the development being heavily influenced by the retention and enhancement of existing valued features on the site and incorporating a landscape masterplan. But whilst this is commendable, there is nothing so unique or innovative that would set this scheme apart as 'truly outstanding or innovative' or to 'reflect the highest standards in architecture' and for the reasons given in the Visual Amenity section of this report, the development would not meet the final two design tests. Furthermore, policy HOU5 of the emerging Local Plan requires such developments to be referred to the Ashford Design Panel, which has not happened in this instance. Also, this exception relates to individual dwellings, whereas six of the seven dwellings proposed are being considered in outline form, which would not normally be considered appropriate when dealing with paragraph 55 exceptions as per the NPPF. The provision of executive homes is not one of the exceptions set out in paragraph 55 of the NPPF or the adopted and emerging Development Plan that would justify new residential development in unsustainable rural locations.
34. In light of the above, the scheme does not comply with the policies in the adopted or emerging Development Plan and the NPPF and must be considered unacceptable in principle. However, the agent considers there to be significant material considerations that weigh in favour of the scheme and would justify a departure from the Development Plan and NPPF, some of which have been considered above but another being that the funds generated by the development would enable the leisure complex to invest in its long-term viability and expansion, repaying all loans and debts, improving existing facilities and creating a state of the art adventure golf facility that is alleged to be in demand currently.
35. The concept of enabling development is development that is contrary to the Development Plan and would not normally be acceptable but is deemed acceptable where the public benefits of that development outweighs the harm and cannot be delivered in any other way. Whilst the NPPF does not make

reference to enabling development, Historic England set out a tried and tested methodology in their publication 'Enabling Development and the Conservation of Significant Places' (September 2008) for assessing enabling development proposals and whilst this relates to the conservation of heritage assets, it provides some useful principles, namely:

- an enabling development should not materially harm the value of a place / its setting;
- an enabling development should secure the long-term future of the place;
- an enabling development should demonstrate that the amount proposed is the minimum necessary to secure the future of the place;
- the public benefit resulting from an enabling development should decisively outweigh the disbenefits of breaching other policies.

36. Applying the above principles in this instance, it is demonstrated in the Visual Amenity section of this report that the development would be harmful to the character and appearance of the countryside.
37. In addition, the NPPF encourages Local Planning Authorities to do everything it can to support existing businesses and sustainable leisure developments that benefit businesses in rural areas, communities and visitors and which respect the countryside. However, it is not the role of the planning system to prop-up struggling businesses, any more than it is private individuals, through the grant of planning permissions for developments that are contrary to the Development Plan and unacceptable. Any enabling development must therefore be based on genuine and robust plans to improve the viability of the business to enable it to deliver facilities that would benefit the public and that these results cannot be achieved in any other way, not simply to pay off debt and reduce the number of public sport / recreational facilities on offer without sufficient justification / compensation.
38. The development would result in the loss of a golf course contrary to Section 8 of the NPPF and policy LE10 of the Local Plan (2000), which seeks to resist the loss of leisure facilities in the interests of their contribution to the health and well-being of communities. A list of golf courses in the area has been provided, showing that there is competition locally and I am aware that membership numbers of the golf club have fallen to near zero. Whilst competition is not a material consideration, England Golf via Sport England confirm that there is a good array of golf facilities within the Ashford Area and Sport England raise no objection. The loss of the golf course is therefore considered acceptable.
39. The Background & Financial Analysis report provides projected profit/loss accounts, financial performance summaries and cash flow forecasts of the two businesses Great Chart Golf & Leisure Limited and Great Chart Leisure and estimates of the amount of investment required by the business to fund the improvements to the existing facilities and desired adventure golf facility.

However, no details of what the adventure golf facility would comprise of, nor a robust business plan for it, have been submitted to demonstrate that there is an identified need for this type of facility in this location and that it is a viable proposition. In addition, a planning application for it has not been submitted to or approved by the Council to assess whether it would be acceptable in terms of visual impact, highway safety etc. Also, details of the construction costs of the development and the likely profits to be achieved have not been provided to justify the amount of development proposed.

