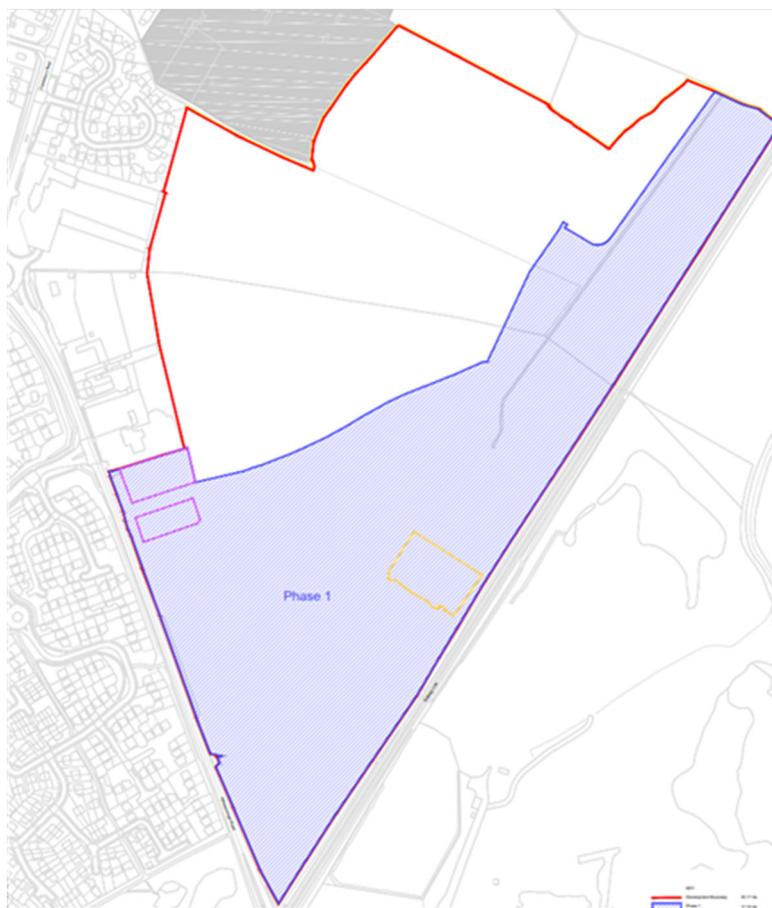


Application Number	19/00025/AS
Location	Land between railway line and Willesborough Road, Kennington, Kent
Grid Reference	02903/44327
Parish Council	Kennington
Ward	Kennington
Application Description	<p>Hybrid planning application seeking:</p> <p>(i) Outline planning permission (all matters reserved except for points of access) for up to 437 dwellings; formal and informal open space incorporating SuDS; and associated services, infrastructure and groundworks; and</p> <p>(ii) Full planning permission for the erection of 288 dwellings; the creation of service plot of land to facilitate the delivery by Kent County Council of a two-form entry primary school with associated outdoor space and vehicle parking; a new Bowls Centre including a clubhouse of 292 sq.m, ancillary building and a bowling green; a local centre to provide 280 sq.m of A1 (retail), 180 sq.m of A1 (retail food store), 100 sq.m A3 (café), 75 sq.m A5 (takeaway), 190 sq.m D2 (gym/fitness studio space) open space incorporating SuDS; vehicle parking; and associated services, structural landscaping, infrastructure and groundworks.</p> <p>Subject to Environmental Impact Assessment</p>
Applicant	Quinn Estates & Redrow Homes c/o Agent
Agent	Montagu Evans LLP 5 Bolton Street London W1J 8BA

Introduction

- This application is reported to the Planning Committee because it is classified as ‘major’ development and is of a scale which requires determination by the Planning Committee under the Council’s scheme of delegation. The application is made as a ‘hybrid’ application. The site plan shows the full element of the application (being that shown as phase 1) and the remainder as being outline (outlined in red). The grey hatched area on the plan shows the part of the allocation (S2) that does not form part of this planning application. The detailed element of this proposal would see the delivery of 288 units, the commercial centre, public open space, bowls club and primary school site, which are all set out within a full application. The remainder of the site (proposed for up to 437 dwellings and public open space) form the outline part of this application, but is set out within the masterplan and parameter plans that have been submitted.
- A revised package of information was submitted on 16th August 2019 following concerns raised by officers in regard to the original application. A second revised package of information was submitted on 24th August 2019, in response to comments received. Further information was then submitted on the 24th September 2019, 1st November 2019 and 9th January 2020 in order to address particular concerns including highways matters, *Site Plan* ecology, design and the Environmental Impact Assessment.
- Prior to the submission of the application, the applicants carried out pre-application discussions with Ashford Borough Council, Kent County Council and other community representatives. A public consultation was held for local



community, the elected representatives and key local stakeholders including Network Rail, Highways England, Stagecoach and Design South East. This included a stakeholder workshop with local community representatives at the Julie Rose Stadium in October 2018.

4. The application site is the major part of an allocation for residential development (and appropriate infrastructure) through policy S2 of the Ashford Local Plan 2030 (the Local Plan) with an indicative capacity of 700 dwellings, and a serviced area of land for the development of a two-form entry primary school. Site S2 is also included within the Council's housing trajectory (Local Plan), to deliver housing across the remainder of the Local Plan period. As such, it is important as a significant contributor to the current five-year supply of housing land required to be identified by central Government as well as the overall supply of land for housing to meet the Local Plan's housing target to 2030.
5. As this site is allocated within the Local Plan for residential development, the principle of development on the site has already been independently examined and assessed and should not be a matter for fundamental consideration here. However, it is for the applicant to demonstrate that a suitable scheme that meets the relevant criteria of the Local Plan site policy can be delivered within the site.
6. The application should therefore be considered in this context, and Members should consider whether the proposal meets the necessary criteria of the Local Plan, and whether it is consistent with the National Planning Policy Framework (NPPF). Paragraph 11(c) of the NPPF advises decision-makers that proposals that accord with an up-to-date development Plan should be approved without delay.

