



PLANNING COMMITTEE

Notice of a Meeting, to be held in the Council Chamber - Ashford Borough Council on
Wednesday, 14th February, 2024 at 7.00 pm.

The Members of the Planning Committee are:-

Councillor Blanford (Chair)
Councillor Heyes (Vice-Chair)

Cllrs. Betty, Brunger-Randall, Chilton, Gathern, Harman (ex-officio, non-voting),
Ledger, McGeever, Mulholland, Nilsson, Roden, Spain and Walder

If any member of the public, Councillor or organisation wishes to submit any written, pictorial or diagrammatic material to the Planning Committee relating to any item on this Agenda, **this must be concise and must be received by the Contact Officer specified at the end of the relevant report**, and also copied to Planning.help@ashford.gov.uk, **before 3.00 pm on the second working day before the Meeting** so that it can be included or summarised in the Update Report at the Meeting, in the interests of transparency and fairness. Otherwise, the material cannot be made available to the Committee. Material should be submitted as above at the earliest opportunity and you should check that it has been received.

IMPORTANT INFORMATION FOR THE PUBLIC ABOUT THIS MEETING

This is a public meeting and the Council encourages everyone to take advantage of the opportunity to watch and listen to the proceedings at the Meeting via a weblink, which will be publicised on the Council's website at www.ashford.gov.uk about 24 hours before the Meeting.

Agenda

Page Nos.

1. **Apologies/Substitutes**

To receive Notification of Substitutes in accordance with Procedure Rule 1.2(c) and Appendix 4

2. **Declarations of Interest**

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To declare any interests which fall under the following categories, as explained on the attached document:

- a) Disclosable Pecuniary Interests (DPI)
- b) Other Significant Interests (OSI)

c) Voluntary Announcements of Other interests

See Agenda Item 2 for further details

3. **Public Participation** 7 - 8

See Agenda Item 3 for details.

4. **Minutes**

To approve the Minutes of the Meeting of this Committee held on 17 January 2024

[\(Public Pack\)Minutes Document for Planning Committee, 17/01/2024 19:00 \(moderngov.co.uk\)](#)

5. **Officers' Deferral/Withdrawal of Reports**

6. **Information/Monitoring Items** 9 - 20

Decisions Received between 1 July 2023 and 31 December 2023.

7. **Schedule of applications**

(a) **PA/2022/2788 - Orchard Cottage, Tile Kiln Road, Kennington, Ashford, Kent TN24 9NT** 21 - 52

Demolition of existing barn and redevelopment of site to provide 5no. 2 bedroom terraced houses, 5no. 3 bedroom terraced and semi-detached houses, 4no. 1 bedroom bungalows, car barn and associated parking and landscaping

(b) **PA/2022/3091 - Land at Oaklands Farm, Pluckley Road, Hothfield, Ashford, TN26 1ER** 53 - 74

Change of use of land and construction of one agricultural dwelling, revised highways access, hard and soft landscaping and including packaged treatment plant and nutrient mitigation works.

Note for each Application:

- (a) Private representations (number of consultation letters sent/number of representations received)
- (b) The Parish/Town/Community Council's views
- (c) The views of Statutory Consultees and Amenity Societies (abbreviation for consultee/society stated)

Supports 'S', objects 'R', no objections/no comments 'X', still awaited '+', not applicable/none received '-'

Note on Votes at Planning Committee Meetings:

At the end of the debate on an item, the Chairman will call for a vote. If more than one motion has been proposed and seconded, the motion that was seconded first will be voted on first. When a motion is carried, the Committee has made its determination in relation to that item of business and will move on to the next item on the agenda. If there are any other motions on the item which have not been voted on, those other motions fall away and will not be voted on.

If a motion to approve an application is lost, the application is not refused as a result. The only way for an application to be refused is for a motion for refusal to be carried in a vote. Equally, if a motion to refuse is lost, the application is not permitted. A motion for approval must be carried in order to permit an application.

DSK
6 February 2024

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Declarations of Interest (see also “Advice to Members” below)

- (a) **Disclosable Pecuniary Interests (DPI)** under the Localism Act 2011, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares a DPI in relation to any item will need to leave the meeting for that item (unless a relevant Dispensation has been granted).

- (b) **Other Significant Interests (OSI)** under the Kent Code of Conduct relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a relevant Dispensation has been granted).

However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

- (c) **Voluntary Announcements of Other Interests** not required to be disclosed under (a) and (b), i.e. announcements made for transparency alone, such as:

- Membership of amenity societies, Town/Community/Parish Councils, residents' groups or other outside bodies that have expressed views or made representations, but the Member was not involved in compiling or making those views/representations, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: Where an item would be likely to affect the financial position of a Member, relative, close associate, employer, etc.; OR where an item is an application made by a Member, relative, close associate, employer, etc., there is likely to be an OSI or in some cases a DPI. ALSO, holding a committee position/office within an amenity society or other outside body, or having any involvement in compiling/making views/representations by such a body, may give rise to a perception of bias and require the Member to take no part in any motion or vote.]

Advice to Members on Declarations of Interest:

- (a) Government Guidance on DPI is available in DCLG's Guide for Councillors, at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5962/2193362.pdf
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, and a copy can be found in the Constitution alongside the Council's Good Practice Protocol for Councillors dealing with Planning Matters. See <https://www.ashford.gov.uk/media/2098/z-word5-democratic-services-constitution-2019-constitution-of-abc-may-2019-part-5.pdf>
- (c) Where a Member declares a committee position or office within, or membership of, an outside body that has expressed views or made representations, this will be taken as a statement that the Member was not involved in compiling or making them and has retained an open mind on the item(s) in question. If this is not the case, the situation must be explained.

If any Member has any doubt about any interest which he/she may have in any item on this agenda, he/she should seek advice from the Director of Law and Governance and Monitoring Officer, or from other Solicitors in Legal and Democracy as early as possible, and in advance of the Meeting.

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Agenda Item 3

Summary of the Scheme of Public Participation for Planning Committee Meetings

1. **Written notice of a wish to speak at the meeting** (by means of either procedure below) **must be given, either to membersservices@ashford.gov.uk or on the Council's website at <https://secure.ashford.gov.uk/committeesystem/haveyoursay.aspx>, by 15:00 hours on the second working day before the meeting.**

Hence, for example, for meetings of the Planning Committee on Wednesdays:-

- (i) If there is no Bank Holiday on the Monday preceding the meeting, written notice must be given by 15:00 hours on the Monday.
- (ii) If there is a Bank Holiday on the Monday preceding the meeting, written notice must be given by 15:00 hours on the preceding Friday.
- (iii) If the meeting immediately follows the Easter Weekend, written notice must be given by 15:00 hours on Maundy Thursday.

2. Registering to speak at the meeting confers the right to either make a speech in **person or submit a speech to be read on your behalf by a Council Officer, as follows:**

- (i) on a first-come, first-served basis, **one speech in support of**, and **one speech against**, an item for decision, or
- (ii) as a duly-authorized representative of the Parish Council¹ or Community Forum affected by an item for decision.

3. Those who have registered to speak and wish a Council Officer to read their speech on their behalf must submit a copy of the speech to membersservices@ashford.gov.uk by 10.00 hours on the day of the meeting. The speech must be no longer than 400 words, and must be in English and in a 12-point non-italic sans-serif font (e.g. Arial); any text above 400 words will not be read out. No speech should contain personal data about individuals, other than the speaker's name and (if relevant) postal address. Late or incorrectly-presented copies of speeches cannot be accepted, but any registered speakers who do not submit their speeches as above may speak in person at the meeting as set out below

4. At the meeting:-

(i) Speakers who are **present in person** may speak to the meeting for a **maximum of 3 minutes** when called to do so. No speech should contain personal data about individuals, other than the speaker's name and (if relevant) postal address. Please note there is no ability to present any material such as photographs or diagrams at the meeting.

(ii) If speakers are **not present in person**, but had previously submitted speeches as above, their submitted speeches will be read to the meeting by a competent

¹ The term "Parish Council" includes Town Councils and Community Councils.

Officer for and on behalf of the speakers, at the normal times and in the normal order (subject to the Chairman's normal discretion).

IMPORTANT:

An Officer reading any speech on behalf of any speaker shall have discretion to omit/edit out any inappropriate language, information or statements.

If any defamation, insult, personal or confidential information, etc. is contained in any speech received from any speaker, and/or is read to the meeting by an Officer, each speaker accepts by submitting the speech to be fully responsible for all consequences, thereof and to indemnify the Officer and the Council accordingly.

Information Report for Planning Committee – Appeal Decisions Received between 01 July 2023 and 31 December 2023

Appeals Report

This is the latest information report summarising appeal decisions received between 1 July 2023 and 31 December 2023. Overall, 29.2% of appeals were allowed within the reported period.

Data period: 01/07/2023 to 31/12/2023

Decision	Number of appeals	Percentage
Withdrawn	1	4.1%
Dismissed	16	66.7%
Allowed	7	29.2%
Total	24	100.0%

The report identifies decisions made by the Planning Committee and highlights any decisions made contrary to officer’s original recommendation.

Within the reported period, Planning Inspectors did not allow any appeals that were refused by Planning Committee contrary to officer’s recommendation.

In cases where the Planning Inspector has allowed an appeal contrary to the Council formal decision, a summary of the Inspector’s reasons for doing so have been provided.

Impact of nutrient neutrality on planning appeals

In July 2020, Natural England issued advice to the Council regarding the poor water quality at the Stodmarsh Lakes. This stipulated that qualifying developments within the Stour catchment area must achieve nutrient neutrality to ensure that there are no adverse effects on the protected habitats at the Lakes. As a result of the ‘Stodmarsh issue’ a number of developments have not been able to progress without identifying suitable nutrient mitigation.

The table below sets out broadly how housing appeals within the borough, affected by nutrient neutrality, are being determined. It also provides a comparison for housing appeals that are located outside the catchment area and which are not required to achieve nutrient neutrality.

Breakdown of housing appeal decisions compared by location within or outside the Stour catchment

Decision	Housing appeals within the Stour catchment	Housing appeals outside the Stour catchment
Allowed	3 (37.5%)	1 (20%)
Dismissed	5 (62.5%)	4 (80%)

Live planning appeals

As of 1 January 2024, the Council are currently involved with 25 appeals on planning applications; and 4 appeals on enforcement notices. These figures relate to valid appeals, which have received a start date from the Planning Inspectorate. The table

Information Report for Planning Committee – Appeal Decisions Received between 01 July 2023 and 31 December 2023

below presents this information by the different appeal categories, based on the format of the appeal.

Breakdown of current live appeals by format

	Written Representations	Hearings	Inquiries
Planning applications	24	1	0
Enforcement Notices	3	1	0

Appeals Summary

Table A: Appeals Allowed

#	Application reference	Location	Proposal summary	LPA Decision Level
1	21/01442/AS	Monkery Bottom, Faversham Road, Charing, Ashford, TN27 0NR	Retrospective application for siting of additional, third mobile/caravan.	Delegated refusal
1 cont'd	<p>Brief Summary of Inspector's reasons</p> <p>The Inspector considered that there were two main issues for the appeal – the effect of the development on the character and appearance of the Kent Downs Area of Outstanding Beauty (AONB) and the effect of the development on the nearby ancient woodland.</p> <p>The Inspector concluded that the scheme would not create significant harm on the AONB or the ancient woodland, as the Inspector considered that the additional caravan would not be visually intrusive and would not constitute an urbanising form of development. It was therefore concluded that the scheme is compliant with Local Plan Policies SP1 (<i>Strategic Objectives</i>), ENV1 (<i>Biodiversity</i>), ENV3b (<i>Landscape Character and Design in the AONBs</i>) and HOU16 (<i>Traveller Accommodation</i>). The Inspector also gave substantial weight to the unmet need for Gypsy & Traveller accommodation within the borough.</p> <p>Overall, the Inspector concluded that the scheme was in accordance with the Development Plan and was allowed.</p> <p>Stodmarsh N/A</p>			
2	19/01004/AS	Chequer Tree Paddock, Colliers Hill, Mersham, Ashford, TN25 7HT	Retrospective change of use of land to a private gypsy and traveller caravan site consisting of a single pitch containing 1 no. mobile home, 1 no. dayroom, 1 no. touring caravan and associated works	Delegated refusal
2 cont'd	<p>Brief Summary of Inspector's reasons</p>			

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#	Application reference	Location	Proposal summary	LPA Decision Level
			<p>The Inspector considered that there were 6 main issues for the appeal, including the effect of the development on the character and appearance, nutrient neutrality, and the need for Gypsy and Traveller accommodation.</p> <p>The Inspector considered that the development, with suitable landscaping mitigation, would have less than moderate harm on the landscape character of the area. It was concluded that the scheme would be compliant with Local Plan Policies SP1 (<i>Spatial Objectives</i>), SP6 (<i>Promoting High Quality Design</i>), ENV3a (<i>Landscape Character and Design</i>) and HOU16 (<i>Traveller Accommodation</i>). The Inspector also gave substantial weight to the unmet need for Gypsy & Traveller accommodation and stated that it had not been reasonably established that there were suitable alternative sites available.</p> <p>Overall, the Inspector concluded that the proposal accords with the Development Plan as a whole and the appeal was allowed.</p> <p>Stodmarsh</p> <p>The Inspector concluded that as the application was retrospective and the development was on the site prior to 2020, that an Appropriate Assessment was not required and that there would be no impact on the Stodmarsh Lakes.</p>	
3	22/00859/AS	22 Scotton Street, Wye, Ashford, Kent, TN25 5BZ	(Retrospective) Proposed damp proof works to include: kitchen - chemical damp proof course into lower mortar bed, damp proof membrane to walls, batten to membrane, plasterboard to battens. Lounge - chemical damp proof course into lower mortar bed, damp proof membrane to walls, batten to membrane, plasterboard to battens, cut out and replace floorboards.	Delegated refusal
3 cont'd				

Brief Summary of Inspector’s reasons

The Inspector considered that the main issue for the appeal was whether the works preserved the listed building.

It was concluded that public benefit of securing the building’s optimum viable use as a residential dwelling outweighed the less than substantial harm that has been caused to the significance of the building by the retrospective works.

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#	Application reference	Location	Proposal summary	LPA Decision Level
	Overall, the Inspector considered that the proposals were in accordance with Local Plan Policy ENV13 (<i>Conservation and Enhancement of Heritage Assets</i>), and the appeal was allowed.			
	Stodmarsh N/A			
4	PA/2022/2440	The Cloth Hall, Water Lane, Smarden, Ashford, TN27 8QB	Proposed single-storey extension	Delegated refusal
4 cont'd	This is the Listed Building Consent associated with the PA/2022/2142 planning application (see below).			
	Brief Summary of Inspector's reasons			
	The Inspector considered that the main issues for the appeal included whether the proposal would preserve the special interest of the Grade II* listed building and the impact on the character and appearance of the Smarden Conservation Area.			
	The Inspector considered that the extension would be positioned in a location which is not prominent in the Conservation Area, so the views into the Conservation Area would remain unaffected. Therefore, the Inspector concluded that the proposal would preserve the Grade II* listed building and the character and appearance of the Conservation Area.			
	It was concluded that the development would accord with Local Plan Policies SP1 (<i>Strategic Objectives</i>), SP6 (<i>Promoting High Quality Design</i>), HOU8 (<i>Residential Extensions</i>), ENV13 (<i>Conservation and Enhancement of Heritage Assets</i>), and ENV14 (<i>Conservation Areas</i>). On this basis, the appeal was allowed.			
	Stodmarsh N/A			
5	PA/2022/2142	The Cloth Hall, Water Lane, Smarden, Ashford, TN27 8QB	Proposed single-storey extension	Delegated refusal
5 cont'd	This is the planning application associated with the PA/2022/2440 Listed Building Consent (see above).			
	Brief Summary of Inspector's reasons			
	The Inspector considered that the main issues for the appeal included whether the proposal would preserve the special interest of the Grade II* listed building and the impact on the character and appearance of the Smarden Conservation Area.			