40. In addition, no guarantee has been provided to ensure that the funds generated by the development would be indeed be invested into improving the existing facilities and funding the adventure golf facility, the potential public benefit resulting from the development. As it currently stands, the development would result in seven visually intrusive dwellings in an unsustainable location and no details of the adventure golf facility have been provided to make this assessment, no planning permission has been granted for it and no guarantees have been made that the funds generated by the development would indeed be used for improving the existing facilities and building the adventure golf facility.
41. Whilst I am sympathetic of the businesses' financial situation and have no reason to doubt that the development would assist in rebuilding their viability, I have no evidence that this is based on realistic and sound financial grounds and would deliver sufficient public benefits to warrant granting planning permission to a development that is contrary to Development Plan policy and the NPPF.

Visual Amenity

42. As stated in the Site & Surroundings section of this report, the site is located within the Dering Woodland Farmlands Low Weald Landscape Character Area. Landscape analysis set out within the Council's Landscape Character SPD states that the landscape here is moderately sensitive and in moderate condition and seeks to ensure that development conserves and reinforces the landscape character. No Landscape/Visual Impact Assessment has been submitted.
43. The site reflects the characteristics of the Landscape Character Area: gently undulating landform, strong tree cover with large blocks of woodland, a railway line cutting through the landscape (but is not easily discernible within the wooded landscape). The character of the site is largely rural and as demonstrated in the Principle section of this report, the site is in an isolated location where built development is sparse. Whilst it comprises a golf course, the site is an area of open land with no built development on it and as such, is not particularly prominent/visible and sits comfortably within its rural setting / context. I acknowledge that the density of development is very low, the

architectural style of the development has taken influence from local traditional vernacular design and a robust and extensive landscaping scheme is proposed to create a natural parkland setting. However, the introduction of seven dwellings of a substantial height and footprint, along with the associated domestic paraphernalia, would inevitably impact upon and significantly change the character of the area – it would introduce scattered dwellings in the countryside, resulting in a visually intrusive form of development that would fail to protect or enhance the character of the valued landscape within which it would be located. Whilst I appreciate that the landscape context of the site, i.e. the railway line, embankment and trees along the southern boundary and woodland to the west, would enclose the development from wider views in these directions, short range views of the site along Bears Lane would still be possible particularly from the north where the development would be viewed as a whole.

Residential Amenity

Existing Residents

44. As the majority of the scheme is in outline form, floor plans and elevations have only been provided for one of the proposed dwellings. However given its distance from the nearest neighbouring dwelling Bridge Farm over 200m to the south, I consider that the development would not result in any loss of amenity for existing residents through overlooking or the development appearing overbearing or oppressive.

Proposed Residents

45. The site is large enough to accommodate dwellings that meet central government's internal, and the Council's external, residential space standards and secure an acceptable relationship between the proposed dwellings in terms of overlooking and overbearing. Floor plans have only been provided for Plot 3 but this together with the proposed site plan confirms that the internal accommodation and external amenity area of all the proposed dwellings are likely to considerably exceed residential space standards.
46. Given the above, I consider that the development would not result in harm to the residential amenity of future occupiers of the dwellings and occupiers of existing dwellings in the locality.

Parking and Highway Safety

47. Sufficient visibility splays can be achieved from the existing access to serve the development and the rural road network has the capacity to accommodate the vehicle movements generated by the development.

48. The parking/turning proposed would meet the standards set out in the Council's Residential Parking SPG. In addition, the width of the access track and internal road is sufficient to allow for access by emergency and refuse vehicles (full details of tracking and servicing have not been provided but I am satisfied that access to and turning within the site by a large refuse vehicle can be achieved and so this can be left to condition).
49. In light of the above, I consider that the development would be acceptable in parking and highway safety terms.

Other Issues

Ecology

50. A number of thorough and robust ecological reports were provided. The scoping survey found a large population of GCNs on the site and an updated survey and appropriate mitigation involving the erection of exclusion fencing, the trapping of GCNs and their translocation to a nearby receptor site would be required under an application for a European Protected Species License (EPSL) from Natural England. However, a very detailed Biodiversity Mitigation and Enhancement Plan has also been submitted, which proposes to retain the population of GCNs on site through the creation of a new pond and grassland area (and the enhancement of this habitat) to the west of the site, along with the protection of the existing pond and ditch network from construction with the instalment of exclusion fencing. In terms of other reptiles, there is some limited suboptimal habitat adjacent to the site and a presence/absence survey is required to guide any required mitigation strategy (which would be carried out as part of the application to Natural England for an EPSL in any event).
51. These ecological reports also recommend a 15-20m planted buffer zone with the adjacent Local Wildlife Site and the development makes provision for this, along with the enhancement of existing habitats, appropriate landscape planting, the restoration of hedgerows, and management of the improved habitat.
52. In addition, some trees and hedgerow on the site were found to have potential to support roosting bats and provide foraging and nesting opportunities for bird species and it is proposed for the majority of these to be retained (with any loss compensated for through additional planting) and protected from construction, along with planting known to benefit these species, the erection of bat/bird boxes on the site and vegetation clearance being undertaken outside of the breeding bird season. A number of precautionary measures and enhancements of suitable habitat area are also proposed in relation to reptiles, badgers, hazel dormouse, hedgehogs and voles.