Site and Surroundings

The Site

7. The application site consists of a large area of land to the north-east of the Ashford urban area. The site is triangular in shape and covers approximately 33 ha of land. It consists of agricultural land currently in arable use, and the majority of the site (approximately 60%) comprises of Grade 1 farmland, the best and most versatile agricultural land. Existing and proposed accesses to site are from the A2070 Willesborough Road.
8. The site falls on the north-eastern edge of the urban area of Ashford and at its closest point, it lies approximately 1.5km from the Ashford town centre. To the

west, it is bound by Willesborough Road and the Little Burton Farm development. To the east, lies the Ashford to Canterbury railway line, with the Conningbrook Lakes Country Park and Julie Rose Stadium beyond. Conningbrook Lakes on the eastern side of the railway has planning permission for the development of 300 dwellings, which is currently under construction. A further site allocation (S19) identifies indicatively a further 170 dwellings to the west of the Julie Rose Stadium. These developments will run from Willesborough Road, along the railway line to approximately halfway along the site's eastern boundary. The north western boundary of the site is formed of linear residential development along the Canterbury Road, and partly a small agricultural unit known as Orchard Farm (in separate ownership which also forms part of allocated site S2 shown hatched on site plan within the introduction to this report). To the northern boundary of the site is further agricultural land. An outline planning application (ref: 18/0236/AS) has been submitted for 625 dwellings on this land to the north and remains undetermined at present.

9. Located on the edge of the existing urban area, half of the site's boundaries lie adjacent to existing residential development. After the development of the Conningbrook Lakes sites the site subject to this application would form a wedge of open land between development on three of its sides. To the north eastern corner of the site lies The Great Stour Ashford to Fordwich Local Wildlife Site and approximately 1km to the north of the site lies the Kent Downs Area of Outstanding Natural Beauty (AONB).
10. Located approximately 100m from the site is the Grade II listed Spearpoint Cottage. This is a two-storey red brick building, thought to be constructed in the 17th Century and is an attractive building that contributes to the character of the locality. However, its significance has been reduced as it is now located on the Spearpoint Corner roundabout, connecting the A2070 and A28, which is deemed to have affected its setting.
11. The majority of the site is in Flood Zone 1, however there is a stretch of land towards the eastern boundary of the site, located in Flood Zone 2. The topography of the land is slightly uneven in places but primarily sloping downwards from south-west to north-east, towards the railway line and open countryside to the north.
12. A network of public rights of way cross through the site: footpaths AU13, AU17, AU17A, AU20, AU21 and AU22.
13. Part of the site is within a mineral safeguarding area.

Proposal

14. This is a hybrid planning application, submitted in January 2019 and proposes a mixed-use development scheme.

Outline planning permission is sought for:

- up to 437 dwellings;
- formal and informal open space incorporating SuDS; and
- associated services, infrastructure and groundworks.

Full planning permission is sought for:

- 288 dwellings;
- the creation of serviced plot of land to facilitate the delivery by Kent County Council of a two-form entry primary school with associated outdoor space and vehicle parking;
- a new Bowls Centre including a clubhouse of 292 sq.m, ancillary building and a bowling green;
- a local centre to provide 280 sq.m m of A1 (retail), 180 sq.m of A1 (retail food store), 100 sq.m A3 (café), 75 sq.m A5 (takeaway), 190 sq.m D2 (gym/fitness studio space)
- open space incorporating SuDS;
- vehicle parking; and associated services, structural landscaping, infrastructure and groundworks.

Amendments to the Application

15. Since the application was submitted to the Planning Authority, there have been significant discussions between the applicant and officers, which have brought about the submission of amended plans involving a reduction in the proposed numbers of units in the detailed part of the application from 320 to 288. Initial concerns were raised with regards to the design and layout of the proposal, being too uniform and lacking any character areas throughout. Concern was also raised that there was insufficient landscaping, structural planting and open space provided to mitigate the impact upon the setting of the AONB.
16. The applicant was therefore advised to incorporate additional landscaping within the site, and to ensure that different character areas were brought forward. In particular the applicant was advised to consider the species of trees and the provision of more open space within the streets.
17. Discussions were also held with regards to the appearance of the commercial centre, and how the parking arrangement could be better designed. In

particular it was sought for more car parking to be provided to the front of the units, rather than to the rear – to reduce the risk of crime and to allow for greater natural surveillance.

18. Further ecological work was also required to be undertaken, following on from Kent County Council's initial advice – with the required additional information submitted in October 2019. Kent County Council Ecology was then consulted in December 2019, and their subsequent comments were received in January 2020.
19. More information was also required with regards to the Environmental Impact Assessment (following on from the initial review). The final submissions were made in January 2020 and these have now been reviewed for the Council by the Temple Group.
20. Of particular importance was the information required to be submitted to address the significant concerns of Kent County Council Highways. The concerns are set out within the consultation section of the report, with the latest information being submitted in early January 2020. Kent County Council have provided their final response to these comments (on the 16th January 2020).
21. The latest set of plans were published on the Council's website on the 10 January 2020, and a further consultation was carried out, with a number of additional letters of representation received from members of the public and consultation responses received thereafter. A summary is provided later in the report.

Full Planning Application

Access

22. Two vehicular access points are proposed from Willesborough Road. Primary access to the development is proposed via a new junction on Willesborough Road, which will primarily serve phase 1 of the development. This access is the most northerly within the development. A secondary access road is proposed to the south on Willesborough Road; this will also be built out during phase 1. This access will primarily allow movements to the southern parcel of the development. The main spine road will take the form of a tree lined avenue, with wide verges, described by the applicant as 'characteristic of a garden village'. This route will run through the centre of the site (to the north of phase one) and would also provide access to the primary school once constructed.

23. Pedestrian and cycle access is to be provided on site from four different locations within phase 1. Internal footways are to flank the main roads on site.

Layout

24. The residential units for Phase 1 are to be accommodated within blocks surrounding the focal village green and the development's two main access roads. Green spaces and edge buffers are incorporated around Phase 1, providing areas of public open space. Officers have sought a good level of landscaping provision to be made along the streets, with the inclusion of street trees within the development that will ensure a soft character to the



Phase 1 layout

development, and appropriate setbacks from the highway to ensure that the vertical/horizontal ratio is appropriate.

25. The dwellings are orientated to be outward looking with properties along Willesborough Road served by a private drive. The majority of properties within the site also front onto a highway, to ensure that there is good natural surveillance throughout. The majority of rear gardens therefore back onto other gardens, or landscaped areas – there are few instances where blank fences face out onto highway.
26. Within the main route through the site, it is proposed that a more formal square be provided – this is demarcated through landscaping, the positioning of the buildings, and the road layout. This will eventually form a central element of the whole development once the outline element is built, and will be important to assist with the legibility of the site as a whole.
27. The location of the school is set out within phase 1 (although the detail of this proposal is not for consideration at this stage). This is located centrally, upon the eastern boundary, and would incorporate land of 2.05ha which would include a drop off area to the front of the school and suitable pitches/playing fields to the rear. This would be served from the proposed main route through the site and would have an area of car parking to the front, together with suitable turning facilities. The detailed design of the building would follow however, the land take (of 2.05ha) is as agreed with the County Council, as is the location of the development. This plan shows the proposed location of the school building and playing fields in context of the overall masterplan.
28. The commercial area is located at the south-western part of the site fronting Willesborough Road and would be served by the primary route into and out of the application site. This route would then run directly to the school. The commercial area would have car parking to the front (with a small area of rear parking) and would have residential units above.
29. The bowls club is proposed to be located to the south of and adjacent to the school site. It would consist of a club house, and 32 car parking spaces and be a single storey building of simple form – brick plinth and timber cladding above. The bowling green would be located to the rear of the building, and fronting on to the public open space. The bowls club is to be built out during the phase 1 development. The clubhouse would contain a large club room, bar, kitchen, two meeting rooms, as well as changing rooms for male and

female players. It has been indicated that the main area, together with the meetings rooms will also be available for community uses.