Information Report for Planning Committee – Appeal Decisions Received between 01 July 2023 and 31 December 2023

#	Application reference	Location	Proposal summary	LPA Decision Level
		<p>The Inspector considered that the extension would be positioned in a location which is not prominent in the Conservation Area, so the views into the Conservation Area would remain unaffected. Therefore, the Inspector concluded that the proposal would preserve the Grade II* listed building and the character and appearance of the Conservation Area.</p> <p>It was concluded that the development would accord with Local Plan Policies SP1 (<i>Strategic Objectives</i>), SP6 (<i>Promoting High Quality Design</i>), HOU8 (<i>Residential Extensions</i>), ENV13 (<i>Conservation and Enhancement of Heritage Assets</i>), and ENV14 (<i>Conservation Areas</i>). On this basis, the appeal was allowed.</p> <p>Stodmarsh N/A</p>		
6	PA/2022/2851	Land East of Ashford Road Kingsnorth Ashford	Outline application for up to 15 dwellings, a replacement Medical Centre and Pharmacy, together with all necessary infrastructure	Non determination
6 cont'd		<p>Brief Summary of Inspector’s reasons</p> <p>This development was subject of a non-determination appeal. If the Council had been able to determine the appeal, it would have granted planning permission, subject to the scheme achieving nutrient neutrality. Stodmarsh and nutrient neutrality, was considered by the Inspector as the main issue for the appeal.</p> <p>Character and appearance</p> <p>The Inspector comments that the development would erode the undeveloped green characteristics of the site and the gap between Kingsnorth and the development at the South of Ashford Garden Community. This harm was considered as moderate and that the development would be contrary to Local Plan Policies SP1 (<i>Strategic Objectives</i>), SP2 (<i>The Strategic Approach to Housing Delivery</i>), SP6 (<i>Promoting High Quality Design</i>), SP7 (<i>Separation of Settlements</i>), S4 (<i>Land North of Steeds Lane and Magpie Hall Road</i>), HOU5 (<i>Residential windfall development in the countryside</i>) and EMP1 (<i>New Employment Uses</i>).</p> <p>Medical Centre & Pharmacy</p> <p>The pressing need for a new primary health care facility was identified by the Inspector and afforded significant weight. Members proposed a condition to require confirmation that funding was in place and a contract let for the construction of the medical centre and pharmacy prior to commencement of construction of the proposed housing. At the appeal hearing,</p>		

Information Report for Planning Committee – Appeal Decisions Received between 01 July 2023 and 31 December 2023

#	Application reference	Location	Proposal summary	LPA Decision Level
			<p>the appellant did not agree with this condition and instead proposed a clause in their Unilateral Undertaking to require access and services to this part of the site to be provided and the transfer of the medical centre and pharmacy land to the partners of Kingsnorth Medical Practice prior to the construction of any dwellings. The Inspector agreed with the appellant’s position stating that <i>“although this would not confirm the funding nor the contract for construction, nevertheless, no other body could develop the land. This provides a strong likelihood that the Medical Centre and Pharmacy would be delivered. Therefore this would be a significant benefit. As such, the UU is a suitable way to secure this requirement and therefore the condition suggested in this regard would not be necessary”</i>.</p> <p>Developer contributions The Inspector considered that the developer contributions for allotments, arts and creative, children’s and young people’s play space, indoor and outdoor sports provision, informal/natural green space, strategic parks, community learning, youth services, library services, social care and primary and secondary education were necessary. However, it was considered that contributions for the voluntary sector and waste were unnecessary.</p> <p>Stodmarsh The Inspector was required to undertake an Appropriate Assessment. As part of the Inspector’s assessment, it was considered that the land uses stated by the applicant were correct and that the approach to nutrient calculations was sufficiently robust. Mitigation was proposed in the form of on-site Greenspace and Sustainable Urban Drainage Systems (SuDS). It was agreed to secure the mitigation using planning conditions and overall, the Inspector concluded that with SuDS mitigation the proposed development would not have a harmful effect on the Stodmarsh sites.</p> <p>Conclusion The Inspector identified harm from the character and appearance of the development. However, the Inspector gave significant weight to the medical centre and the pressing need for a new primary healthcare facility, the lack of the Council’s five-year housing land supply, and the benefits of the affordable housing. Overall, the Inspector considered that the adverse impacts would not significantly outweigh the benefits and decided that the appeal should be allowed.</p>	
7	15/00856/AS	Land at Pound Lane, Magpie Hall Road, Bond Lane and, Ashford Road, Kingsnorth, Kent	Outline application for a development comprising of up to 550 dwellings in a mix of size, type and tenure. Provision of local	Non determination

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#	Application reference	Location	Proposal summary	LPA Decision Level
			recycling facilities. Provision of areas of formal and informal open space. Installation of utilities, infrastructure to serve the development including flood attenuation, surface water attenuation, water supply, wastewater facilities, gas supply, electricity supply (including sub-station, telecommunications infrastructure and renewable energy). Transport infrastructure including highway improvements in the vicinity of Ashford Road/Magpie Hall Road/Steeds Lane, Pound Lane and Bond Lane, plus an internal network of roads and junctions, footpaths and cycle routes. New planting and landscaping both within the proposed development and on its boundaries as well as ecological enhancement works. Associated groundworks. **SUBJECT TO AN ENVIRONMENTAL IMPACT ASSESSMENT*	
7 cont'd	<p>Brief Summary of Inspector’s reasons This development was subject of a non-determination appeal. If the Council had been able to determine the appeal, it would have granted planning permission, subject to the scheme achieving nutrient neutrality. The Inspector identified the main issues for the appeal as the effect on local highways, effect on ecology, nutrient neutrality, and the scheme’s viability.</p> <p>Highways and ecology The Inspector considered that the development was acceptable in terms of highway safety and ecology.</p> <p>Stodmarsh</p>			

Information Report for Planning Committee – Appeal Decisions Received between 01 July 2023 and 31 December 2023

#	Application reference	Location	Proposal summary	LPA Decision Level
			<p>The Inspector undertook an Appropriate Assessment as part of the appeal decision. During the appeal inquiry, the Inspector heard evidence on the existing land use classifications, following concerns raised by Kingsnorth Parish Council and residents on the appellant’s classifications. The Inspector considered that the classifications were appropriate. Mitigation was proposed in the form of an onsite Wastewater Treatment Works and SuDS, which were to be secured through a combination of planning conditions and within the Section 106 agreement. Overall, the Inspector concluded that the development would achieve nutrient neutrality and would not have an adverse impact on the Stodmarsh Lakes.</p> <p>Viability and developer contributions</p> <p>The Inspector supported the Council’s flexible approach to viability and planning obligations through Local Plan Policies IMP1 (<i>Infrastructure Provision</i>) and IMP2 (<i>Deferred Contributions</i>). The development raised viability issues and sought to propose only 10% affordable housing. The Inspector agreed to include a viability review mechanism to review the viability of the scheme (to potentially increase delivery of community infrastructure) at a later stage of the development.</p> <p>A Unilateral Undertaking was also submitted with the appeal, which seeks to secure the following contributions including open space, play space, education and social care contributions, as well as 5 self-build plots. However, contributions for quality monitoring and voluntary sector were not considered necessary.</p> <p>Conclusion</p> <p>Overall, the Inspector concluded that the development is an important component of the Local Plan housing strategy and despite some harm, in terms of heritage, landscape and visual impacts, these would be outweighed by the significant benefits, including housing provision. It was concluded that the proposal is in accordance with the Development Plan and the appeal was allowed.</p>	

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Table B: Appeals Dismissed

#	Application reference	Location	Proposal	Stodmarsh	LPA's Decision Level
1	21/00655/AS	Smeeth Hill House, Hythe Road, Smeeth, Ashford, Kent, TN25 6ST	Retrospective application for stationing of a static caravan (mobile home) for residential annexe use by the groundsman for a temporary period of 3 years and installation of septic tank (permanent).	Yes	Delegated refusal
2	22/00909/AS	2A Hollington Place, Ashford, Kent, TN24 8UN	Demolition of existing building.	No	Delegated refusal
3	22/00099/AS	Tayes Barn, Silks Farm, Amage Road, Wye, Ashford, TN25 5DE	Proposed replacement of existing wooden front door and window unit which is in a state of disrepair with a black aluminium glazed unit.	No	Delegated refusal
4	21/01135/AS	Land west of Viaduct Terrace, Warehorne Road, Warehorne, Kent	Erection of 6 dwellings and one block of 6 apartments with associated parking.	No	Planning Committee
5	21/00174/AS	Buildings A and B, Rook Toll, Faversham Road, Boughton Aluph, Kent	Works of conversion to facilitate change of use to create two dwellings following prior approval granted under application reference 19/00191/AS (Notification for prior approval for a change of use from premises in light	Yes	Delegated refusal

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#	Application reference	Location	Proposal	Stodmarsh	LPA's Decision Level
			industrial use class B1(c) and land within its curtilage to two dwelling houses).		
6	21/02181/AS	Hill Foxes, Ravensdane Wood, Stalisfield Church Road, Charing, Ashford, TN27 0NJ	Demolition of existing concrete barn and garage; erection of part one storey/part two storey dwelling and associated works and access.	No	Delegated refusal
7	PA/2022/2085	Costa Cottage, Bromley Green Road, Ruckinge, Ashford, TN26 2EQ	Proposed detached double garage.	No	Delegated refusal
8	22/00085/AS	1 Durrant Green, Ashford Road, High Halden, Ashford, Kent, TN26 3BU	Proposed dwelling & detached garage.	No	Delegated refusal
9	22/00884/AS	Orlestone Rise, Ruckinge Road, Hamstreet, Ashford, Kent, TN26 2NW	Construction of a single detached dwelling with associated parking and amenity space.	No	Delegated refusal
10	21/02142/AS	Land north of 14 and 15, Kirkwood Avenue, Woodchurch	Erection of 3 bungalows and the provision of new public amenity space, together with associated access, parking and landscaping.	No	Delegated refusal

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#	Application reference	Location	Proposal	Stodmarsh	LPA's Decision Level
11	PA/2022/2390	Mai Barn, Romden Road, Smarden, Ashford, TN27 8QZ	Retrospective erection of oak framed garden room (revision to lapsed planning permission 15/00743/AS).	No	Delegated refusal
12	PA/2022/2929	Beult Barn, Ashford Road, Great Chart, Ashford, TN23 3DH	Erection of 3 dwellings.	Yes	Delegated refusal
13	PA/2023/0555	Mersham Manor Church Close, TN25 6NR	Variation of condition 5 and removal of Condition 6 on planning permission 22/00602/AS (Variation of condition 9 (approved plans) on planning permission 19/01602/AS to alter the materials, height and footprint of the annexe) to alter approved drawings retaining oak effect joinery.	No	Delegated refusal
14	PA/2022/2065	Lodge Farm, Bowl Road, Charing, TN27 0HB	Removal of Condition 3 of planning permission 15/01636/AS to allow use of ancillary accommodation as a single independent dwelling.	Yes	Appeal on non-determination
15	PA/2022/2068	Bridgewood Farm, Watery Lane, Westwell, TN25 4JJ	Change of use of the land for the stationing of 3 mobile homes for Gypsy / Traveller occupation. Occupation ancillary to the existing site permitted under application 12/00932/AS.	Yes	Delegated refusal
16	PA/2023/0957	25 Cheesemans Green Lane, Kingsnorth, Ashford, TN25 7EX	Vehicle crossover, parking, and single storey side extension to form garage.	Yes	Delegated Refusal

Application Number	PA/2022/2788
Location	Orchard Cottage, Tile Kiln Road, Kennington, Ashford, Kent TN24 9NT
Grid Reference	Easting (x) 601404; Northing (y) 145257
Parish Council	Kennington
Ward	Goat Lees
Application Description	Demolition of existing barn and redevelopment of site to provide 5no. 2 bedroom terraced houses, 5no. 3 bedroom terraced and semi detached houses, 4no. 1 bedroom bungalows, car barn and associated parking and landscaping
Applicant	Assistant Director Housing Sharon Williams (ABC)
Agent	Ms. Elizabeth Mitchell
Site Area	3825 sqm

Introduction

1. This application relates to an affordable housing scheme (14 dwellings) proposed by Ashford Borough Council.

Site and Surroundings

2. The application site (0.38ha) is situated in a residential area of Kennington, to the north of Ashford's town centre, facing Tile Kiln Road to the southwest and Towers View to the northwest. The properties surrounding the site consist of a mix of one and two-storey detached, semi-detached, and terraced houses, as well as flats. These structures are generally constructed with buff, brown, or red brick, featuring pitched tiled roofs and some tile hanging. The houses in close proximity to the site seem to have been built in the 1970s, with several residences along Grosvenor Road dating back to the early 1900s. There are no listed buildings in the vicinity of the site, and it is not situated within or adjacent to a Conservation Area. Opposite the site on Tile Kiln Road, there is a convenience store and a takeaway food outlet.
3. The site was formerly occupied by a single, detached dwelling known as Orchard Cottage, a brick outbuilding, and a former agricultural Atcost barn. The house suffered extensive fire damage and was demolished, along with the outbuilding, in 2020 under application reference 20/01393/AS. The Atcost

barn remains on the site, identified as an opportunistic roost for bats following ecological survey work.

4. There is a significant downhill slope of approximately 4.1m from north to south across the site and 2.1m from west to east. Large portions of the site are undeveloped and covered with trees, hedgerows, dense undergrowth, and grass, contrasting with the moderately densely built-up surroundings. A number of mature trees line the northeast and northwest boundaries of the site, with some located within an unmanaged and overgrown strip of unregistered land between the site and the rear gardens of adjacent properties. The site is currently enclosed with hoarding along Tile Kiln Road and Towers View, and there is a combination of chain link and panel fencing along the internal site boundaries.
5. A site location plan is as shown in Figure 1 below.