53. KCC Biodiversity are satisfied with the information provided and consider the development to have potential to provide net gains for biodiversity. I therefore consider that the development would not be harmful to notable/protected species or their habitat subject to conditions relating to a biodiversity method statement, lighting design and ecological design strategy.

Drainage

54. The site lies outside Floodzones 2 and 3 but the geology is Wealden clay, characterised as slowly permeable seasonally wet sand, silt and clay soils with impeded drainage. The only flood risk relates to surface water and the development would result in a greater impermeable area than existing. However, existing drainage ditches and ponds are to be retained and the risk can be managed through driveways being designed with permeable paving to provide attenuation for surface water run-off, along with SUDS elements to store and convey water runoff through the development. The flood risk management measures recommended would also help manage this risk. The Council's Drainage Engineer requests further details by condition, therefore I am satisfied that the surface water drainage strategy is suitable, feasible and SPD compliant.
55. Turning to foul water drainage, a package treatment plant is proposed to serve the development and subject to details of this, I consider that an adequate means of foul water drainage can be achieved and is therefore acceptable.

Trees

56. Whilst a tree survey has not been carried out on the site, it is clear that the trees and hedgerow bounding the site are of amenity value, as well as of value to notable/protected species as noted earlier in the Ecology section of this report. The Landscape Masterplan submitted shows majority of these to be retained and enhanced through native planting, restoration and improved management and would be protected during construction with temporary protective fencing. Some trees within the golf course would be lost to facilitate the development, however these are of limited amenity value. Furthermore, the open areas to be retained provide opportunities to enhance landscaping and would be planted with wildflower seeds. In addition, the required visibility splays from the access would be able to be accommodated without the removal of any hedgerow. Subject to conditions re: tree protection and landscaping, I consider that the development would not be harmful to existing trees and hedgerow of significant amenity value.

Archaeology

57. Whilst the site does not fall within an area of archaeology or archaeological potential, an Archaeological Desk-Based Assessment was submitted and this found there to be a general low potential for archaeology on the site - KCC Archaeology agree with this conclusion and recommend a condition re: watching brief be attached to any permission granted. Subject to this, I consider that the development would not have an adverse impact on the archaeological interest of the site.

Balancing Exercise / Conclusions

58. This involves the process of 'weighing up' the relevant factors in the exercise of a planning judgement to determine whether planning permission should be granted for a development. The starting point is Development Plan policy, taking into account any material considerations and then balancing the harm / benefits arising from the scheme and reaching an overall conclusion.
59. Members are aware that the starting point for determining all applications is the Development Plan and that applications should be determined in accordance with this unless material considerations indicate otherwise. The agent acknowledges the fact that the development is contrary to Development Plan policy and the Principle section of this report demonstrates that it is also contrary to paragraphs 50 and 55 of NPPF relating to the delivery of housing.
60. An enabling development case has been advanced by the agent, where it has been suggested that the funding generated by the development would be reinvested into the businesses, repaying all loans and debts, improving existing facilities and creating a state of the art adventure golf facility that is alleged to be in demand currently. Whilst details of the financial position of the businesses and estimates of the amount of investment required by the business to fund the improvements to the existing facilities and desired adventure golf facility have been provided, a robust business plan for this has not been submitted to demonstrate that there is an identified need for this type of facility in this location and that it is a viable proposition. In addition, a planning application for it has not been submitted to or approved by the Council to assess whether it would be acceptable in planning terms, nor have any guarantees been made that the funds generated by the development would indeed be used for improving the existing facilities and building the adventure golf facility.
61. Planning decisions are a matter of judgement and the weighing up of all material planning considerations. From my assessment throughout this report, the development does not accord with the Development Plan or the sustainability objectives of the NPPF and in my judgement, the benefits that would result from it do not outweigh the harm to justify a departure from

Development Plan policy or the NPPF in this instance. However, it is the role of the Planning Committee as decision makers in this instance to weigh the benefits of the scheme against the harm to see if there are grounds to justify the grant of planning permission as a departure from the Development Plan and the NPPF. Members must be satisfied that these considerations can be afforded sufficient weight to justify this approach so that it is not repeated on other sites without good reason / justification.