30. The largest area of open space is located centrally within Phase 1, which is adjacent to the bowls club would be oval in form. It would contain an area of informal open space, as well as an area for children's and young persons play, and a water attenuation pond. Tree planting would be provided around the edge of this open space and 18 car parking spaces.



Parkland Area

31. There would also be a number of smaller pockets of open space around the perimeter of the site as well as a large link (alongside the school fields) and smaller area nearer to the south eastern corner.
32. The largest area of open space would be to the north-east of the application site and is provided to serve the development as a whole. It falls within Flood Zone 2. This area has been designed as 'parkland' and would total approximately 3.08ha. The Design and Access Statement sets out the parkland landscape strategy and states that the *'proposed parkland area is within the flood compensation land. Where the footpaths are in the flood compensation land boardwalks will be used to ensure safe and accessible circular walking routes. The parkland area will also include native buffer planting to the boundaries, wildflower grassland, planted swales and attenuation basins'*.

Scale and density of residential

33. The original proposal for phase 1 was for 320 dwellings, this has since been reduced to 288 dwellings, 10 of which are at the proposed local centre. Of the 278 dwellings outside the local centre, these would be provided at a net density of 31.5 dwellings per hectare.
34. The breakdown of these units is as follows:

Private Plots	
Two Bedroom Flats	33
Two Bedroom Dwellings	24
Three Bedroom Dwellings	93
Four Bedroom Dwellings	52
Total	202
Affordable Plots	
One Bedroom Flats	9
Two Bedroom Flats	43
Two Bedroom Houses	2
Three Bedroom Houses	32
Total	86
Total Units	288

35. This breakdown of units would see the provision of 30% affordable housing throughout phase 1 of the development.
36. In terms of scale for the residential aspects, perimeter buildings are to be 2 and 2.5 storeys in height, whereas key landmark buildings will be 3 storeys. The aim of this will be to provide focus and appropriate spatial containment. In order to diversify the development, houses will be of a varying ridge height. Development on site, will overall reflect the scale of adjacent developments.
37. There would be a number of flats (seven blocks within phase 1) which would be located along the main spine road and then around the periphery of the site (adjacent to the road and railway line). These are all three storey in height and are designed to incorporate features such as gable projections, and balconies.
38. In terms of the local centre, this aspect of the development would comprise three blocks, of compact form and will be three storeys in height with a pitched roof. The local centre would contain the following elements:

Block A

Ground Floor	Commercial Unit 1	Retail	A1	150sqm
	Commercial Unit 2	Retail	A1	130sqm
First Floor	Apartment 1		2 Bedroom	150sqm
	Apartment 2		2 Bedroom	100sqm

Second Floor	Apartment 3		2 Bedroom	150sqm
	Apartment 4		2 Bedroom	100sqm

Block B

Ground Floor	Commercial Unit 3	Gym	D2	190sqm
	Office Unit 1	Office	B1	60sqm
First Floor	Office Unit 1	Office	B1	60sqm
	Office Unit 2	Office	B1	190sqm
Second Floor	Apartment 5		2 Bedroom	110sqm
	Apartment 6		2 Bedroom	135sqm

Block C

Ground Floor	Commercial Unit 4	Food store	A1	180sqm
	Commercial Unit 5	Café	A3	100sqm
	Commercial Unit 6	Take-Away	A5	75sqm
First Floor	Office Unit 3	Office	B1	250sqm
	Apartment 7		2 Bedroom	105sqm
	Apartment 8		2 Bedroom	75sqm
Second Floor	Office Unit 4	Office	B1	250sqm
	Apartment 7		2 Bedroom	105sqm
	Apartment 8		2 Bedroom	75sqm

Outline Application

39. The outline planning application seeks permission for up to 437 dwellings, formal and informal open space and well as the associated infrastructure and ground works.
40. The applicant has submitted a number of parameter plans which are for consideration at this stage. These plans include access, building heights, density, open space, land use and pedestrian and cycle movements which will then inform the remaining phases of the scheme.

41. Access to the remaining parcels of the site will be through the first phase of development, although the parameter plan does show an indicative future connection through to the remainder of the S2 allocation at Orchard Farm. It is considered very unlikely that any vehicular movements to and from the site would be from the A28 Canterbury Road to the north-west (beyond emergency access only), however pedestrian and cycle routes through to the A28 would be enabled.
42. The masterplan that accompanies this application shows the continuation of a landscape-led approach through the outline element of the proposal. This shows the provision of good visual connections, tree-lined streets and pockets of open space throughout. This masterplan, together with the parameter plans will thereafter guide development within the northern parcel of the site.
43. This master plan has evolved significantly since the initial scheme was submitted, in particular through the creation of a green grid throughout. This green grid will include:
- Creation of a north/south tree planted greenway along the contours to visually break potential views from the AONB;
 - Retained PROW set within landscaped corridors;
 - Country Park extension, with a circular walking route outside the flood compensation zone;
 - Retained and enhanced boundary vegetation;
 - School and playing fields located on the green grid allowing direct off-road routes;
 - Bowling Green and club house located with the Village Green;
 - Play areas evenly distributed across the green grid;
 - Landscaped bridge over the railway line to connect with the adjacent Country Park.
44. It was also requested that character areas be provided within the development, and the applicant has responded by setting out the following within the Design and Access Statement:
- The approach to character areas has been evolved and two main character are proposed, in line with discussion at the Design South East review, with a Garden Village character overarching the large southern area and a Parkland character overarching the northern area, associated with the new landscape parkland area.

- Sub-character areas are developed, with these areas reflecting the Green Roads forming the spine roads through the centre of the development, the greenways associated with the PRowS and SuDS corridors, the Village Greens as well as the key nodes and gateways.
45. The applicant has indicated that the proposal will include up to 36 custom and self-build parcels within the outline element of the application (phase 3).