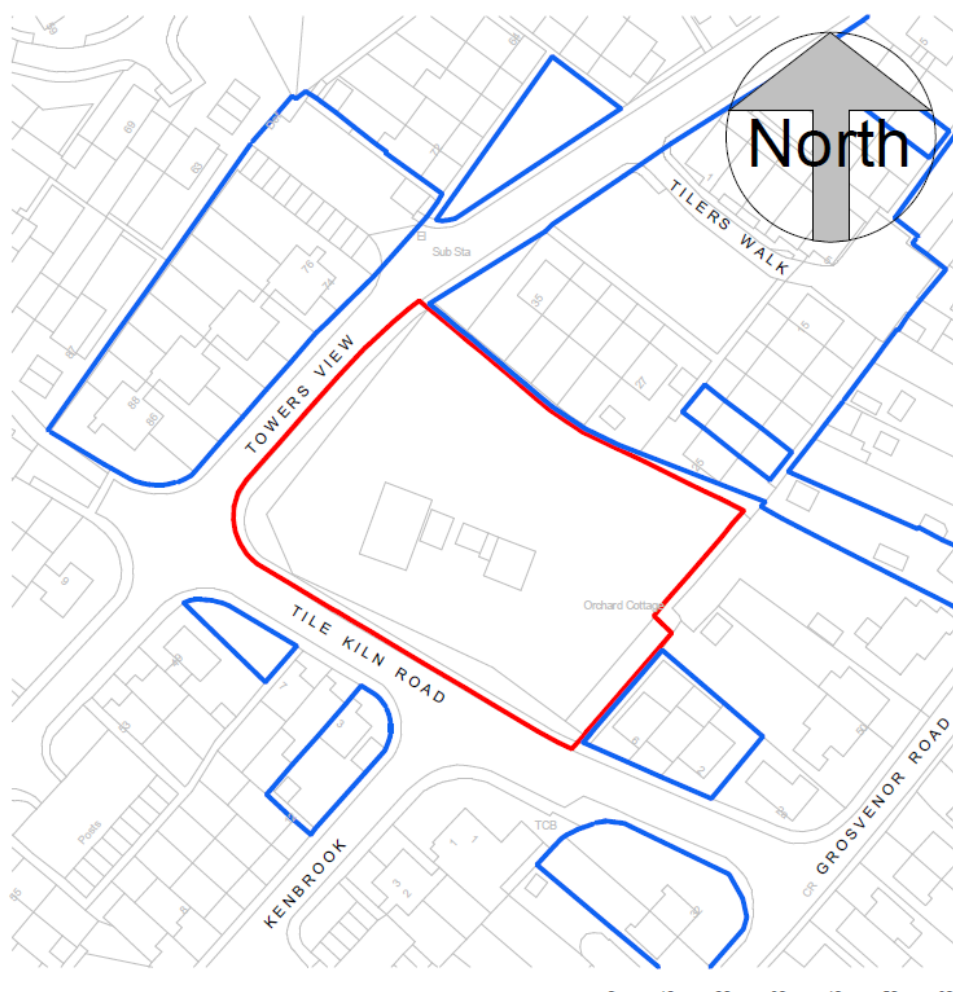


Figure 1: Site Location Plan

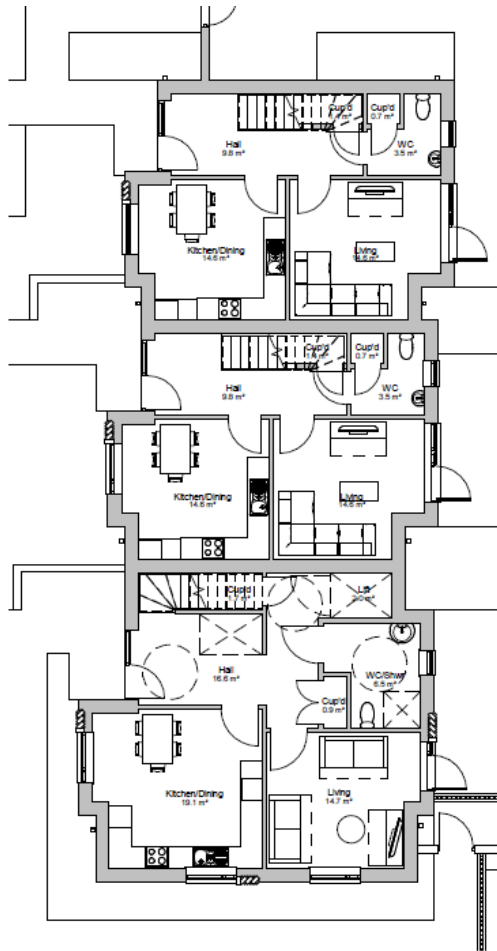


Figure 2: Site Plan

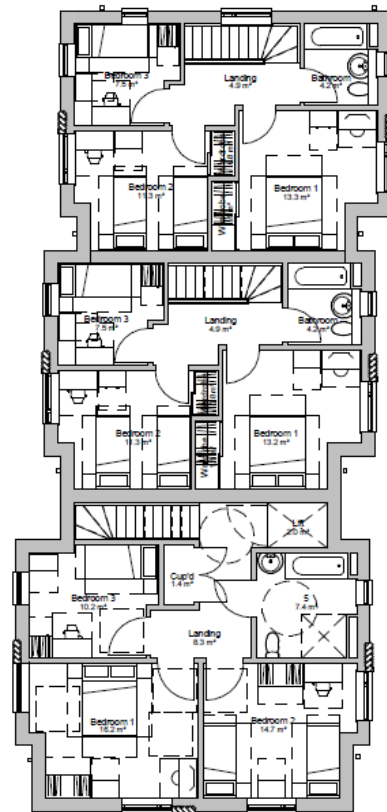
Proposal

6. The proposal seeks planning permission for the erection of ten two-storey houses in three blocks along Tile Kiln Road and Towers View, accompanied by four bungalows discreetly positioned behind a private parking area featuring a car barn. The intention is to provide 100% affordable housing (affordable rent).
7. The proposal includes the installation of photovoltaic panels on south and southeast-facing roofs of the houses. Each dwelling would have dedicated parking spaces and benefit from the provision of one EV charging point for each dwelling. Discreetly positioned refuse stores with brick construction,

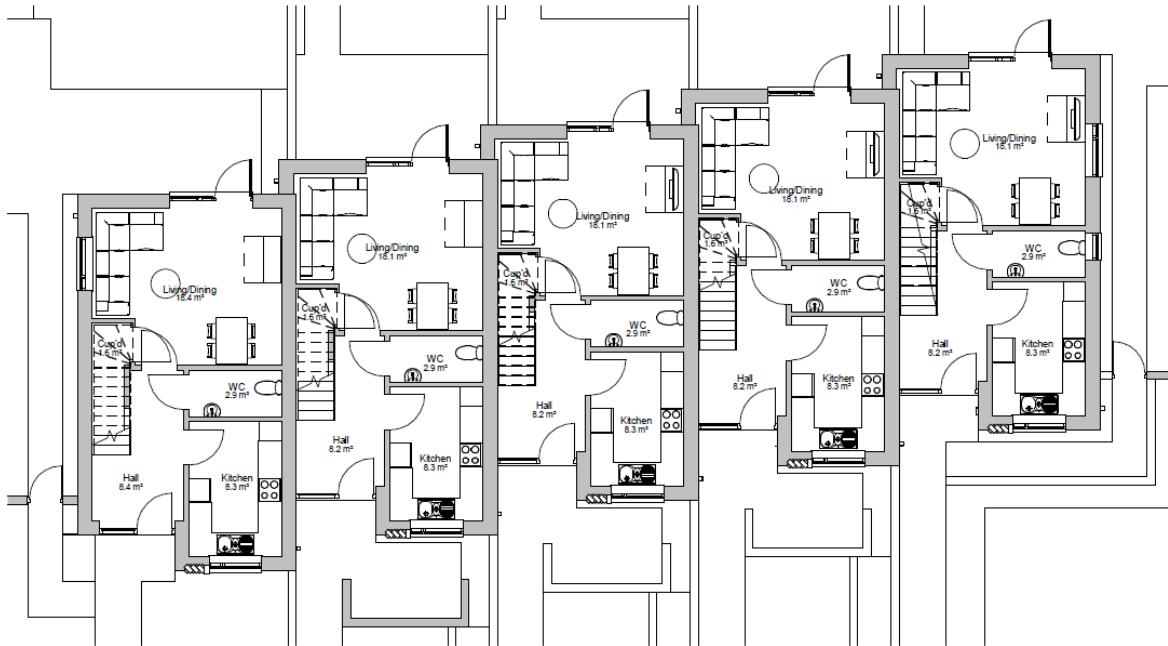
timber doors, and roofs are placed on the sides or fronts of specific properties. The back gardens of the three terrace houses are accessible from rear pedestrian pathways, and existing pathways along the northeastern and northwestern boundaries are retained. Proposed compensatory landscaping accounts for the removal of existing trees and enhances the adjacent green space.



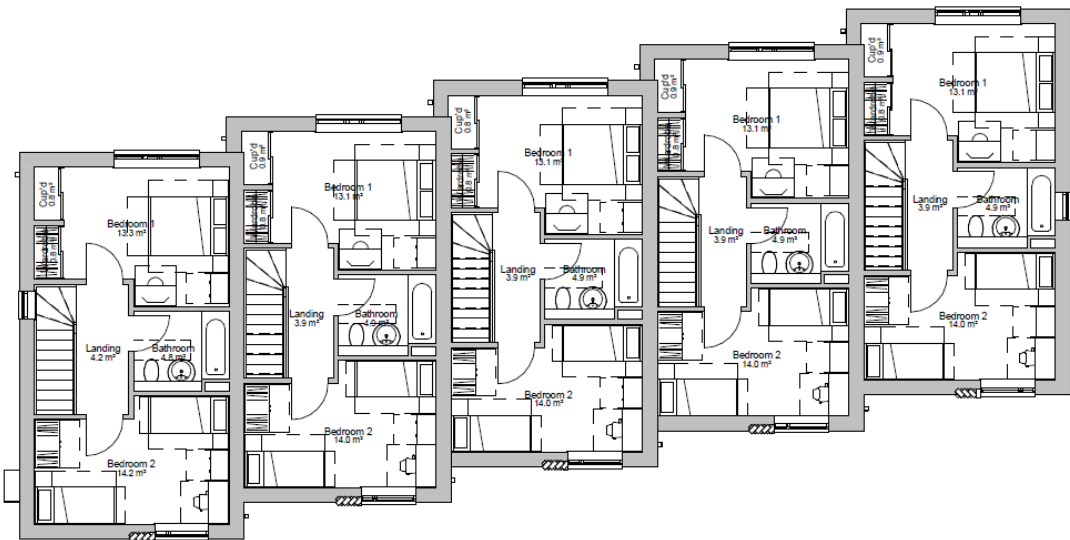
3B5P HOUSES - LEVEL 00



3B5P HOUSES - LEVEL 01



2B4P HOUSES - LEVEL 00



2B4P HOUSES - LEVEL 01

Figure 3: Floor Plans



SECTION A



SECTION B



SECTION C

Figure 4: Elevations

Planning History

- 20/01393/AS - Prior Notification for the demolition of the fire-damaged cottage, ancillary out-building and Atcost barn. Prior Approval Not Required.

Consultations

2. The application has been subject to formal statutory and non-statutory consultation comprising the display of a site notice, a press notice and notification letters sent to the properties in the vicinity of the application site.
- KCC Highways – **No objection** raised subject to conditions.
 - KCC Ecology – **No objection** subject to conditions relating to bat mitigation measures, reptile translocation, bat sensitive lighting scheme, method statement for invasive non-native species and biodiversity and ecological enhancements.

- KCC Archaeology – **No objection** subject to a precommencement condition relating to securing the archaeological field evaluation works.
- Natural England – Further information required to address stodmarsh concerns.
- Fire Officer – It appears from the site block plan as proposed, that there would be an extended hose laying distance from the furthest point in the bungalows to a suitably parked fire appliance therefore not meeting the B5 requirements within the Building Regulations 2010.
- Southern Water – **No objection** subject to conditions and informatives.
- ABC Environmental Protection – **No objection** raised subject to conditions in relation to EV Charging, land or groundwater contamination, unexpected contamination and an informative in respect of construction hours.
- ABC Housing – **Support**. Under Local Plan policy, the site lies within the Hinterlands area as identified and defined in Policy HOU1 in the borough council's Local Plan. Ordinarily, the policy compliant position means there would be an expectation of 30% affordable housing being delivered within this scheme providing 10% affordable rent homes and 20% of the total number of dwellings for affordable home ownership.

However, the development is for 5 x 2-bedroom terraced houses, 5 x 3-bedroom terraced and semi-detached houses and 4 x 1-bedroom bungalows, all to be delivered as affordable homes. A lot of work has been undertaken prior to submission to planning to liaise with the community about these proposals and this work is detailed in the submission.

This will be a quality development, adding valuable homes to the Council's housing revenue account stock and taking people with an identified need for social housing off the waiting list. The Council has vast experience of delivering and then managing affordable housing in the borough and these will make good use of the footprint available and with the associated landscaping and parking they will not create any issues for the local community. Contractors will adhere to the considerate contractors' scheme and regular meetings will be held to make sure the community is largely unaffected by the development during its construction phase and that mitigation measures are in place where necessary.

- Kennington Parish Council – **object** to the planning application for the following reasons:
 - Proposed bungalows situated at the rear, increasing isolation risk.
 - Suggestion to move them to the front for improved accessibility, sunlight, and social engagement.
 - Concerns about lack of direct sunlight affecting heating, lighting costs, and elderly residents' vitamin D needs.

- Potential oppressiveness of front aspect facing the rear garden.
- Emphasis on the need for a wide footpath from Tile Kiln Road to the bungalows to accommodate wheelchairs and mobility scooters.
- Noting the rarity of bungalows being overlooked, highlighting concerns about potential overshadowing.
- inadequate parking on surrounding roads and the site.
- Concerns about having only one parking space per bungalow.

Neighbours

2 letters of representations received objecting to the planning application and raising the following matters:

- Parking situation is hideous at the moment
- Loss of wildlife

Planning Policy

3. The Development Plan for Ashford borough comprises the Ashford Local Plan 2030 (adopted February 2019), the Chilmington Green AAP (adopted July 2013), the Wye Neighbourhood Plan (adopted March 2016), the Pluckley Neighbourhood Plan (adopted April 2017), the Rolvenden Neighbourhood Plan (adopted December 2019), the Boughton Aluph & Eastwell Neighbourhood Plan (adopted October 2021), the Egerton Neighbourhood Plan (adopted March 2022), the Charing Neighbourhood Plan (adopted July 2023), the Kent Minerals and Waste Local Plan (2016) & the Kent Minerals and Waste Early Partial Review (2020).
4. Although not yet part of the Development Plan, the following emerging Neighbourhood Plans are a material consideration:
 - Tenterden Neighbourhood Plan currently at Examination stage in the plan making process.
 - Pluckley Neighbourhood Plan Review currently at Examination stage in the plan making process.
 - Aldington & Bonnington Neighbourhood Plan currently at Regulation 16 stage in the plan making process.
5. The Local Plan polices relevant to this application are as follows:
 - SP1 Strategic Objectives
 - SP2 The Strategic Approach to Housing Delivery
 - SP6 Promoting High Quality Design
 - HOU3a Residential Windfall Development
 - HOU12 Residential Space Standards (internal)
 - HOU14 Accessibility standards
 - HOU15 Private external open space
 - ENV1 Biodiversity
 - ENV7 Water Efficiency

- ENV9 Sustainable Drainage
 - TRA3a Parking Standards for Residential Development
 - TRA6 Provision for Cycling
 - EMP6 Promotion of Fibre to the Premises (FTTP)
6. The following are also material considerations to the determination of this application:-

Supplementary Planning Guidance/Documents

- Fibre to the Premises SPD, 2020
- Dark Skies SPD, 2014
- Residential Space and Layout SPD, 2011
- Sustainable Drainage SPD, 2010
- Residential Parking and Design Guidance SPD, 2010
- Landscape Character SPD, 2010

Informal Design Guidance

- Informal Design Guidance Note 1 (2014): Residential layouts & wheeled bins
- Informal Design Guidance Note 2 (2014): Screening containers at home
- Informal Design Guidance Note 3 (2014): Moving wheeled-bins through covered parking facilities to the collection point

Government Advice

- National Planning Policy Framework (NPPF) 2023
- Planning Practice Guidance
- National Design Guide 2021
- Technical Housing Standards – nationally described standards
- Article 6(3) of the Habitats Directive; Habitats Regulations 2017

ASSESSMENT

7. The key areas for consideration in the assessment of this application are as
- Principle of Development
 - Character and Appearance
 - Impact on Highways
 - Impact on Residential Amenity
 - Impact on Ecology
 - Stodmarsh Catchment Area
 - Archaeology
 - Contamination

Principle of development

8. The site lies within the settlement confines of Ashford. Therefore, the principle of development is considered acceptable subject to meeting the relevant criteria under policy HOU3a (Residential Windfall Development Within Settlements) of the Local Plan and other site specific considerations.