62. Should Members feel there is a genuine enabling development case being put forward to justify approving the application, it will be necessary for a Section 106 legal agreement to be agreed with the applicant to ensure that the funds generated by the development are indeed invested into improving the existing facilities and building the desired adventure golf facility or at the very least if these works are not carried out on the site, a reasonable and proportionate contribution is secured towards a public leisure facility elsewhere in the borough.

Human Rights Issues

63. I have also taken into account the human rights issues relevant to this application. In my view, the “Assessment” section above and the Recommendation below represent an appropriate balance between the interests and rights of the applicant (to enjoy their 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

64. 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

65. The Planning Committee should make decisions on planning applications in accordance with the Development Plan unless there are material planning reasons that indicate otherwise. As explained in detail above, the proposal is contrary to the Development Plan and the agent acknowledges this.
66. Turning to the NPPF, its ‘presumption in favour of sustainable development’ must be applied in situations where the existing development plan policies have failed to secure a sufficient supply of deliverable housing sites and of particular relevance to this application are paragraphs 50 and 55. Again, I

have explained in detail earlier why the development does not comply with the NPPF, but I appreciate that the proposed executive homes would add to the mix of housing available in the Borough.

67. Turning to the visual impact of the development, the site is an area of open land with no built development on it and as such, is not particularly prominent/visible. In contrast, the introduction of scattered dwellings of a substantial height and footprint, along with the associated domestic paraphernalia, would inevitably impact upon and significantly change the character of the area, although I appreciate that the site is relatively contained. Whilst commendable, the low density of the development, the architectural style of the development and extensive landscaping scheme would not overcome this harm.
68. However, the agent considers there to be significant material considerations that weigh in favour of the scheme and would justify a departure from the Development Plan and NPPF, one being in the form of an enabling development to improve existing facilities and create an adventure golf facility to assist the long-term viability and expansion of the businesses.
69. Any enabling development must be based on genuine and robust plans to improve the viability of the business to enable it to deliver facilities that would benefit the public and that these results cannot be achieved in any other way. Whilst I am sympathetic of the businesses' financial situation and have no reason to doubt that the development would assist in rebuilding their viability, no commitments have been given as to how the funds generated by the development would sustain the current leisure operation and deliver the required public benefit, nor any details to demonstrate that the desired adventure golf facility is a viable proposition and that there is demand for it.
70. 'Weighing up' the above relevant factors in the exercise of a planning judgement to determine whether planning permission should be granted for a development, the development does not accord with the Development Plan or the sustainability objectives of the NPPF and in my judgement, the benefits that would result from it do not outweigh the harm to justify a departure from Development Plan policy or the NPPF. For these reasons, I recommend the scheme for refusal.

Recommendation

Refuse

on the following grounds:

The proposed development would be contrary to policy GP12 of the Ashford Borough Local Plan (June 2000), policies CS1 and CS6 of the Local Development Framework Core Strategy (July 2008), policies TRS1, TRS2 and TRS17 of the

Tenterden and Rural Sites Development Plan Document (October 2010), policies SP1, SP2, HOU4, HOU5 and ENV3 of the emerging Ashford Local Plan 2030 (Proposed Main Changes – June 2017), the Council's Landscape Character Supplementary Planning Document (April 2011) and to Government guidance contained in the National Planning Policy Framework and is therefore considered development harmful to interests of acknowledged planning importance for the following reasons:

1. The application site lies in an isolated location in both visual and functional terms and in the countryside. The proposed dwellings would be detrimental to the sustainable objectives included in the Development Plan and NPPF. No overriding justification or need for the dwellings has been advanced to outweigh the harm caused to these objectives. The development would represent an unsustainable, sporadic and a visually harmful form of development (through the introduction of built development and the domestication of the countryside) detrimental to the character and appearance of the countryside and the environment as a whole.