Supporting Documents

Planning Statement

46. The planning statement sets out the background to the proposal and explains the rationale for the development of the site. It has identified certain key issues, considered the planning policy background at national and local levels and assessed the proposals against those factors.
47. It states that the proposal is consistent with the principles of the site allocation under policy S2 of the adopted Local Plan 2030.
48. The statement also sets out the proposal would be consistent with existing local plan policy and that there are no adopted development plan policies that indicate that planning permission ought to be refused. Having regard to NPPF, and the social, economic, and environmental components of national policy, they also conclude that the proposal represents sustainable development. Therefore, and in accordance with paragraph 11 of the NPPF, planning permission should be granted without delay.

Design and Access Statement (D & A)

49. The D&A provides an overall analysis of the site comprising a description with photographs, its history, an analysis of its connectivity, vehicular, pedestrian, cycle movement, the surrounding land uses, and building heights.
50. The D&A then goes on to examine the design process of the site, at different stages of the process. Assessing the development in two separate sections, it discusses the process of building at different stages of the process. It then further develops to provide an in-depth analysis of the design, scheme, layout and material use of the Phase 1 aspect of the development. This includes 288 residential dwellings, Bowling Club and Local centre. The D&A also sets out in detail the design review process that took place prior to submission. This states:

51. A Design Review session with Design South East (D.SE) was held during the pre-application and consultation period, on 11 October 2018. This review meeting was promoted by Quinn Estates as part of their engagement and consultation process for major applications. This session was attended by Ashford Borough Council and provided them with third party views on the proposed design and masterplanning process, which will be considered in their assessment of the hybrid application.
52. The Design Review session comprised a site visit, followed by presentations and round table discussion. D.SE supported the principle of the project and focussed on the potential to shape the identity of the masterplan. They noted that clarity was needed on what sort of place this would be, who will live here and how the masterplan will deliver the expectations of all involved in this important scheme for Ashford.
53. They indicated that a big idea, that unified the place was lacking, and more work needed to define the identity of the scheme. The masterplan presented was generated by the site constraints and an over-reliance on the provision of linear greenways around existing public rights of way as a leading concept. They considered that a bolder, and more assertive position was needed, as the identity need not be dictated by an existing, or physical feature of the site and brief. They felt the school should be a central focus, while the way the landscape proposal integrated with the brief and context were central to the placemaking potential of this site.
54. The D&A then explains how the applicant believes that this matters have been addressed through the submissions. Overall, the D&A concludes that the proposed development will create an ‘exciting’ residential area, supported by a wide range of new and existing amenities. It describes the proposal as the next logical and sustainable stage of development in Ashford and will fulfil the vision for a suburban extension in Ashford, which will help to meet the Borough’s housing land supply.
55. Further addendums to the D&A were submitted in July and November 2019.

Transport Assessment

56. The report submitted sets out the proposed parking and access for the development, along with traffic generation and distribution, development traffic assessment, bus service provision and travel plans. Significant additional submissions have been made since the original assessment following representations from KCC Highways and Transportation, including a

validation of the transport modelling undertaken to support the TA. KCC's subsequent representations and conclusions are reported below.

Air Quality Assessment

57. The air quality assessment submitted with the application addresses the matter of dust during demolition and construction. It was found dust and PM₁₀ would be more likely to be released. It was deemed that through good site practice and suitable mitigation measures, the resultant impacts would be negligible.
58. Furthermore, concentrations of NO₂, PM₁₀ and PM_{2.5} are predicted for a number of worst-case locations, for properties adjacent to the road network. However, these predicted levels are below relevant objectives with future residents having an acceptable air quality both during and post construction.
59. Air quality issues have been considered by the Council's Environmental Protection officers and, in the context of the Environmental Statement submitted with the application, by the Council's external consultants and their comments are reported below.

Arboricultural Impact Assessment

60. A revised Arboricultural Impact Assessment was submitted on 16th August 2019, which sets out the impact upon trees within the application site. The site comprises an established collection of Lime, adjacent to the western boundary with Willesborough Road, they vary between moderate and high-quality specimens. Additionally, a moderate-quality group comprising primarily of sycamore and Beech ornamental also define part of the western boundary.
61. This report identifies which trees are to be retained, and which will be relocated as part of the development. The impact of the proposed development is the removal of 12no. trees which will need to be removed in order to provide the proposed vehicular access, and the partial removal of one low-quality hedgerow.
62. A number of mitigation measures are proposed throughout the assessment, to ensure retained trees are to be suitably protected.

Economic Benefits Statement

63. This statement provides an understanding as to what potential economic benefits of the proposal may be, both during the construction phase and

thereafter. It should be noted that this document is produced on the basis of 750 units, not the 725 now proposed.

64. It is suggested that the construction value of the development would be a total of approximately £77.5 million with 312 construction jobs supported each month. During the completed development, the development is estimated to contribute:
- Resident population generated – 1,780;
 - Economically active: 928;
 - Assumed to be in employment: 893;
 - GVA generated per annum by resident population in employment: £43.5 million;
 - Council Tax per annum: £1.5 million;
 - Operational Jobs: 133-146;
 - GVA generated by direct operational jobs per annum: £5 million; and
 - Business rated per annum: £228,000.

Energy and Sustainability Statement

65. This statement was collated to provide a sustainable solution for the site in accordance with the NPPF, Building Regulations and Ashford Local Plan.
66. All new dwellings will utilise low flow sanitary items and efficient appliances and a water use assessment has been conducted to ensure each dwelling achieves a minimum water efficiency, and an estimated water use of no more than 110 litres per person, per day.
67. In accordance with BREEAM criteria, all major non-domestic aspects of the development will achieve a BREEAM Very Good rating. The energy assessment shows compliance with Part L of the building regulations and was prepared in line with the Energy Hierarchy, with a focus on sustainable building design and provision of energy efficient measures.

Statement of Community Involvement

68. The Statement of Community Involvement sets out the engagement with the Council, public and key stakeholders prior to the application submission. It discusses the pre-application meetings, Councillor engagement, public exhibition (held on 4th July 2018 and 8th July 2018), stakeholder workshop (held on 4th October 2018) and Design South East Workshop (held on 11th October 2018).

69. The document analyses the responses provided by those who attended the public consultation and explains how this then influenced the proposals.
70. 197 residents and stakeholders attended the exhibition and 29 returned feedback forms. Recurring themes flagged included: planning, traffic/highways, healthcare provision, flooding and wildlife, environment and landscape. The statement sets out the applicant's responses to the problems raised by attendees. Changes were made to the scheme where possible, and it is concluded the local community were able to influence the design layout.