9. Policy HOU3a states that “Residential development and infilling of a scale that can be satisfactorily integrated into the existing settlement will be acceptable within the built-up confines... providing that the following requirements are met:
 - a) It is of a layout, design and appearance that is appropriate to and is compatible with the character and density of the surrounding area;
 - b) It would not create a significant adverse impact on the amenity of existing residents;
 - c) It would not result in significant harm to or the loss of, public or private land that contributes positively to the local character of the area (including residential gardens);
 - d) It would not result in significant harm to the landscape, heritage assets or biodiversity interests;
 - e) It is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network;
 - f) It does not need substantial infrastructure or other facilities to support it, or otherwise proposes measures to improve or upgrade such infrastructure;
 - g) It is capable of having safe lighting and pedestrian access provided without a significant impact on neighbours or on the integrity of the street scene; and,
 - h) It would not displace an active use such as employment, leisure or community facility, unless meeting the requirements of other policies in this Plan.

10. It is noted that the proposal is for 100% affordable housing (affordable rent). A supporting statement has been submitted with the preapplication which includes the justification for the need for affordable housing in the area. It is noted that Ashford Borough Council Housing Service currently has 1566 applicants on the Housing Register. For Kennington specifically, the profile of need is as follows:
 - 1 bedroom property – 414
 - 2 bedroom property – 162
 - 3 bedroom property – 184
 - 4 bedroom property – 43
 - 5/6 bedroom property – 10

11. Therefore, with a total of 760 applicants stating that they would like a 1-bed, 2-bed or 3-bed property in this area of Ashford, there is an undisputed need for affordable rental properties of the types proposed in this area. It is noted that by virtue of these households being on the waiting list for the very reason,

it is reasonable to conclude that they are extremely unlikely to be able to afford a shared ownership property, even with its lower entry level. Indeed, acceptance onto the waiting list is means tested, so if a household has an income that is sufficient to purchase a shared ownership property, this then prevents them from being accepted onto the list. The demand for shared ownership properties is acknowledged however, it is further stated that this demand is purely anecdotal as there are no waiting lists for such properties. Thus, even though the housing will all be for affordable rent and include no provision for affordable home ownership, this is in response to a clearly evidenced need for affordable rental properties and flexibility in terms of the tenure mix is fully justified.

12. In conclusion, sufficient justification has been provided which clearly demonstrates the need for affordable rental properties in the area. Therefore, the principle of 100% affordable rent housing units is considered acceptable.

Character and Appearance

13. Local Plan policy SP6 seeks to ensure that new development is of high quality design and development should adhere to the set of design criteria listed in the policy. New development should also show how it responds positively to local design guidance, such as village design statements.
14. The proposed dwellings would be characterised by a series of staggered gables that mirror the architectural style of adjacent structures and are stepped to seamlessly integrate with the natural slope of the site. . The proposed dwellings would benefit from step-free access, facilitated by gently sloping paths maintaining a gradient less than 1:20. To address the substantial level change across the site, certain gardens are designed as split-level spaces, minimising the need for high retaining structures. Further to this, the introduction of a raised planter alongside the retaining wall would mitigate the visual impact in an area where the level difference is most pronounced, specifically between the end bungalow and the rear garden of the pair of three-bedroom semi-detached houses.



15. The development comprises a range of one, two, and three-bedroom houses and bungalows. Emphasis is placed on maximising natural light and expansive views through dual or triple-aspect orientations and full-height windows. Each dwelling is equipped with a fully enclosed private garden, equipped with bicycle storage sheds. Despite the compact size of bungalow gardens, their increased width compensates, resulting in an overall area greater than that of the two-bedroom terraced houses.

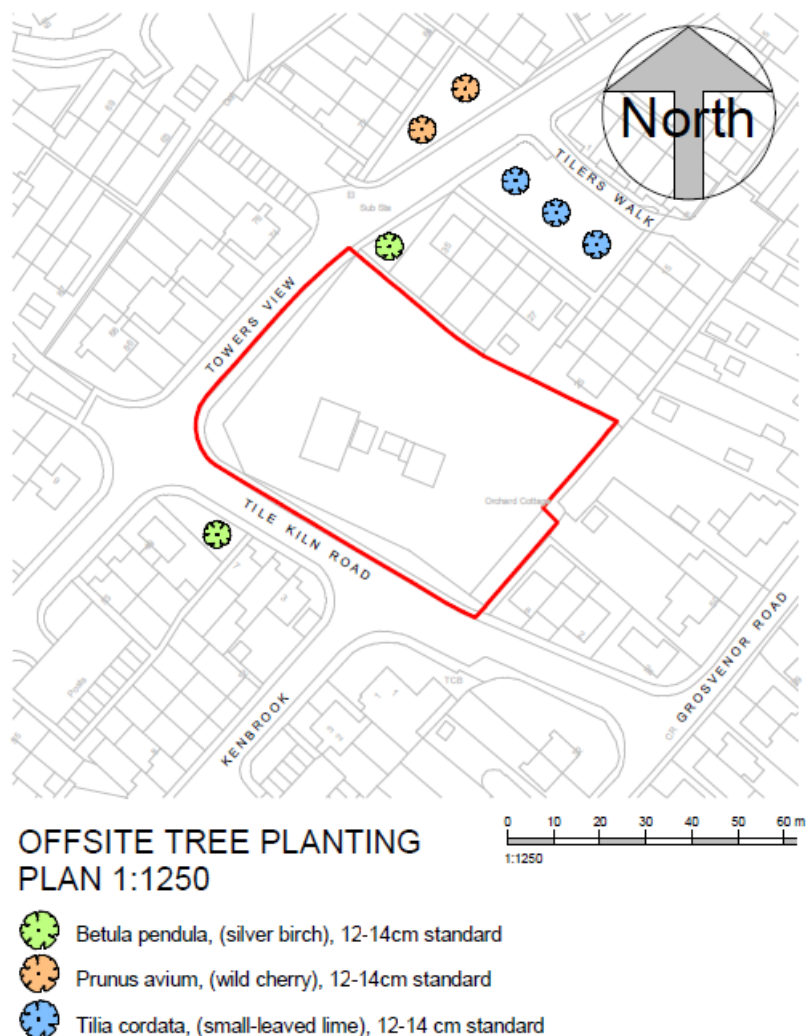


16. The proposed materials would incorporate a mix of buff and brown multi bricks, grey artificial slate pitched roofs, single-ply membrane small flat roof areas, reconstituted stone cills, and grey/beige polyester powder-coated aluminium windows, parapet copings, and rainwater goods. The car barn would be finished with dark grey stained weatherboarding above a brick

plinth. The hard landscaping elements feature grey permeable block paving in the parking court and bays, buff paving flags in private patios and footpaths, and grey slate chippings in narrow margins. Boundary treatments, including brick walls (some serving as retaining walls), pressure-treated timber closeboard fencing, and black polyester powder-coated galvanised steel railings, contribute to a visually coherent and well-defined architectural identity.

17. The waste management strategy incorporates designated brick bin stores at the front of each property or within the back/side garden areas with gated access. Further to this, the hardstanding adjacent to the car barn would facilitate efficient bin collection for bungalow residents without requiring the refuse vehicle to enter the site from Tile Kiln Road. Members will note that consultation with the Ashford Borough Council's Refuse Team in December 2021 confirmed the acceptability of the waste management proposals.

18. Soft landscaping elements encompass raised planters, trees, and climbing plants on wall-mounted trellises, enhancing both private gardens and communal areas. The inclusion of a 1.5-2m Hazel hedge and Hornbeam and Maple trees along the northeast and southeast boundaries further reinforces existing planting, contributing to a lush and ecologically considerate environment. The proposal also involves offsite mitigation planting as shown below. The landscaping scheme and the offsite mitigation planting could be secured via conditions.

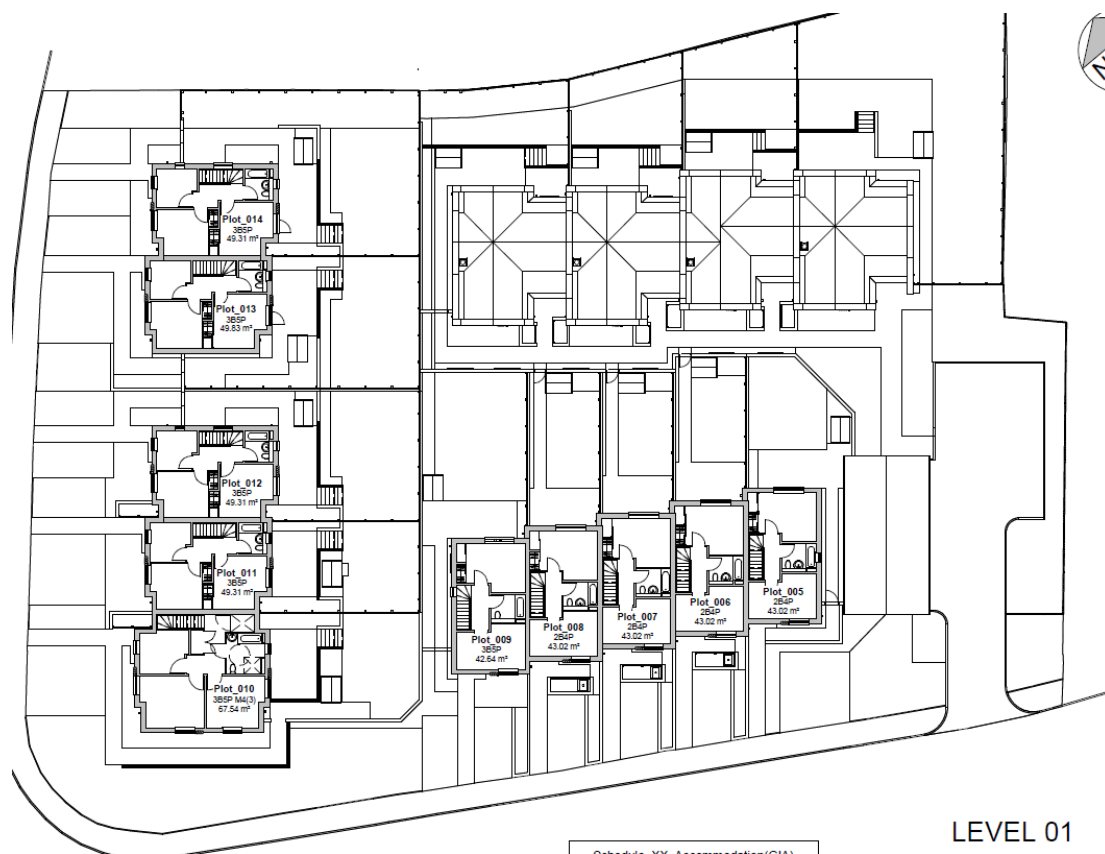


19. Having regard to the above, it is considered that the design of the proposed development would be of a good standard and would positively contribute towards the improvement of the existing built environment. Therefore, the proposal would comply with policies SP6, HOU3a of the Local Plan and paragraph 135 of the National Planning Policy Framework.

Residential Amenity

20. There is a row of single-storey dwelling houses fronting Tilers Walk to the northeast of the site. The separation distance between the proposed single-storey dwelling houses (along the northeast boundary) and existing dwellings (Tilers Walk) would be approximately 20m, while the proposed two-storey dwelling house (located within the northern corner of the site – Plot 14) would be at a distance of approximately 17m. Given the adequate separation distance between the site and the neighbouring properties, it is not considered that the proposed development would cause a sense of enclosure, overshadowing, or loss of light.

21. It is noted that the proposed two-storey dwelling (Plot 14) would have two windows on the side elevation facing northeast at the first floor level. One window would serve the stairwell, while the second single-pane window would serve the third bedroom. To mitigate the potential impact from the loss of privacy from the first-floor windows of the proposed dwelling, a suitably worded condition could be attached requiring these windows to be fixed shut and obscure glazed up to 1.7m above floor level.



22. Having regard to the above and subject to conditions, the proposed development is considered acceptable in terms of residential amenity impact. It would, therefore, comply with paragraph 135(f) of the NPPF.

Living conditions of the future occupants

23. Regard must also be had to whether the proposed development would provide high standard of amenity to the future occupants. It is noted that there are limited separation distances (within the range of 12.5m to 15.5m) between the row of terrace fronting Tile Kiln Road and the row of bungalows to the rear. It is proposed to have a kitchen (considered to be a non-habitable room) towards the front of the bungalows with a wall mounted trellis with climbing plants at a distance of approximately 1.4m from the kitchen window. From the review of the plans submitted with the application, it is apparent that the fencing would be approximately 2m in height which would effectively screen any direct views from the first floor of the terraced housing into the living space of the bungalows and vice versa. Having regard for the above and on

balance, the limited separation distance in this instance is considered acceptable.

24. Further to the above, it was observed that the first-floor window at Plot 12 would overlook the private amenity area of Plot 9 and result in a loss of privacy to the future occupants of Plot 9. Discussions were held with the applicant regarding a potential solution to mitigate this impact without compromising the natural light quality for Plot 12. It has been agreed that fixed vertical blinds will be installed (at a fixed angle), integral to the window frame of Plot 12, facing the rear garden of Plot 9. This arrangement would ensure that the views of future occupants are directed away from the private amenity area of Plot 9. On balance, it is considered that this solution effectively addresses the unacceptable loss of privacy and, at the same time, provides satisfactory living conditions for the future occupants of both Plots 9 and 12.
25. Finally, the proposed dwellings, together with individual rooms, would be of a good size, whilst all habitable rooms would be naturally lit. It would have a private garden and areas which could be used for refuse storage and external amenity space. As such, the living conditions of future occupiers would be acceptable. It would therefore comply with policy HOU15 of the local plan and paragraph 135 of the NPPF.