Note to Applicant

1. Working with the Applicant

Working with the Applicant

In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance

- the applicant/agent was updated of any issues after the initial site visit;
- the applicant/ agent responded by submitting amended plans, which were found to be acceptable and permission was granted/ the amended plans did not address all the outstanding issues, and permission was refused; and,

- 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

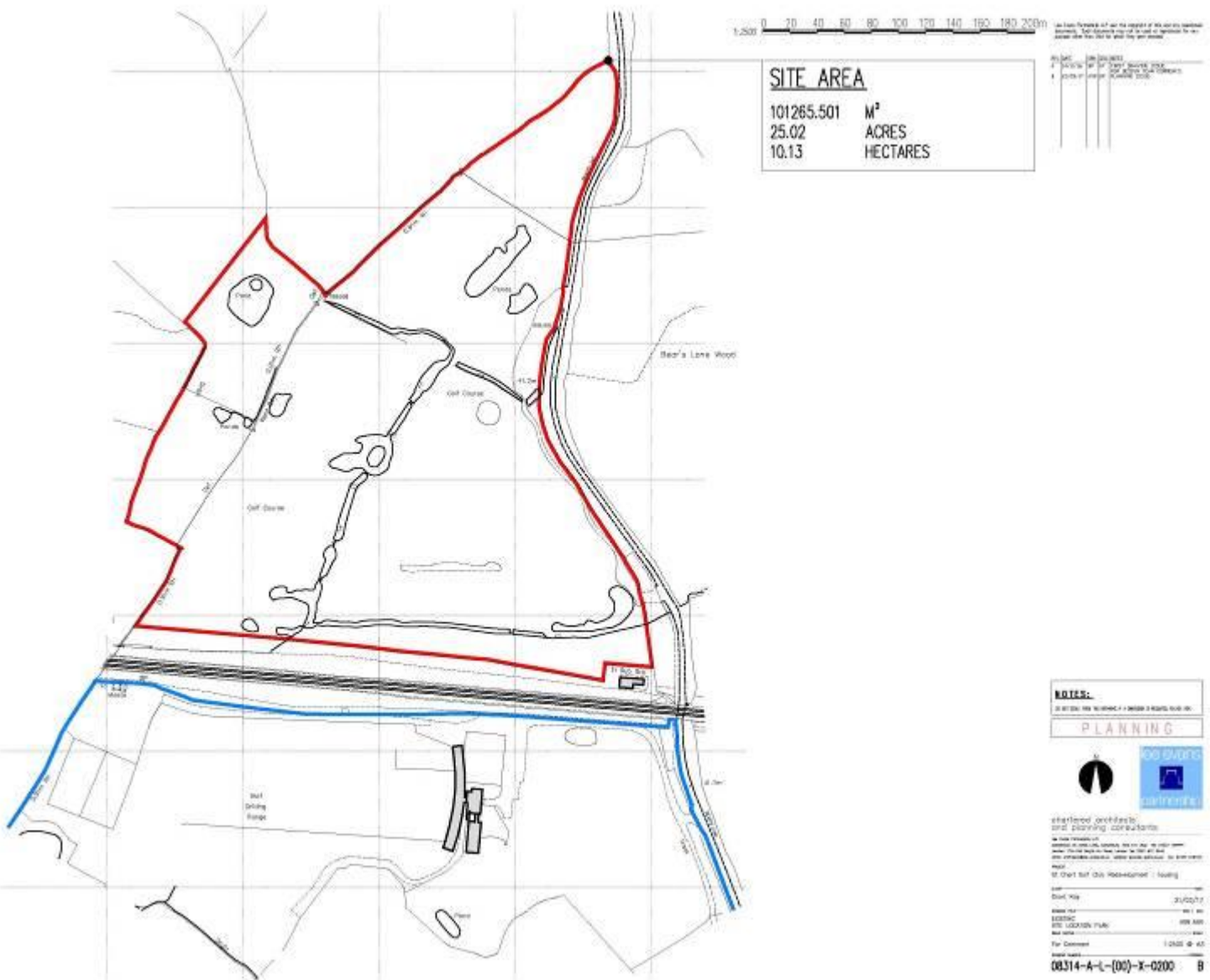
All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 17/00469/AS.

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Annex 1



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