Heritage Statement

71. The statement sets out that the continued development in the area has already eroded the setting of the nearby heritage assets. In addition, no heritage assets have inter-visibility with the site location due to vegetation or other residential development. The development was found to have a negligible impact from increases in traffic on the Kennington Conservation Area. Any public benefits were found to outweigh any 'less than substantial harm' to Spearpoint Cottage, The Grange or the Conservation Area.

Geo-Environmental Assessment

72. The site investigation found there was no evidence to suggest the presence of any contaminative that could impact development on site and any natural soils disposed of off-site are likely to be inert.
73. Exploratory holes as part of the survey found a thin layer of cultivated topsoil overlying superficial deposits across the majority of the site with the Folkestone Formation at depth.

Utilities and Foul Drainage Appraisal

74. A utilities report has been submitted that assesses the ability of the development to connect to key services, and the costs of doing so. It looks into electricity, gas, telecoms, potable water, and foul water drainage. These are all considered as able to accommodate this development, subject to new connections.

Environmental Statement

75. An Environmental Statement was submitted which discussed various aspects and studies of the proposed development. The following reports were submitted as part of the Environmental Statement:
- Development Programme and Construction
 - Transport and Access

- Air Quality
- Noise and Vibration
- Lighting and Visual Impact Assessment
- Ecology and Nature Conservation
- Water Quality, Hydrology & Flood Risk
- Ground Conditions
- Archaeology and Cultural Heritage

76. Following the applicant's receipt of the Council's response to the ES, further addendums were then submitted in August 2019, November 2019 and January 2020. These have subsequently been reviewed by the Council (their consultants – The Temple Group) with comments provided on the acceptability of the submissions and whether they address all of the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
77. The individual components of the ES are set out below.

Development Programme and Construction

78. This chapter describes the anticipated programme of development works and the key activities that would be undertaken on the site during the construction phase of the project. It identifies, in general terms, the potential effects associated with construction activities and outlines proposals for their mitigation. Detailed consideration of construction-related environmental effects upon the various technical topics assessed, together with their associated mitigation measures, are provided thereafter in each of the technical assessment chapters of this ES.
79. It proposes that a Construction Environmental Management Plan (CEMP) be prepared and implemented for each phase of the development. It also indicates that the build out period for the development would be 10 years.

Transport and Access

80. This chapter of the ES documents the assessment of the likely significant effects of the Proposed Development with respect to transport. It summarises the technical work that has been undertaken to assess the likely significant environmental effects of development related traffic.
81. It assesses the base year traffic conditions within the vicinity of the site and study area and continues with an assessment of the forecast year (2030) baseline conditions. The proposed development and the significant

environmental effects are considered together with the mitigation that will be likely to be provided.

Air Quality

82. This chapter of the ES assesses the likely significant effects of demolition, construction and operation of the Proposed Development on air quality. It describes the existing air quality within the study area, considers the suitability of the Site for residential development, and assesses the impact of the demolition, construction and operation of the development on air quality in the surrounding area. The main air pollutants of concern with regards to construction are dust and particulate matter, and for road traffic are nitrogen dioxide.
83. This concludes that construction phase impacts are judged to be not significant where appropriate mitigation is provided through a CEAP for the site, and that air quality for future residents will be better than the threshold set within national air quality objectives – therefore there would be no air quality constraints to the proposed development.

Noise and Vibration Assessment

84. A noise assessment found that changes in noise levels due to changes in road traffic from Willesborough Road, were likely to be negligible – although all properties near to the highway should have gardens that are set behind dwellings, rather than facing onto the highway. Likewise, the impact from noise from the railway line was considered to be acceptable. Calculations indicated sounds levels in the most external private amenity areas will likely be below the proposed lowest observed adverse effect level (LOAEL). It is recommended that private external amenity areas along the A2070 are placed to the rear of the dwellings, to ensure the buildings will provide shielding from traffic noise. If this is met, the impact would be minor adverse.
85. The proposed LOAEL for internal noise are likely to be met during the daytime and night time periods across the site. Recommended mitigation is proposed for these targets to be met and the impact be negligible.
86. With suggested mitigation, the significance of noise and vibration effects during construction could be up to ‘minor adverse’ levels.

Landscape and Visual Impact Assessment

87. This chapter of the ES assesses the likely levels of significant effects of the Proposed Development in terms of Landscape and Visual Amenity. The

chapter describes the assessment methodology; the baseline conditions of the Site and its surroundings; the likely significant environmental effects; the mitigation measures required to prevent, reduce or offset any significant adverse effects; and the likely residual effects after these measures have been employed.

88. It identifies that a detailed Landscape and Visual Impact Assessment (LVIA) of the surrounding study area has been undertaken using Ordnance Survey data, historical map data, local planning policy and published character assessments and that this has informed the on-site field analysis to identify key viewpoints, analyse the landscape character and visual environment of the local area, and determine the extent and significance of any potential landscape and visual effects.
89. The methodology for the assessment of effects was derived from guidance provided within GLVIA3 (Guidelines for Landscape and Visual Impact Assessment 3rd Edition) published in April 2013 by the Landscape Institute and the Institute of Environmental Management and Assessment, and the Landscape Institute Advice Note 01/11.
90. The chapter includes a number of Appendices which are set out at paragraph 10.4 of the Environmental Statement.
91. The visual assessment concludes that although the proposals would introduce a new element into the landscape that is considered to be significant at Year 1, the incorporation of a comprehensive and robust landscape strategy, together with a carefully designed residential scheme, would reduce the perceived adverse effects over time and create a 'high-quality development within the existing urban area'.
92. Some middle-distance and long distance views will experience change at Year 1, which will then be mitigated by the level of landscaping proposed within the development. The ES states that 'within the wider setting, intervening topography, vegetation and existing built elements create a degree of separation and assists in integrating the proposals. It is therefore considered that the proposals would be integrated without significant, long term harm to the receiving visual environment.'
93. The chapter concludes by stating 'as an overview, the visual assessment identifies that only viewpoints in close proximity to the Site would experience significant adverse effects at Year 1. These would reduce with time as the proposed structural landscaping matures and filters views towards the

Proposed Development. Some middle-distance views will experience a degree of change at Year 1, although the magnitude of change is mitigated by the careful design of the proposals and wide, landscaped boundaries. In time, it is considered that the proposals would be integrated into these views without significant harm. Whilst it is acknowledged that a degree of inter-visibility exists between the Site and the wider AONB setting to the north east, the proposals are seen against the backdrop of the existing settlement edge. Intervening topography, vegetation and existing built form create a degree of separation and assist in integrating the proposals. This assessment considers that the Site represents an appropriate and logical location which has the capacity to accommodate the type of development proposed without harm to the localised or wider visual environment.'