Impact on Highways

26. The site is considered to fall within an urban location. Policy TRA3(a) would apply in this instance. The policy requires a provision of 2 offstreet parking spaces for 2 and 3 bed dwellings together visitor parking at a rate of 0.2 spaces per dwelling whilst 3 spaces would need to be provided for a 4-bed dwelling. The development would provide 24 off-site parking spaces. Whilst there is a lack of 2.8 visitor parking spaces on the site, given the fact that on-street parking is prevalent in the area, the lack of visitor parking spaces is considered acceptable. The parking spaces would be equipped with EV Charging facility. The proposal would therefore comply with policy TRA3a of the local plan and paragraph 157 of the NPPF.
27. Cycle parking has been provided in line with ABC Local Plan 2030 Policy TRA6. A garden shed with a capacity for 2no. cycle spaces has been allowed for within the garden of the dwellings.
28. KCC Highways have raised no objection in respect of the proposed development and have recommended a number of conditions to be attached to the permission.
29. In the light of the above, it could be reasonably concluded that the proposed development would not have a detrimental impact on the existing on-street parking provision i.e. the proposal would result in an unacceptable highways impact or severe residual cumulative impacts on the road network (relevant test in the NPPF) and would therefore accord with paragraphs 114 and 115 of the NPPF.

Stodmarsh Catchment Area

30. Advice has been received from Natural England in respect of the nationally and internationally designated protected sites at Stodmarsh Lakes, east of Canterbury. This relates to an increased level of nitrogen and phosphorus within the protected sites which is adversely affecting the integrity of the habitat of the lakes.
31. In line with established case law and the 'precautionary principle', Natural England are advising that applications for certain types of development within the Stour river catchment and / or which discharge to particular Wastewater Treatment works within the catchment should be the subject of screening under the Habitat Regulations and, consequently, subject to an Appropriate Assessment prior to any decision to grant planning permission.
32. The importance of this advice is that the site falls within the Stour catchment and the effect is that this proposal must prima facie now be considered to have a potentially significant adverse impact on the integrity of the Stodmarsh lakes, and therefore an Appropriate Assessment (AA) under the Habitats Regulations would need to be undertaken and suitable mitigation identified to achieve 'nutrient neutrality' as explained in NE's advice, in order for the Council to lawfully grant planning permission.
33. Under the Council's Constitution, the Assistant Director of Planning and Development already has delegated authority to exercise all functions of the Council under the Habitats Regulations. This includes preparing or considering a draft AA, consulting Natural England (NE) upon it, and amending and/or adopting it after taking into account NE's views.
34. As matters stand, it is very likely that an off-site package of mitigation measures will be required in order for the development proposal to achieve 'nutrient neutral' status and in the absence of such measures (or any others) having been identified and demonstrated to be deliverable, it is not possible to conclude, at this moment in time, that the scheme would be acceptable in respect of this issue.
35. Notwithstanding this, on the basis that this proposal is considered to be otherwise acceptable in planning terms (subject to planning conditions), it is recommended that a resolution to grant planning permission should also be subject to the adoption by the Assistant Director of Planning and Development (having consulted NE) of a suitable Appropriate Assessment to address the Habitats Regulations, to the effect that the proposed development will not adversely affect the integrity of the SAC, SPA and Ramsar Site (by achieving nutrient neutrality), and to secure any necessary additional obligation(s) and/or planning conditions that are necessary in order to reach that Assessment and ensure that at the time of occupancy the necessary mitigation is in place.

Impact on Ecology

36. The EU Habitats Directive 1992, requires that the precautionary principle is applied to all new projects, to ensure that they produce no adverse impacts on European Sites. Local Plan policy ENV1 states that proposals that conserve or enhance biodiversity will be supported. Proposals for new development should identify and seek opportunities to incorporate and enhance biodiversity.
37. Kent Wildlife Trust (KWT) conducted a Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA) in April 2020. The PEA recommended a reptile survey and identified potential bat roosts in the residential property, outbuilding, and Atcost barn. Reptile and bat surveys were conducted in June/July 2020, indicating a low population of slow-worms and identifying the Atcost barn as an opportunistic roost for brown long-eared (BLE) and serotine bats.
38. In respect of reptiles, a suitable translocation site has been identified at Kestrel Park Play Area 4.3 miles from the Orchard Cottage. A presence/likely absence reptile survey of Kestrel Park in September & October 2023 identified a good population of viviparous lizards (peak count of 5) and no slow worms were recorded. From the results of the survey, Kestrel Park was deemed as a suitable translocation site for the population of slow worms on site. The management methods and required mitigation of log piles and hibernacula suggested in the mitigation strategy for Kestrel Park are suitable to further improve the conditions to support the slow worm population in the long term. KCC Ecology are satisfied with the trapping and translocation methods and have recommended a condition to be attached to ensure that they are followed, and reptiles protected prior to and during construction.
39. The bat surveys revealed moderate suitability for roosting bats in the fire-damaged house and low suitability in the outbuilding. The Atcost barn, initially considered of low suitability, showed evidence of BLE bat roosting. Despite demolition permissions for the house and outbuilding, the Atcost barn's loss required mitigation, including tree-mounted bat boxes, a sensitive lighting scheme, a car barn with bat roosting opportunities, and native hedge and tree planting. An updated bat survey in July 2021 confirmed the Atcost barn's continued use as an opportunistic roost for BLE bats. No further evidence of serotine bats was recorded. A dusk emergence bat survey in August 2022 and a dust sheet check found no bat droppings in the Atcost barn. An updated reptile assessment in August 2022 confirmed suitable habitat for reptiles, initiating repeat survey work in September 2022. KCC Ecology have advised that these proposed mitigation measures should be followed throughout the construction works, unless varied by the EPSM licence. This could be achieved via suitably worded condition. Further to this, a condition requiring installation of a bat sensitive light scheme has been recommended to be attached to the permission.
40. The ecological assessment identified Montbretia, an invasive non-native species, in the south of the site during the Preliminary Ecological Appraisal

(PEA) in 2020. Classified under Schedule 9ii 7 of the Wildlife and Countryside Act 1981, it raises concerns about its impact. Additionally, other invasive species, such as Japanese knotweed, knotweed, Yellow archangel, and Himalayan cotoneaster, may have established on-site since the initial survey. To address this issue, KCC Ecology recommended a Method Statement, which could be secured via condition, if planning permission is granted.

41. Finally, the biodiversity enhancement plan submitted with the application is considered to be satisfactory. KCC Ecology have recommended a condition requiring submission of a management plan to secure the management of the proposed mitigation measures.
42. In conclusion, subject to conditions, the proposal is considered acceptable in terms of the ecology impact.

Impact on Trees

43. The application is accompanied by a tree survey. The proposed development would involve the removal of 10 trees and 5 groups of vegetation. The removals are limited to low and poor-quality trees, with some prominent ones, like T3 and T11, being retained. The removal of specified trees and vegetation groups facilitates the implementation of the proposed development, particularly the built elements and a new landscaping scheme.
44. All trees within and bordering the site are categorized as either category C, suitable for retention but of low quality, or category U, unsuitable for retention due to their condition. Trees along the northeast and southeast boundaries will be retained, except for groups close to existing bungalows at Tilers Walk and alongside the proposed parking area. Some retained trees are within the unregistered strip of land bordering the site, not under Ashford Borough Council's ownership. The landscaping scheme involves creation of grassland area, native hedgerow planting along the site boundary, and the addition of new trees within the site in addition to offsite planting of trees. Taking the above into consideration, it is concluded that the proposal would provide sufficient mitigation planting to offset the loss of the trees within the site. Regarding tree removal, a condition could be attached, requiring the submission of an Arboricultural Method Statement.
45. In conclusion, subject to appropriately worded conditions, the impact on the trees is considered acceptable.

Impact on Archaeology

46. The site is situated within an area of potential associated with Bronze Age and Iron Age burial and settlement activities, with general indications of Roman activity. Orchard Cottage, identifiable on the 1st Ed OS map, suggests a minimum age of 19th-century origin. Due to the archaeological potential of the

site, KCC Archaeology has recommended a pre-commencement condition to be attached to secure archaeological field evaluation, further archaeological investigation, recording, and reporting, determined by the results of the evaluation, and a programme for post-excavation assessment and publication. It is considered that subject to a suitably worded condition, the proposed development would be considered acceptable in terms of the impact on archaeology.

Impact on Drainage

47. The site is within Flood Risk Zone 1, which has the lowest risk of flooding from rivers or the sea. As such, the application does not need to be subjected to the sequential or exception tests. However, given the size of the site, it is necessary to consider how surface water will be drained and how foul sewerage will be disposed of.
48. At present there is no planned surface water drainage on the site, with surface water draining to ground or running off the site naturally. As there are no water courses in the area, the only remaining option is to discharge to a public sewer, although infiltration (in the form of permeable paving) could be used to reduce the volume of surface water which needs to be discharged to the public sewer. It is considered that, subject to conditions being attached to any grant of permission to require full details of foul and surface water drainage be submitted for approval, the development would not increase the risk of flooding on site or elsewhere.

Planning Obligations

49. 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
50. I recommend the planning obligations in Table 1 be required should the Committee resolve to grant permission. I have assessed them against Regulation 122 and for the reasons given consider they are all necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development. Accordingly, they may be a reason to grant planning permission in this case.

Heads of Terms for Section 106 Agreement/Undertaking

The following planning obligations have been assessed against Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and for the reasons set out in the officer's **committee** report are considered to be **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. In the event of a planning appeal, the approved Table 1 derived shall form the Council's CIL compliance statement along with any necessary additions and clarifications as may be required for the Planning Inspectorate.

Obligation No.	Planning Obligation Detail	Amounts (s)	Trigger Points (s)
Ashford Borough Council Planning Obligations			
1.	<p><u>Affordable Housing</u> Amount to be secured in accordance with Policy HOU1:</p> <p>The affordable housing shall be managed by a registered provider of social housing approved by the Council, which has a nomination agreement with the Council.</p> <p>Shared ownership units to be leased in the terms specified.</p> <p>Affordable rented units to be let at no more than 80% market rent and in accordance with the registered provider's nomination agreement.</p>	5 affordable rent units	To be constructed and transferred to Registered Provider before occupation of 75% of the general market units
2.	<p><u>Accessible and Adaptable Dwellings</u> Amount to be secured in accordance with Policy HOU14:</p> <p>At least 20% [total of 14 dwellings] of all homes shall be built in compliance with building regulations M4(2) as a minimum standard.</p>	<p>20% M4(2) across the whole site.</p> <p>M4(3b): 1 number of dwellings.</p>	All accessible and adaptable homes to be constructed before the occupation of any dwellings.

	Wheelchair accessible housing [totalling 1 number of dwellings] built in compliance with building regulations M4(3b) standards shall be provided within the affordable rented element of the scheme.		
3.	Allotments Project detail: To be confirmed	£258.00 per dwelling for capital costs £66.00 per dwelling for maintenance Indexation: BCIS General Building Cost index Quarter 3 of 2012	Upon occupation of 75% of the dwellings
4.	Cemeteries Project detail: To be confirmed	£284.00 per dwelling for capital costs £176.00 per dwelling for maintenance Indexation: BCIS General Building Cost index 2012	Upon occupation of 75% of the dwellings
5.	<u>Children and Young People's Play Space</u> Project detail: To be confirmed	£649.00 per dwelling for	Upon occupation of 75% of the dwellings.

		<p>capital costs</p> <p>£663.00 per dwelling for maintenance</p> <p>Indexation: BCIS General Building Cost index Quarter 3 of 2012</p>	<p><i>(The trigger may differ depending on whether it relates to an on or off site provision)</i></p>
6.	<p><u>Indoor Sports Provision</u></p> <p>Project detail (off site): To be confirmed.</p>	<p>Off site: £83.36 per dwelling for capital costs (3G pitches) + £562.07 per dwelling for capital costs (sports hall)</p> <p>(capital only – contributions are derived from the latest Sport England Calculator).</p> <p>Indexation: BCIS General Building Cost index quarter 1 of 2019</p>	<p>Upon occupation of 75% of the dwellings.</p> <p><i>(The trigger may differ depending on whether it relates to an on or off site provision)</i></p>
7.	<u>Informal Natural Green Space</u>		Upon occupation

	Project detail: To be confirmed	<p>£434.00 per dwelling for capital costs</p> <p>£325.00 per dwelling for maintenance</p> <p>Indexation: BCIS General Building Cost index quarter 3 of 2012</p>	<p>of 75% of the dwellings.</p> <p><i>(The trigger may differ depending on whether it relates to an on or off site provision)</i></p>
8.	<p><u>Outdoor Sports Provision</u></p> <p>Project detail: To be confirmed</p>	<p>£1050.21 per dwelling for capital costs</p> <p>£575.00 per dwelling for maintenance</p> <p>(For capital contributions - calculations are derived from the latest Sports England Calculator)</p> <p>Indexation: BCIS General Building Cost index quarter 1 of 2019</p>	<p>Upon occupation of 75% of the dwellings.</p> <p><i>(The trigger may differ depending on whether it relates to an on or off site provision)</i></p>

9.	<p><u>Quality Monitoring</u> Contribution towards monitoring, to ensure that the approach to design quality is delivered on site in accordance with the details approved as part of the planning permission, including any subsequent details approved pursuant to any conditions related to the planning permission.</p>	<p>One off payment of the following: £90.00 per dwelling Total amount capped at £350,000 in relation to development provided for by any single outline/full planning permission. Indexation: Indexation applied from the date of the resolution to grant permission.</p>	<p>Development comprising 300 dwellings or less: The total amount due will be payable on commencement of the development. OR Development comprising more than 300 dwellings: 25% of the total amount due will be payable on commencement of the development, with the remainder being payable on occupation of 50% of the total number of dwellings.</p>
10.	<p><u>Strategic Parks</u> Project detail: Contribution to be targeted towards quantitative and qualitative improvements at the strategic parks within the 'Hubs' identified in the Local Plan 2030.</p>	<p>£146.00 per dwelling for capital costs £47.00 per dwelling for maintenance Indexation: BCIS General Building Cost index quarter 3 of 2012</p>	<p>Upon occupation of 75% of the dwellings</p>

Kent County Council Planning Obligations			
11.	<p><u>Adult Social Care</u> Project detail:</p> <p>Awaiting project detail confirmation from KCC</p>	<p>£146.88 per dwelling</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
12.	<p><u>Community Learning</u> Project detail:</p> <p>Awaiting project detail confirmation from KCC</p>	<p>£16.42 per dwelling</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
13.	<p><u>Libraries</u> Project detail:</p> <p>Awaiting project detail confirmation from KCC</p>	<p>£55.45 per dwelling</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings.</p>
14.	<p><u>Primary Schools</u> Project detail:</p> <p>Awaiting project detail confirmation from KCC</p>	<p>Per Dwelling £4535.00 (New Build)</p> <p>£0 for any 1-bed dwelling with less than 56 m² gross internal area.</p> <p>Indexation:</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>

		BCIS General Building Cost Index from Oct 2016	
15.	<p><u>Secondary Schools</u> Project detail:</p> <p>Awaiting project detail confirmation from KCC</p>	<p>Per Dwelling £4687.00 (New Build)</p> <p>£0 for any 1-bed dwelling with less than 56 m² gross internal area.</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>
16.	<p><u>Youth Services</u> Project detail:</p> <p>Awaiting project detail confirmation from KCC</p>	<p>£65.50 per dwelling</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings.</p>
Other Obligations			
17.	<p><u>Health Care (NHS)</u> Project detail:</p> <p>Awaiting project detail confirmation from NHS</p>	<p>£X per dwelling. (awaiting response)</p> <p>Indexation: Indexation applied from the date of the resolution to grant permission.</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings.</p>

Monitoring

18.	Monitoring Fee Contribution towards the Council's costs of monitoring and reporting.	£1000 per annum until development completed. Indexation: Indexation applied from the date of the resolution to grant permission.	First payment upon commencement of development and on the anniversary thereof in subsequent years (if not one-off payment)
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Notices must be given to the Council at various stages in order to aid monitoring. All contributions are index linked in order to maintain their value. The Council's and Kent County Council's legal costs in connection with the deed must be paid.