94. As such, the assessment concludes that the proposals will not give rise to any significant landscape character or visual cumulative effects within the immediate or wider setting.

Ecology

95. An ecological appraisal was submitted and found the site itself is not subject to any statutory or non-statutory nature conservation designations. The site is however, 20m from the Great Stour, Ashford to Fordwich LWS and 1.2km from Ashford Green Corridors LNR.
96. In terms of habitats, a network of hedgerows, scattered scrub, ruderal vegetation and a ditch surround the site.
97. A number of protected species have been recorded during the surveys. These include foraging and commuting bats, badger, water vole, slow worm, common lizard and grass snake. There is also a low risk of the great crested newt using the site margins.
98. After requests for the production of a site-wide mitigation strategy, this was submitted by the applicant and a revised mitigation strategy was submitted on 24th September 2019.
99. The report outlines the mitigation measures to be implemented to ensure the protection of habitats and wildlife of important ecological importance. These include, detailed action plans with timings, actions and responsibilities. Responsible persons will be appointed for particular areas relating to the protection of wildlife and habitats to ensure the proper implementation of measures.

Water Quality, Hydrology and Flood Risk

100. This chapter of the ES assesses the impact of the proposed development on water quality, hydrology and flood risk. In particular, consideration is given to effects that may arise during construction and operation in terms of surface water drainage and flood risk, surface water quality and surface water/foul water sewerage capacity.
101. The flood risk assessment highlights the site is mostly at a negligible or low risk of flooding with the exception of groundwater flooding, surface water flooding, and flooding caused by blocked culverts which respectively are considered high risk, medium risk and possible risk.
102. There will be an increase in the likelihood and magnitude of standing water and surface water runoff. This will be attenuated on sites for events up to and including the critical 1 in 100 year storm, with a 40% allowance for climate change, and this will not increase the risk of flooding elsewhere.
103. The surface water drainage strategy will consist of gravity piped networks. As development is proposed in Flood Zone 2, a flood compensation area has been proposed to the north east of the site which will provide like-for-like flood volumes.
104. Overland flows from exceedance events will be directed to on-site attenuation facilities. A maintenance regime will be in place to ensure future performance of all drainage and SuDS devices.
105. Foul drainage strategy will comprise a gravity piped system which will convey flows to two new pumping stations on site.
106. It was concluded that the proposal is feasible and sustainable in terms of flood risk and drainage.
107. The report found that the site is sustainable in terms of flood risk, in compliance with the Local Plan and NPPF.
108. A sequential flood risk test was undertaken for the site, and was found the site proposals are acceptable in Flood Zones 1 and 2. It was identified the exception test is not required for the Site.
109. The proposed Development Drainage Strategy is the most feasible option available and this strategy will not impact local infrastructure.

Ground Conditions

110. This chapter of the ES describes the methods used to identify the baseline conditions, the approach to assessing the potential impacts arising from the natural geology (instability) and land use (contamination) during the construction phase and subsequent operational phase and the mitigation measures required to prevent, reduce, or offset any significant adverse effects; and the likely residual effects after these measures have been employed.
111. A ground conditions assessment was undertaken to identify the effects of the development on human and non-human receptors in relation to ground contamination.
112. The proposed development can increase the risk associated with ground conditions, particularly pollution linkage by increasing the probability of a consequence occurring due to the creation of exposure pathways. The proposal can also impact ground conditions through the introduction of potential sources of contamination such as mobile refuelling facilities.
113. However, provided that suitable investigation works are undertaken prior to the commencement of works on site, which specifically address the gas and groundwater regime across the site, it is concluded that the ground contamination does not pose an unacceptable constraint to development, or that the cumulative impact of development to ground conditions is significant.

Archaeology and Cultural Heritage

114. This chapter of the ES reports the assessment of the likely significant environmental effects of the proposed development on the historic environment. It considers the likely significant effects of the proposed works on any buried and surface archaeological remains and built heritage assets, within the site and the wider study area.
115. In summary, no significant effects on the settings of built heritage listed assets are predicted. The majority of the designated heritage assets will remain unaffected by the proposed development in that there will be no harm on the settings or significance of these assets. The report demonstrate that there will be a negligible impact on the Conservation Area from traffic generated by the new development.
116. In conclusion, the report indicates that the benefits of delivering housing would outweigh any minor harm.

Further Submissions

117. Further Submissions were made by the applicant in August 2019, November 2019 and January 2020 to address issues that were raised by the Temple Group. The additional information has been subject to the appropriate consultation (in accordance with Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017) with the most recent consultation ending on 8th March 2020.

Planning History

118. 18/00004/AS - Scoping Request for Land North East of Willesborough Road, Kennington. **Scoping adopted.**

Consultations

National Consultee Responses

119. **Natural England** were consulted and considered the proposed development will not have significant adverse impacts on statutorily protected sites. They raise ***no objection*** and offered the following advice:

The proposed development is for a site within or close to a nationally designated landscape namely Kent Downs AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below:

- The decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. Paragraph 172 sets out the criteria for exceptional development within these designated landscapes.
- Apply landscape policies set out in your development plan, or appropriate saved policies.
- Consult the relevant AONB partnership or Conservation Board.
- Assess the application carefully as to whether the proposed development would have a significant impact on or harm the purpose of the AONB to conserve and enhance the areas' natural beauty.

120. **Highways England** were consulted on the proposal and following a technical note response (19th July 2019) and a consultation (received 23rd July 2019) Highways England offered **no objection** to the application on the basis that given the advanced state of the M20J10a construction and likely timing of occupations on site, Highways England is content that this application will not materially affect the safety, reliability and/or operation of the strategic road network (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10, and MHCLG NPPF particularly paragraph 109) in this location and its vicinity.
121. **The Environment Agency** were consulted and raised **no objection**. They considered that planning permission could be granted if a small number of conditions are imposed. Without these conditions the proposed development would pose an unacceptable risk to the environment. These conditions would relate to:
- Development to be carried out in accordance with the Flood Risk Assessment, including provision of flood compensation area as proposed.
 - Submission of a remediation strategy.
 - Submission of verification report for each phase.
 - If contamination is found, further remediation strategies to be submitted.
 - No infiltration of surface water.
122. **Sport England** were consulted and raised **no objections**. They made the following requests. Based on an occupancy of 2.3 persons per dwelling, the population of the development would be an estimated 1667 people. In order to ensure the development meets any sports facility needs they request a S106 contribution of £327,857 for investment in indoor sports facilities, and the sum of £998,555 towards playing pitches and ancillary changing facilities.