PLEASE NOTE:

- **If an acceptable deed is not completed within 12 months of the committee's resolution, the application may be reported back to Planning Committee and subsequently refused.**
- **Depending upon the time it takes to complete an acceptable deed the amounts specified above may be subject to change.**

Human Rights Issues

49. 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).

Conclusion

50. Having regard to the merits of this case, it is considered that the use of the site for the creation of 14 affordable dwellings of a good standard would provide a significant benefit to the community together with making the most efficient use of land. It would enhance the character and appearance of this part of the town. It would cause no harm to the residential amenity of the neighbouring occupants or the highway safety and is considered acceptable in all other material respects.

Recommendation

Permit

- A. Subject to the applicant submitting information to enable an Appropriate Assessment under the Habitats Regulations to be adopted by the Assistant Director - Planning and Development which identifies suitable mitigation proposals such that, in their view, having consulted the Solicitor to the Council & Monitoring Officer and Natural England, the proposal would not have a significant adverse effect on the integrity of the Stodmarsh SAC, SPA and Ramsar Site; and with delegated authority to the Planning Applications and Building Control Manager or the Strategic Development and Delivery Manager to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation and any associated issues relating thereto; and,
- B. Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations detailed in Table 1 (and any section 278 agreement so required), in terms agreeable to the Strategic Development and Delivery Manager or Development Management Manager in consultation with the Director of Law and Governance, with delegated authority to the Strategic Development and Delivery Manager or Development Management Manager to make or approve changes to the planning obligations and planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit;
- C. Subject to planning conditions and notes, including those dealing with the subject matters identified below, (but not limited to that list) and those necessary to take forward stakeholder representations, with wordings and triggers revised as appropriate and with any ‘pre-commencement’ based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018.
1. 3-year standard condition

2. Approved Plans
3. Construction Management Plan to include but not limited to construction vehicle loading/unloading and turning facilities, parking facilities for site personnel and visitors, wheel washing facilities.
4. Localised highway condition surveys (before and after construction)
5. Bound surface (first 5m of the access)
6. Submission of material samples
7. Measures to prevent discharge of surface water onto the highway
8. Provision and retention of permanent parking spaces
9. EV Charging points
10. Cycle parking
11. Provision and maintenance of pedestrian visibility splays
12. Completion and maintenance of the access
13. Contamination (Land or groundwater)
14. Reporting of unexpected contamination
15. Foul water disposal
16. Surface Water Drainage Strategy
17. Bin Storage
18. Landscaping scheme
19. Offsite mitigation planting
20. Reveal of 100mm for the windows
21. PD rights removed [Classes A (extensions), B (Dormers), D (porches) and E (outbuildings)]
22. Obscure glazing (Plots 12 and 14)
23. Installation of fixed vertical blinds at a fixed angle to Plot 12 (first floor bedroom window)
24. Fibre optic broadband
25. Management Plan for the maintenance of the proposed biodiversity enhancements
26. Removal of the trees outside of the bird nesting season
27. Reptile translocation
28. Bat mitigation measures
29. Bat sensitive lighting scheme
30. Method Statement for Invasive Non-native species
31. Ecological management plan
32. Archaeological field evaluation, further archaeological investigation, recording and reporting, determined by the results of the evaluation, and programme of post excavation assessment and publication.

Notes to Applicant

1. Working with the Applicant
2. List of plans / documents approved
3. KCC Highways
4. Southern Water
5. Construction Hours

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 //AS)

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Application Number	PA/2022/3091
Location	Land at Oaklands Farm, Pluckley Road, Hothfield, Ashford, TN26 1ER
Grid Reference	595720 (Easting) 143639 (Northing)
Parish Council	Hothfield
Ward	Weald North
Application Description	Change of use of land and construction of one agricultural dwelling, revised highways access, hard and soft landscaping and including packaged treatment plant and nutrient mitigation works.
Applicant	Mr Howard, Bockhanger Farms Limited
Agent	Judge Architects Ltd
Site Area	0.94 hectares (~2.32 acres)

Introduction

1. This application is reported to the Planning Committee at the request of the Ward Member, Councillor Mrs Bell.

Site and Surroundings

2. The application comprises agricultural land at Oaklands Farm in Hothfield. The site is located on the northern side of Pluckley Road and is situated between the junctions with Bethersden Road/Fridd Lane and Bears Lane.
3. Oaklands Farm is the operational base for Bockhanger Farms Ltd which is a fourth generation family owned and run business. An area of approximately 760 acres is actively farmed by the family with the main enterprise being arable and permanent pasture with summer grazing of cattle and contract rearing of up to 400 ewe lambs.
4. The site is located to the southwest of the centre of Hothfield, approximately 1770m (1.1 miles) away. The site is located in the countryside in a designated Landscape Character Area. The Stour Valley Walk passes in front of the site along Pluckley Road.
5. There is designated Ancient Woodland (Newlands Wood) to the south of the site, beyond Pluckley Road, that is located approximately 175m away.
6. The site is in Flood Zone 1 and this has the lowest risk of flooding.

7. The site is located within the Stour catchment.

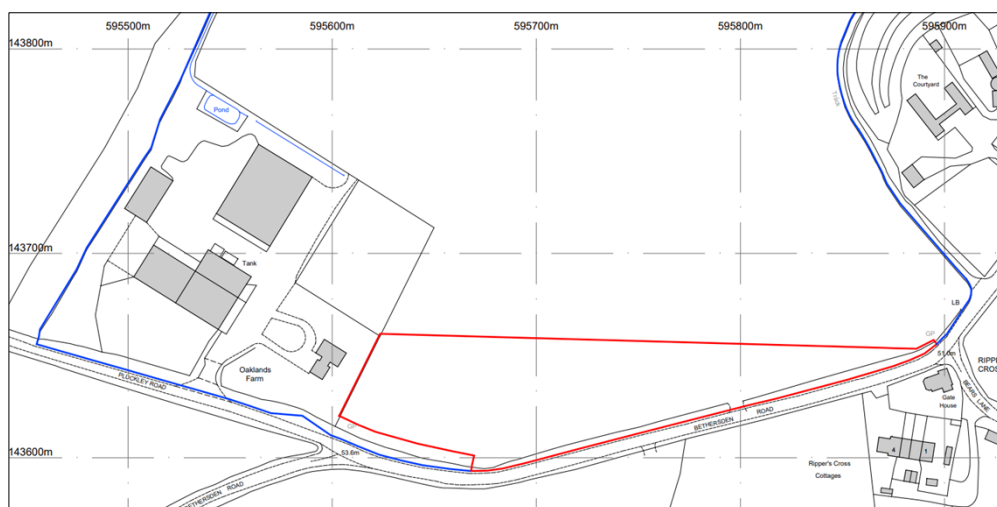


Figure 1: Site Location Plan

Proposal

8. Planning permission is sought for proposed change of use of land and erection of one agricultural dwelling, together with revised highways access, hard and soft landscaping, packaged treatment plant and nutrient mitigation works.
9. The proposed dwelling would have an 'L' shaped footprint and would appear as a chalet bungalow. The proposed external facing materials would include red multi-stock bricks, plain clay tiles, white uPVC windows/doors, grey PPC aluminium roof lights and black uPVC rainwater goods. The proposed new dwelling would include pv solar panels on the southern and western roof slopes and an electric vehicle charging point.
10. The proposed dwelling would comprise of an open plan kitchen / dining / living room, utility room, W.C, office, master bedroom and wet room on the ground floor, together with a separate 'working' entrance that would have access to a toilet and the integral garage. The first floor would include 3 bedrooms and a shower room.
11. The proposed dwelling would have garage parking for 2 cars as well as a driveway in front for any additional vehicles. The proposed dwelling would be accessed from an existing field gate along Pluckley Road. A new driveway would be created to provide access to the proposed dwelling. The existing roadside hedgerow would be retained and new tree planting is proposed across the site.
12. The proposal is supported by an Agricultural Justification Report.

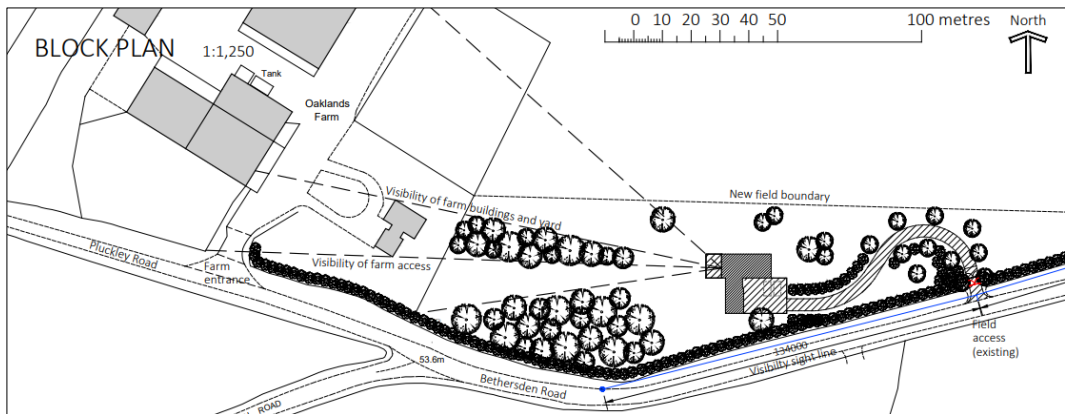


Figure 2: Proposed Block Plan

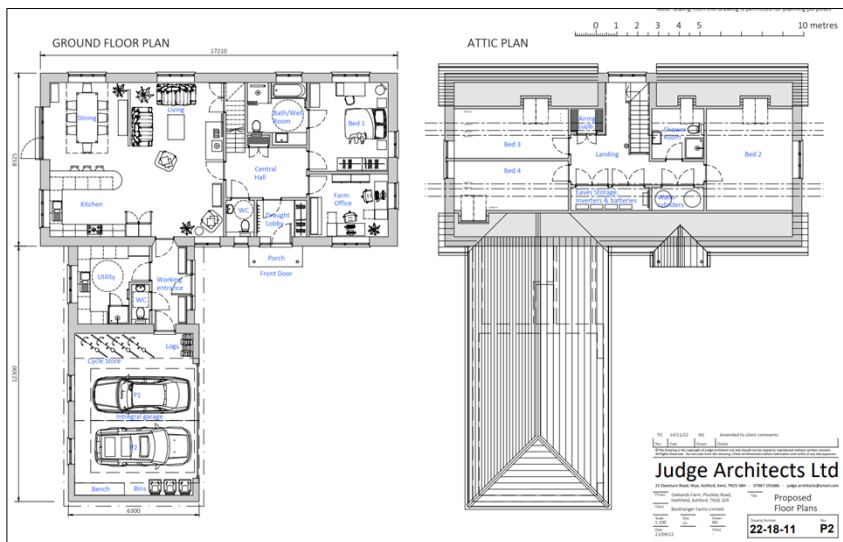


Figure 3: Proposed Ground and First Floor Plans



Figure 4: Proposed South Elevation (Facing Pluckley Road)

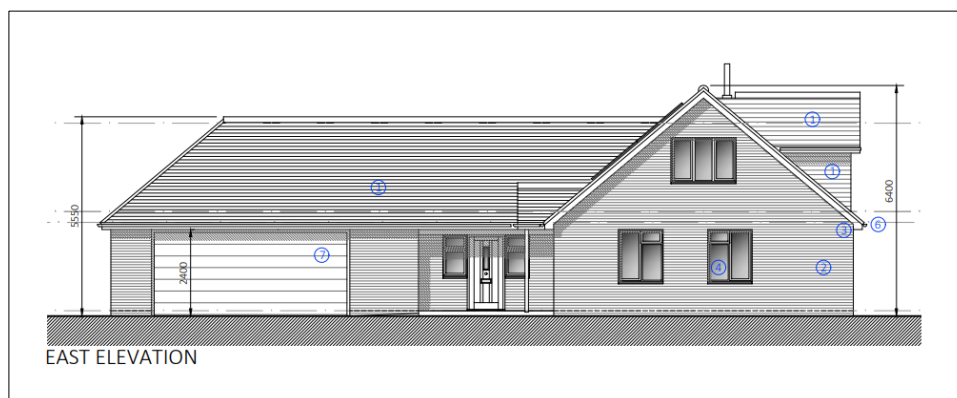


Figure 5: Proposed East Elevation (Facing the driveway)

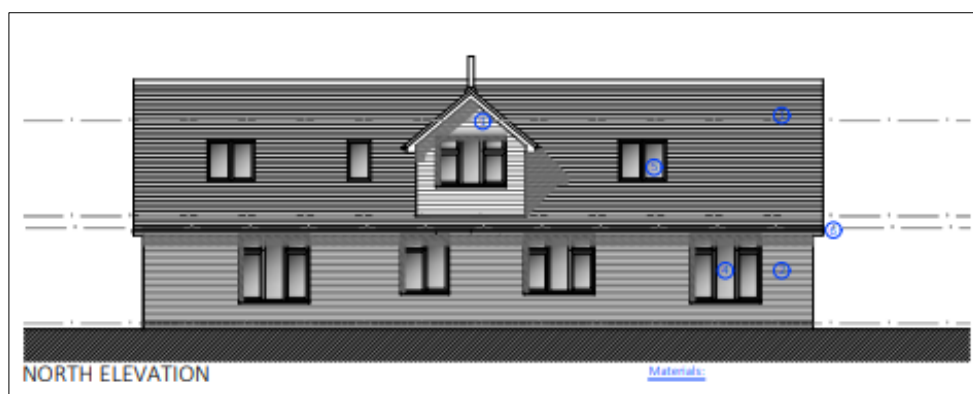


Figure 6: Proposed North Elevation (Facing the main field)

Planning History

17. **95/01126/AS** – New house and farm buildings including stock buildings. PERMIT.

Condition 2 of planning permission 95/01126/AS stated: “The occupation of the dwelling shall be limited to persons solely or mainly employed or last employed in the locality in agriculture (as defined in Section 336 of the Town and Country Planning Act 1990) or forestry or a widow or widower of such a person and to any resident dependents”.

18. **99/00112/AS** - Erection of building for the purpose of storing grain and general storage. COUNCIL IS CONTENT.
19. **04/01137/AS** – Extension to grain store building. PLANNING PERMISSION IS REQUIRED.
20. **04/01299/AS** - Proposed Agricultural or Forestry Related Development - Extension to grain store (Amended scheme) PRIOR APPROVAL NOT REQUIRED.

21. **06/02133/AS** - Steel framed general purpose agricultural building. COUNCIL IS CONTENT.

Consultation

22. **Ward Member:** Cllr Bell has requested for the application to be determined at Planning Committee.
23. **Hothfield Parish Council:** Object. It is accepted that a separate dwelling is required however the conversion of existing agricultural land to domestic use so far from the existing property would lend itself to separation of the land from the farm and to further development in the future. Option 2 could be supported by as it would provide a better siting for the house or, if that was not possible, then a variation on option 2 that sited the house immediately adjacent to its proposed placement in option 2. An Occupancy Condition and or Agricultural Tie is required to prevent the property from being sold on separately from the farm. A no build clause is required to protect the land from future development.
24. **KCC Highways and Transportation:** No objections subject to conditions and informatives.
25. **Rural Advisor:** Support the need for an additional dwelling on the site.
26. **Neighbours:** 8 neighbours consulted; 2 letters of objection received raising the following matters:
- The house should be in the farmyard area
 - The distance from the farm buildings is a concern
 - Why is the house on productive food generating land?
 - There is existing infrastructure services available in the farm yard
 - Increased accidents due to new access after two routes merge (Bethersden and Pluckley)
 - Additional traffic on the lane
 - An additional farm house is needed in the short term but may get sold on in the future
 - Negative effects of increased building on green field sites in this area
 - Option 1 seems the least suitable, for the reasons given. For option 2, the current farmhouse is already in close proximity to the grain barn and, slightly less so, to the livestock shed
 - Machinery noise and smells are surely a feature of a farm and if the new dwelling was placed well back from the main access route, as is the current farmhouse, would there really be a problem?
 - Access does not have to be through the farmyard but could be located closer to the perimeter
 - The current farmhouse is on grazing land. If another section of the remainder is taken out of use, is there no other grazing area on the farm?
 - If use of the option 2 layout would block expansion in the future, this suggests that it's acceptable to take grazing land out for other purposes but

- not for a residential dwelling;. Equally option 4 suggests that it is perfectly acceptable to take land away from cereal cropping but not for grazing
- With regard to option 3, still with reasonable proximity to the farmyard, increased usage of the existing main access point is again felt to be problematic. Yet surely this is essential to working on the farm and this view somewhat undermines the 'agricultural' nature of the building
 - We appreciate that Rippers Cross Farm is felt to be the only location that will be visually affected but the way the planting is used here would also shield the new building
 - Option 4 is the furthest from the farmstead with a separate access drive
 - Would the 'nutrient mitigation' really not impact on the view of the farm buildings?
 - The cited clean field boundary would appear to be inherent in the other layout options as well
 - The building could become a stand-alone residence at some point in the future, so opening the door to further development.

27. Three letters of support have been received with the following comments:

- Being able to live on the farm is vital for farming operations and to prevent rural crimes, monitor crops and livestock etc
- A young farming family should be able to build a family home on their farm
- Having your family on site can significantly improve mental health
- Having family nearby means that critical jobs can be carried out by a number of people making it safer
- Encouraging the next generation into farming by living on site is vital to for long-term farming businesses
- Farming businesses are the lifeblood of rural communities and they need families to live and work onsite for a positive future.

Planning Policy

28. The Development Plan for Ashford borough comprises:

- i. the Ashford Local Plan 2030 (adopted February 2019),
- ii. the Chilmington Green AAP (adopted July 2013),
- iii. the Wye Neighbourhood Plan (adopted March 2016),
- iv. the Pluckley Neighbourhood Plan (adopted April 2017),
- v. the Rolvenden Neighbourhood Plan (adopted December 2019),
- vi. the Boughton Aluph & Eastwell Neighbourhood Plan (adopted October 2021)
- vii. the Egerton Neighbourhood Plan (adopted March 2022)
- viii. the Charing Neighbourhood Plan (adopted July 2023)
- ix. the Kent Minerals and Waste Local Plan (2016) & the Kent Minerals and Waste Early Partial Review (2020).

29. Although not yet part of the Development Plan, the following emerging Neighbourhood Plans are a material consideration:

- i. Tenterden Neighbourhood Plan currently at Examination stage in the plan making process.
 - ii. Pluckley Neighbourhood Plan Review currently at Examination stage in the plan making process.
 - iii. Aldington & Bonnington Neighbourhood Plan currently at Regulation 16 stage in the plan making process.

30. The relevant policies from the Ashford Local Plan 2030 relating to this application are as follows:

SP1 - Strategic Objectives

SP2 - The Strategic Approach to Housing Delivery

SP6 - Promoting High Quality Design

HOU5 - Residential windfall development in the countryside

HOU12 - Residential space standards internal

HOU15 - Private external open space

ENV1 - Biodiversity

ENV3a - Landscape Character and Design

ENV4 – Dark Skies

ENV7 - Water Efficiency

ENV8 - Water Quality, Supply and Treatment

ENV9 - Sustainable Drainage

TRA3a - Parking Standards for Residential Development

TRA6 - Provision for Cycling

TRA7 - The Road Network and Development

31. The following are also material considerations to the determination of this application.

Supplementary Planning Guidance/Documents

Landscape Character SPD 2011

Residential Parking and Design SPD 2010

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

Sustainable Drainage (SuDs) SPD 2010

Dark Skies SPD 2014

Climate Change Guidance 2023

Informal Design Guidance Notes

Climate Change Guidance for Development Management 2022

Government Advice

32. National Planning Policy Framework (NPPF) 2021

- 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 NPPF. The NPPF states 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 11 – Presumption in favour of sustainable development.

- Paragraph 47 – Determination in accordance with the development plan.
- Paragraph 82-84 – Rural housing.
- Paragraphs 108-113 – Promoting sustainable transport.
- Paragraphs 131-141 – Achieving well-designed and beautiful places.
- Paragraphs 157-179 – Meeting the challenge of climate change and flooding.

33. Planning Policy Guidance (PPG)

34. Technical Housing Standards – Nationally Described Space Standards

Assessment

35. The main issues for consideration are:

- a) Background Information
- b) Principle
- c) Visual Impact and Character

- d) Living Environment (Future Users)
- e) Residential Amenity
- f) Highway Safety
- g) Sustainability
- h) Ecology
- i) Stodmarsh

Background Information

36. The existing farmstead is arranged off a single shared central access point from Pluckley Road and includes a grain barn, general purpose store, hay barn/machinery barn, livestock building, grazing area and the farmhouse. This is shown below in Figure 7.



Figure 7: Arrangement of Existing Farmstead

37. The application is accompanied by a Design and Access Statement where the applicant has presented four potential options. Layout Options 1 and 2 are shown below in Figure 8. Layout Option 1 includes the area of grazing land immediately to the west of the site entrance from Pluckley Road. This option has been discounted by the applicant on the basis of the noise, dust and proximity to the busy farm entrance. Layout Option 2 includes the area of grazing land to the immediate north of the existing farmhouse. This option has been discounted by the applicant due to proximity to the busy operational farmyard, noise, smells and to keep the land available for future growth/expansion of the farmstead.

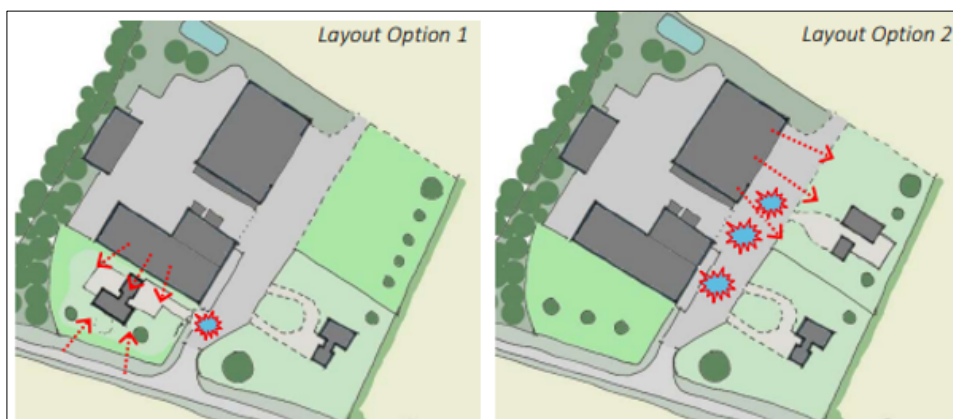


Figure 8: Layout Options 1 and 2

38. Layout Option 3 is shown below in Figure 9 and would involve locating the dwelling to the immediate east of the existing farmhouse with a separate access drive. This option has been discounted by the applicant due to the intensified shared use of the access, loss of amenity space for the existing farmhouse and impaired surveillance.



Figure 9: Layout Option 3

39. Layout Option 4 (proposal under consideration) is shown below in Figure 10 and would be separate from the main farmhouse and form the current application. This option would utilise an existing access in the field boundary with a driveway to approach the house rather than the existing farm entrance. The applicant has stated this option would allow for better surveillance and maintains a clean field boundary to assist with efficient crop production.

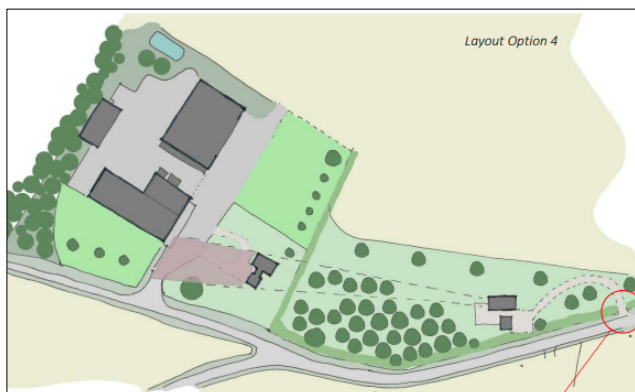


Figure 10: Layout Option 4

40. In summary, the logic presented in respect of discounting the layout options is debatable and is not considered justifiable. The applicant's primary grounds for rejecting Layout Options 1, 2, and 3 revolve around concerns related to noise, smells, access issues, and proximity to existing farm activities. However, these concerns should be examined within the specific context of the proposed development, which is a farmstead.
41. In considering the farmstead environment, it should be emphasised that such settings inherently involve agricultural activities. Occupants choosing to reside on a farmstead are expected to be acquainted with and tolerant of associated nuisances like noise, smells, and dust, as these aspects are integral to rural living [*my emphasis*]. The dismissal of options based on these factors overlooks the inherent nature of a farmstead.
42. Delving into the understanding of occupational hazards, farm workers residing on the site are presumably employed in agricultural operations, implying a familiarity with the specific challenges and conditions tied to farm life. Discounting options based on these factors underestimates the resilience and adaptability of individuals accustomed to the nuances of agricultural work.
43. Furthermore, the significance of amenity space, particularly in the rejection of Layout Option 3 due to intensified shared access and the loss of amenity space for the existing farmhouse, merits critical evaluation. The shared access and proximity to existing structures are intrinsic characteristics of a farmstead setting rather than exceptional inconveniences. In respect of the layout option 4 (proposal under consideration) has been assessed in depth below.

Principle

44. The starting point for decision making, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990, is the adopted development plan. Decisions should be taken in accordance with the policies in such plans, unless material considerations indicate otherwise.

45. It is considered that the policies which are most important for determining the application are HOU5 and ENV3a.
46. Policy HOU5 applies to windfall housing sites outside the built settlement confines. It is a permissive policy and seeks to grant development outside the built confines but in a sustainable location with no significant ecological or landscape impacts. The application lies outside of built confines of Ashford and at a distance of approximately 2.6 miles (as the crow flies) from the edge of the settlement and further away from the nearest facilities and services in Ashford. The site abuts a rural lane and lacks any footpaths or streetlights. Therefore, by virtue of the lack of convenience of walking and cycling routes, the occupants of the dwelling would be heavily reliant on private car for their day to day facilities and services. In conclusion, the proposed dwelling would lie in an unsustainable location. Regard must be had to whether the proposal would meet any of the exceptions listed under the part two of policy HOU5.
47. The general emphasis of part two of Policy HOU5 is that residential development elsewhere in the countryside should be resisted unless it meets one of the following:
- Accommodation to cater for an essential need for a rural worker to live permanently at or near their place of work in the countryside;
 - Development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
 - It is the re-use of redundant or disused buildings and lead to an enhancement to the immediate setting;
 - A dwelling that is of exceptional quality or innovative design which should be truly outstanding and innovative, reflect the highest standards of architecture, significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area;
 - A replacement dwelling, in line with policy HOU7 of this Local Plan;
49. The proposed development relates to an additional agricultural dwelling at Oaklands Farm to serve the Bockhanger Farms Ltd business. The applicant has confirmed that the existing farmhouse is tied to the agricultural business, but the father is entitled to live in this house in his retirement. Therefore, this has been presented as the basis for another dwelling for the owner's son's family in this rural location. It is therefore felt relevant to discuss the matter in-depth and establish whether the argument presented carries weight in the decision making process.
50. The revised Framework at paragraph 84 allows for isolated homes in the countryside where there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside. As established above, the site lies in a highly unsustainable location and is isolated from the day to day facilities and services.

51. There is a consistent approach across the Planning Inspectorate which requires the following to be taken into consideration whilst assessing the case for a rural worker's dwelling.
1. Whether there is an essential need for a dwelling to accommodate a rural worker
 2. Whether, having regard to national planning policy that seeks to avoid isolated new homes in the countryside, there is an essential need for a rural worker to live permanently at or near their place of work.
 3. Is it necessary for a worker to live at or near their place of work in order for that work/enterprise to function properly?
 4. Is the work/enterprise in question likely to endure in the long term? (i.e. is there a significant risk that the enterprise might cease in the near future, leaving behind a new dwelling that would not otherwise have been approved?)
52. The Planning Inspectorate guidance further advises to take into account whether a worker needs to be on or near the site at most times, including the night – i.e. outside of regular hours of work. It also requires the submission of evidence to demonstrate that other measures have been considered such as automatic alarms in the event of power failure etc. Further to this, the applicant is required to sufficiently demonstrate the adverse effects that might arise if a worker were not present at most times and how serious these effects might be i.e. could their absence on the site materially affect the functioning of the enterprise or the viability of the business.
53. The applicant has submitted an Agricultural Justification Report (dated December 2022) as part of their proposal. This Report explains the need for the additional agricultural dwelling and provides a functional assessment relating to the arable and livestock enterprises. The applicant has also submitted financial information to support their proposal including farm accounts (for the 3 year period ending 31/12/2021) and trading accounts. In terms of financial viability and sustainability, it is understood that the farm business has been established for over 50 years and has developed and expanded over these years. The submitted information demonstrates a healthy farm operating profit for each of the 3 years.