KCC Consultee Responses

123. **KCC Highways and Transportation** were consulted and initially raised a number of concerns with the application that needed to be addressed in full by the applicant. There were discussions held between the applicant and the Highways Authority and a number of amendments/further information submitted. The latest information was submitted in January 2020. Following these further submissions from the applicant, Kent County Council Highways now raise **no objections** and made the following comments:

The southbound bus stop has now been moved further north west along Willesborough Road so that it is adjacent to the northbound bus stop to address concerns raised in the Stage 1 Road Safety Audit about a waiting bus

blocking the off-side traffic signal head. This is acceptable to KCC Highways and Transportation.

Revised refuse vehicle tracking as shown in drawing number 42499-501-007G has now been provided in Appendix A of the technical note to show that a refuse vehicle can turn around in between plots 98 and 99. This is acceptable to KCC Highways and Transportation.

The VISSIM modelling has been subject to extensive review by KCC's external consultants, Pell Frischmann and is now deemed to be acceptable. A revised Local Model Validation Report (LMVR) has been produced and provides details of the revised modelling that has been undertaken and demonstrates the acceptability of the model for forecasting purposes. This demonstrates that the improvements to the junction of Simone Weil Avenue / Canterbury Road as shown in drawing number 42499_5501_010D together with the installation of a SCOOT (Split Cycle Offset Optimisation Technique) system on all 4 of the traffic signals subject to the VISSIM model will no longer result in the development having a severe impact on the A28 Canterbury Road corridor.

The introduction of SCOOT on all four of the traffic signal junctions will ensure optimisation of all of the signals across the network compared to the current situation whereby each traffic signal junction operates independently from one another. This will improve traffic flow along the A28 corridor. Paragraph 2.14 of the technical note sets out the differences in journey time without the proposed development and then with the development and proposed mitigation. The AM north-east bound movement will be subject to an increased travel time of 6 seconds for the route between Magazine Road and Conningbrook roundabout. This is considered de minimis. For all of the other scenarios (AM south-west bound and PM both ways) the travel time decreases which shows a betterment in the operation of the A28 network. In the PM peak there is a significant betterment of more than three minutes south-west bound towards Ashford town compared to a without development 2030 future year scenario.

A revised modelling solution has been discussed and agreed with KCC Highways and Transportation to achieve a suitable mitigation scheme for the junction of the Simone Weil Avenue / Canterbury Road. This now provides a betterment to the capacity of the junction when compared to a without development 2030 future year scenario as set out in Appendix E of the technical note. The proposals are therefore acceptable to KCC Highways and Transportation and the mitigation scheme (drawing number 42499-5501-10D) together with the upgrading of all four traffic signal junctions on the A28

Canterbury Road to a SCOOT system is required. These works will need to be delivered by the developer in the form of a Section 278 Highway Agreement prior to the occupation of the first dwelling on site.

KCC Highways and Transportation wishes to be kept informed of discussions between the applicant and Stagecoach buses regarding the proposed bus service for the site. It should be noted that any Section 106 Agreement should require a commitment by the developer to source a half hourly bus service between the site and Ashford town centre / railway for a period of at least 10 years as previously requested by KCC Highways and Transportation.

Following in-house discussions at KCC, it is agreed that KCC will adopt the new bridge over the railway line subject to it meeting KCC's technical design standards and the necessary commuted sums for future maintenance. KCC will however expect the applicant to deliver the bridge. Therefore in the event that planning permission is granted a condition will be needed which will require approval of the design of the bridge prior to the occupation of the 150th dwelling and delivery of the bridge prior to the first occupation of Phase 2 or the opening of the primary school (whichever is sooner).

Further discussions have taken place with Ashford Borough Council regarding whether or not further required plans can be subject to planning conditions in the event that planning permission on the site is granted. It is agreed that the hard and soft landscaping plans, street lighting and services plan can be conditioned, requiring the submission and approval of these plans prior to the commencement of above foundation level works. KCC will not accept any condition suggesting approval of these plans prior to the occupation of any dwellings on site as this is too late to require technical approval of these details.

An adoption plan has now been submitted (42499-5501-021 Revision E) which is acceptable to KCC Highways and Transportation and addresses the previous comments raised.

It is understood that the applicant does not wish to make any further changes to parking layout of the detailed element of the site and Ashford Borough Council are satisfied with the parking layout as submitted. These parking issues are unlikely to create a highway safety issue but could create residential amenity issues. These parking issues are not of a sufficient scale to recommend refusal of the planning application.

A Local Model Validation Report (LMVR) has now been submitted to accompany the submitted A28 VISSIM model as previously requested by KCC Highways and Transportation. The Local Model Validation Report shows that the model is demonstrated to model the correct volume of vehicles and is therefore validated in respect of vehicle volumes. The validation results also demonstrate that the modelled travel times in all directions are representative of the travel times observed. The Local Model Validation Report is therefore acceptable to KCC Highways and Transportation to base the proposed VISSIM model on.

The submitted plan (3053_133E) now addresses my previous concerns regarding the size of the cycle stores and is acceptable.

FORMAL RECOMMENDATION Taking account of the above issues I therefore have now have no objections to the application subject to the following conditions being attached to any planning permission granted and the required Section 106 Legal Agreement:

OUTLINE

- 1) Submission of a Construction Management Plan before the commencement of any phase of development.
- 2) The proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority.
- 3) Completion of the highway mitigation scheme for the junction of Simone Weil Avenue / A28 Canterbury Road as shown in drawing number 42499_5501_010 Revision D prior to the occupation of the first dwelling on site.
- 4) Installation of a SCOOT system for the following traffic signal junctions:
 - Magazine Road / A28 Canterbury Road
 - Simone Weil Avenue / A28 Canterbury Road
 - Bybrook Road / A28 Canterbury Road
 - George Williams Way / Faversham Road / A28 Canterbury Roadprior to the occupation of the first dwelling on site in accordance with details to be approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.

- 5) Completion of the highway mitigation scheme for the junction of the William Harvey Hospital roundabout.
- 6) Completion of the access points together with the proposed toucan crossing across Willesborough Road, central pedestrian island on Willesborough Road and re-location of the existing bus stops.
- 7) Completion of the new footway on the eastern side of Willesborough Road up to the access to the Julie Rose Stadium.
- 8) Submission and approval of technical details of the pedestrian / cycleway bridge over the railway line by the Local Planning Authority in consultation with the Local Highway Authority prior to the occupation of the 150th dwelling on site.