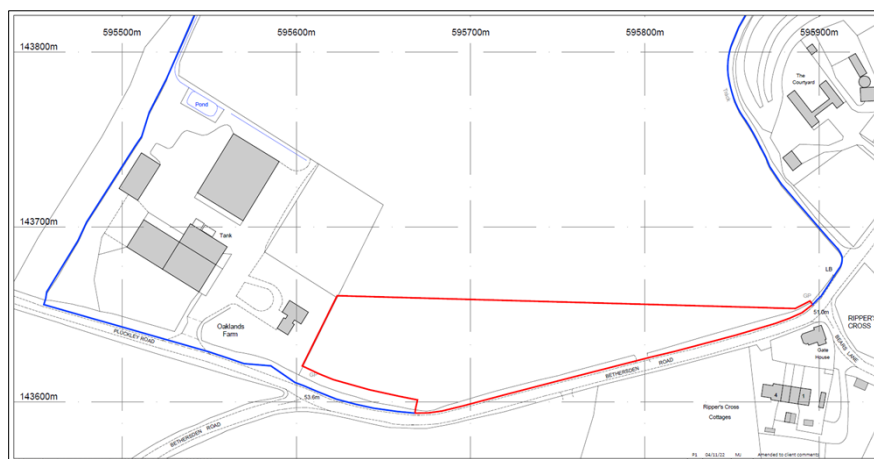


Figure 11: Site Location Plan

54. Whilst the existing business is profitable and there is a desire for the applicant's son's family to move permanently to reside in this location, it is not considered that this constitutes sufficient justification for a new dwelling (second dwelling) on the site. Furthermore, the application site is disjointed from the working farmstead and would not lie within the existing cluster of buildings associated with the existing business (as shown in figure 11 above).
55. Notwithstanding the lack of robust justification for a second dwelling to serve the existing farm business, in the event that it was established that there is a need for a worker to live at or near the site, it is necessary to first consider whether there is existing accommodation in the area that might reasonably meet the need. Further to this, the guidance also requires the size of the dwelling to be proportionate for the intended purpose i.e. appropriate to the essential need and not be unnecessarily large. In contrast, the proposal would result in the creation of a substantial domestic building (approximately 250sqm), with an uncharacteristically large residential curtilage as shown above at figure 11 (measuring 2.32 acres ~ 9,388 sqm).
56. In summary, there is no compelling justification in this case for granting permission for a dwelling of this scale with an expansive curtilage on the basis that the proposed dwelling is essential to meet the needs of the agricultural holding. As explained above, there is an existing dwelling on the site to serve the existing business. The applicant has not sought to consider the possibility of extending the existing farmhouse or even having an annex within its existing curtilage where the owner's son could live if need be.
57. In conclusion, the functional need for an additional dwelling on the site has not been satisfactorily demonstrated in line with the requirements of local and national policy, namely Policy HOU5 and NPPF Paragraph 84.

Visual Impact and Character

58. Strategic Policies SP1 and SP6 require high quality design in new developments. Policy HOU5 seeks to deliver development that is well designed. It should sit sympathetically within the wider landscape and be consistent with local character and built form, including scale, bulk and the materials used. Policy ENV3a states that proposals shall have regard to the landscape significance of the site.
59. NPPF Paragraph 135 states that planning policies and decisions should ensure that developments add to the overall quality of the area. Developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. They should also be sympathetic to local character, including the surrounding built environment and landscape setting.
60. NPPF Paragraph 180 states that planning policies and decisions should contribute to and enhance the natural and local environment by: (b) recognising the intrinsic character and beauty of the countryside.

61. The area is strongly rural in character. Built development is very limited comprising small clusters of buildings and cottages partially screened by trees and hedgerows. The application site lies in an exposed location with no development screening the site. As such by virtue of its exposed location, it is highly prominent in short range and long range views from the wider landscape. The site is located in the Dering Wooded Farmlands Landscape Character Area and, overall, the landscape has a moderate sensitivity. This area is characterised by a gently undulating landform and the landscape is well wooded, proving an enclosed character which limits the extent of views. The land is predominantly intensively farmed, within open and extensive fields enclosed by woodland blocks and hedgerows. There are scattered isolated oak trees located across the open fields.
62. The site forms part of an existing arable field and is set behind an established roadside hedgerow that is interspersed with individual trees. The hedgerow provides strong local distinctiveness and continuity throughout the area. Bethersden Road/Fridd Lane runs in front of the site and joins Pluckley Road where the main farmstead with its large, modern agricultural buildings are located. Bethersden Road/Fridd Lane is narrow in width and has grass verges on either side with no designated footpaths or street lighting.
63. The proposal would introduce built development and domestication to a prominent, verdant, and undisturbed part of the countryside. The proposed dwelling would be particularly evident when travelling southwards along Bethersden Road/Fridd Lane where the Stour Valley Walk connects the Public Rights of Way (Public Footpath AW171 to the east and Byway AW357 to the west). The proposed dwelling would be excessive in size and scale with an extensive and unjustified area of residential curtilage. Given the scale and siting of the proposed dwelling, views of the dwelling would be readily achievable from the highway and the wider countryside. These views would include the proposed dwelling which would be seen together with a range of domestic paraphernalia such as hardsurfacing (a large parking courtyard, curved driveway), fences, walls, gates etc, all of which would jar with the relatively unspoilt rural setting and would have sub-urbanising effect on the immediate area to the detriment of the rural character and appearance of the immediate area. The visual impact of the development is exacerbated by the scale of the development, producing a prominent and dominant form of development which would be visually intrusive and at odds with the prevailing character of the area and harmful to the character and appearance of the countryside.
64. In conclusion, it is considered that the development would erode the character of this part of the countryside, introducing a suburban form of development which would fail to respect or respond to its setting and fail to integrate into the natural and built environment or reinforce local distinctiveness. Therefore, the proposed development would be contrary to policies SP1, SP6 and ENV3a of Ashford Local Plan 2030. Finally, it would be contrary to paragraph 180 of the NPPF which requires the planning policies and decisions to contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Living Environment (Future Users)

65. Strategic Policies SP1 and SP6 promote high quality design that responds positively to its surroundings. Policy HOU15 refers to the provision of private useable external open space for new dwellings.
66. NPPF Paragraph 135(f) requires for development to achieve a high standard of amenity for existing and future users.
67. The proposed dwelling would comprise a chalet bungalow. The ground floor would include an open plan kitchen/living/dining area, utility room, W.C, office, master bedroom with bathroom and integrated double garage. The first floor would include 3 bedrooms and a shower room that would all be contained within the eaves.
68. The proposed development would comply with the Nationally Described Space Standards in terms of the internal living environment for a 4 bedroom / 6 person dwelling (across 2 storeys). The bedrooms would exceed the minimum required rooms sizes (NB: 7.5sqm for a single bedroom and 11.5sqm for a double bedroom) and the combined kitchen, living and dining areas would be in excess of the standards set out in the Council's Residential Space and Layout SPD. With this in mind, the internal living environment is considered acceptable.
69. In terms of the external living environment, the rear garden of the proposed development would comply with the minimum 10m depth requirement specified under Policy HOU15 and the Council's Residential Space and Layout SPD, and is also considered acceptable. Given the location of the proposal it is recommended that a condition be imposed to ensure that the rear garden/lawn area remains open where possible and does not become enclosed by an inappropriate closed boarded timber fence that would appear out of character in the wider open landscape.
70. The proposal is considered acceptable from a living environment point of view and would comply with the aims and objectives of Policies SP1, SP6 and NPPF Paragraph 130(f).

Neighbouring Amenity

71. Strategic Policies SP1 and SP6 promote high quality design that responds positively to its surroundings. Policy HOU5 states that proposals should not adversely impact on the neighbouring uses or amenity for nearby residents.
72. NPPF Paragraph 135(f) requires for development to achieve a high standard of amenity for existing users.
73. Given the siting of the proposed development in relation to the nearest neighbouring residents, it is considered there would not be any unacceptable harm to the amenities of the existing occupiers in terms of loss of daylight/sunlight, overshadowing, loss of privacy or overlooking. For the foregoing reasons, the proposal is considered acceptable in terms of the

residential amenity impact and would comply with the relevant policies in the Local Plan, specifically SP1 and SP6, together with NPPF Paragraph 130(f).

Highway Safety

74. Policy TRA3a states that a 4 bedroom house should provide 3 parking spaces. Policy TRA7 states that proposals that would generate levels and types of traffic movements, including heavy goods vehicle traffic, beyond that which local roads could reasonably accommodate in terms of capacity and road safety will not be permitted.
75. Policy HOU5 states that developments should be safely accessed from the local road network and the traffic generated should be able to be accommodated on the local and wider road network without adversely affecting the character of the surrounding area.
76. NPPF Paragraph 115 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
77. The proposed development would include a garage with space for 2 cars, as well as parking at the front for an additional 2 vehicles or more. There would be sufficient space for manoeuvring within the site so that vehicles could exit in a forward gear.
78. Secure cycle storage and a bin storage area would be provided within the integral garage. These matters could be secured by way of a condition.
79. There is an existing access to the site along Pluckley Road that would be utilised by the proposed development. The applicant has confirmed the existing gate would be replaced and set further back into the site to allow vehicles to pull off the highway and not cause any obstructions.
80. KCC Highways and Transportation have not raised any objections to the proposal subject to conditions and they are satisfied that adequate visibility splays can be achieved at the site (as shown on drawing no. 22-18-02 Rev P3). It is considered that the proposal would be unlikely to generate unacceptable levels of additional traffic along the rural lane given the fact it relates to a single dwelling only.
81. Taking all of the above into consideration, there are no objections from a parking or highways safety perspective subject to relevant conditions and the proposal would comply with Policies TRA3a, TRA7 and NPPF Paragraph 111 accordingly.

Ecology

82. Strategic Policies SP1 and SP6 promote high quality design that conserves and enhances the Borough's natural environment. Policy ENV1 specifically states that proposals that conserve or enhance biodiversity will be supported and new development should identify and seek opportunities to incorporate and enhance biodiversity.
83. Paragraph 185 specifically refers to the protection and enhancement of biodiversity and Paragraph 186 states that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.
84. The proposed development would utilise an existing field access and would be located on undeveloped agricultural farmland that has historically been used for cereal cropping as part of the wider agricultural unit. The applicant has submitted a Protected Species Survey Assessment (dated 15/11/2022) as part of their proposal and this has identified that a Protected Species Survey is not required.
85. The proposal is accompanied by an indicative landscaping plan which includes wooded areas and areas with wildflower meadow. No biodiversity enhancements have been proposed as part of the proposal. Should permission be granted, suitably worded conditions could be attached requiring a submission of a formal landscaping plan, landscape management plan and a scheme of biodiversity enhancements for the site.
86. In conclusion, subject to conditions, the proposal is considered acceptable in terms of its impact on the ecology.

Sustainability

87. Policy ENV10 relates to 'Renewable and Low Carbon Energy'. The preamble to this policy states that Local Planning Authorities are required to have a positive strategy to promote energy from renewable and low carbon sources as it helps ensure a secure more sustainable supply of energy that reduces carbon emissions minimising the impact of climate change (Paragraph 9.95). The Council has also recently published a Climate Change Guidance for Development Management (2023).
88. NPPF Paragraph 158 requires Local Planning Authorities to have a proactive strategy to mitigate and adapt to climate change within their Local Plans.
89. The proposed new dwelling would include solar panels and an electric vehicle charging point in line with the Council's recommended guidance. Whilst a water butt has not been shown on the submitted plans, this matter could be adequately dealt with by way of a planning condition.

90. Taking the above into consideration there are no objections from a sustainability perspective subject to appropriate conditions and the proposal would comply with the aims and objectives of Policy ENV10 and NPPF Paragraph 158.

Stodmarsh and Habitat Regulations Assessment

91. Policy ENV1 states that any proposal capable of affecting designated interest features of European sites should be subject to Habitats Regulations Assessment screening. NPPF Paragraph 187 also refers to the protection of habitat sites.
92. Advice has been received from Natural England in respect of the nationally and internationally designated protected sites at Stodmarsh Lakes, east of Canterbury. This relates to an increased level of nitrogen and phosphorus within the protected sites which is adversely affecting the integrity of the habitat of the lakes.
93. In line with established case law and the 'precautionary principle', Natural England are advising that applications for certain types of development within the Stour river catchment and / or which discharge to particular Wastewater Treatment works within the catchment should be the subject of screening under the Habitat Regulations and, consequently, subject to an Appropriate Assessment prior to any decision to grant planning permission.
94. The site falls within the Stour catchment area and it is proposed to dispose of foul sewage by a Package Treatment Plant. A Nutrient Neutrality Report (dated 18/11/2022) has been submitted as part of the proposal, together with additional supporting information including a Nutrient Balance Plan (drawing no. 22-18-04 Rev P1). It is proposed for nutrient mitigation to be secured through agricultural offsetting. A Habitat Regulations Assessment/Appropriate Assessment has been prepared and submitted to Natural England. Whilst Natural England has raised a concern about securing mitigation land which is private non-woodland schemes, it is concluded that the mitigation could be secured via a Section 106 legal agreement. However, in light of the fundamental concerns raised in respect of the proposal, the mitigation has not been secured. Therefore, as it stands, in the absence of a legal agreement to secure the nutrient mitigation, the proposal would be contrary to policy ENV1 and paragraph 187 of the NPPF.

Human Rights Issues

95. 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

96. In accordance with paragraphs 38 of the NPPF, Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation below.

Conclusion

97. In conclusion, the development plan and national policy allows for accommodation to cater for an essential need for a rural worker to live permanently at or near their place of work in the countryside; however this is subject to the need being suitably justified and the proposal fails on this basis. The proposed development would also result in visual harm to the rural character of the surrounding landscape.
98. No unacceptable harm to residential amenity would result from this proposal and the development is acceptable in terms of highway safety, biodiversity and sustainability.

Recommendation

Refuse

for the following reasons

1. The proposed development, if permitted, would result in the creation of a new dwelling outside the built confines of any identified town or village within the Ashford Local Plan 2030, the need for which has not been demonstrated sufficiently to override normal restraint policies. It would constitute unsustainable unjustified residential development in this rural location resulting in additional vehicle movements and the need to travel by private car contrary to policies SP1, SP6 and HOU5 of the Ashford Local Plan (2030) and paragraphs 84, 108 and 109 of the National Planning Policy Framework (2023).
2. The proposal would result in an overtly domestic form of development within a rural location which would appear as an incongruous and intrusive feature, detrimental to the rural character and appearance of the countryside and the wider landscape. Therefore, it would be contrary to the aims and objectives of Policies SP1, SP6, HOU5 and ENV3a of the Ashford Local Plan 2030 and paragraphs 135 and 180 of the National Planning Policy Framework (2023).
3. In the absence of a legal agreement to secure the nutrient mitigation, the Local Planning Authority is unable to rule out an adverse effect of the proposed

development upon the Stodmarsh water environment, a European Designated Nature Conservation Habitat, as required by the Conservation of Habitats and Species Regulations 2017 (as amended). The proposal would therefore be harmful to matters of national and international ecological importance and contrary to the Conservation of Habitats and Species Regulations 2017 (as amended), Policy ENV1 of the Ashford Local Plan 2030 and Paragraph 187 of the National Planning Policy Framework (2023).

Notes to Applicant

1. Working with the Applicant
2. Refused plans informative

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 PA/2022/3091)

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