FULL

- 1) Submission of a Traffic Regulation Order for the proposed the double yellow lines on the main spine road.
- 2) Provision of the submitted visibility splays at each junction.
- 3) A combined soft landscaping plan and street lighting plan.
- 4) A services plan.
- 5) A hard landscaping plan.
- 6) Provision and permanent retention of the vehicle parking spaces.
- 7) Provision and permanent retention of the vehicle turning facilities.
- 8) Provision and permanent retention of the cycle parking facilities.
- 9) Provision and permanent retention of the vehicle parking spaces, motorcycle spaces and cycle parking spaces.
- 10) Submission of a Traffic Regulation Order for the proposed loading bay for the local centre.
- 11) Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwelling:
 - (a) Footways, with the exception of the wearing course;
 - (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).
- 12) Provision and permanent retention of an electric vehicle charging point for each house and 10% of the total car parking provision for the local centre, apartments and bowling centre.

SECTION 106 LEGAL AGREEMENT REQUIREMENTS

- 1) The required travel plan should be secured through the Section 106 Legal Agreement for the site. KCC Highways and Transportation will require a robust monitoring regime over a 10 year period (from the date of the occupation of the 75th dwelling) so that the number of

vehicle movements associated with the development can be assessed yearly over a 10 year period to ensure that the actual number of movements is not greater than those predicted in the Transport Assessment. Should vehicle movements be greater than predicted then there will need to be financial penalties to be agreed with the Local Highway Authority to further encourage the use of sustainable transport from the site.

- 2) Provision of a half hourly bus service between the site and Ashford Town Centre / International Railway Station.

124. **KCC Flood and Water Management** were consulted and were satisfied with the principles proposed. They state that they have ***no objections*** to the proposal (16 September 2019) subject to the imposition of conditions that would provide details of surface water drainage (based upon the Flood Risk Assessment), the SUDs scheme, and the requirement to provide a verification report on the surface water drainage strategy.

125. **KCC Public Rights of Way** were consulted and raised ***no objections in principle***. They made the following comments throughout the application:

- The application only addresses pedestrian access and is lacking detail on the proposed internal pedestrian, cycle and equestrian links. They ask for further details of these to be provided.
- They ask that footpaths AU21 and AU22 are upgraded to bridleway status.
- The pressure that additional usage generated by the development will have on the existing network also needs to be considered. All PROW within the site will need to be improved to mitigate the additional use generated.
- The application identifies five locations where PROW within the site access roads. They ask for the number of crossing points be reduced where possible and any crossing of PROW should be managed to ensure pedestrian, cyclist and equestrian safety, as required.

Following a second consultation the following points were raised by KCC PROW:

- Drawing 1557-001 Rev 1 refers to a “ramped pedestrian and cycle bridge” at the railway crossing. While we welcome this improvement, the new bridge would also need to accommodate horse riders in accordance with our previous request to upgrade the route to bridleway status.

- We note that the ‘Greenway’ will be enhanced by groups of trees and shrubs. In respect of ongoing maintenance, it will be expected that site operators take on responsibilities for any landscaping and enhancements to benefit the PROW network.

Following a third consultation the following points were raised by KCC PROW:

- We support Highway’s and Transportation’s proposal to provide a 3m wide continuous footway/cycleway, separated from motor vehicles along the eastern side of Willesborough Road.
- Support the proposed additional footpaths shown in drawing 2940-016G.
- Drawing 1557-001 refers to a ‘ramped pedestrian and cycle bridge’ to cross the railway line, providing access from the development to the new school and Country Park. They draw the attention to the need to address the rail crossings and potential re-alignment of the PROW affected. This development provides the opportunity to provide excellent access to the adjacent Country Park. Bridge will need to provide rights for pedestrian and cycle use which would require the upgrading of the PROW to a Cycle Track. Request the bridge is constructed with appropriate loading to enable equestrian use.
- The alternative alignment of AU21 is considered to improve access as the width is currently restricted.
- The amended documents do not address our concerns regarding the number of roads crossing existing PROW, where the application identifies five locations where the PROW within the site cross access roads.
- Following our previous comments in our letter dated 28th February 2019 we are happy to see that AU20 has also been incorporated into a green corridor / linear greenway. We still have concerns that the route is intersected by roads at three separate points.

Following the fourth consultation, KCC PROW and Access Service request the following conditions:

- A scheme of management to be submitted giving full details of applicants intentions regarding the PRowS affected by the site, to include timings:
 - Submission of public path diversion order prior to commencement

- Order to be confirmed prior to commencement of any phase directly affecting the ProW
- Provision of new alignment of right of way to a certifiable standard prior to sale/occupation of any property situated on the route
- A scheme of construction regarding the proposed bridge over the railway line. The bridge should be constructed to tolerate equestrian loading.

Other general comments:

- Request a condition requiring appropriate maintenance of vegetation in the areas of open space
- Would not accept a public footpath AU21 crossing a water meadow with a boardwalk – this should use a permeable bond solution to be approved
- Details of crossing points within the site where PRow crosses a road.
- Details of how PRow will be managed where the routes leave the site and connect with surrounding area

SSDM comment – the views of the KCC PRow officers and those of KCC Highways and Transportation have been assessed by officers in the context of the existing use of the public rights of way by equestrians and the change to the nature and character of the rights of way inherent in the development of the site. On balance, it is not considered reasonable or necessary to upgrade the rights of way to bridleway status as equestrians are unlikely to use a route through a residential development in practice.

126. **KCC Heritage** were consulted and noted that the proposed site lies within an area of high potential associated with Palaeolithic remains, therefore recommended the applicant submit a suitable Geoarchaeological and Palaeolithic assessment undertaken by geoarchaeological and Palaeolithic specialists prior to determination of this application.

Having noted the submission of further information and amendments, they were satisfied with the submission and raised **no objection**. They did request however that conditions be imposed relating to the requirement for geoarchaeological works, and necessary safeguarding measures; archaeological investigation works to be carried out and for a phased programme of works to be undertaken.

127. **The KCC Ecological Advice Service** were consulted and provided an initial response on 18th March 2019. In this they stated the potential for ecological impacts to arise as a result of the proposed development has been identified

and that additional information is required prior to determination of the planning application.

Further information was then submitted by the applicant, which was then reviewed by the County. Kent County Council Ecology now raise **no objections**. Their comments are summarised below.

Site-Wide Mitigation Strategy

The principles for mitigation across the entire site (detailed and outline) have been provided within the site-wide mitigation strategy, which we advise are appropriate (with the exception of water voles; see below) and implementable within the current design of the proposed development. Specific mitigation regarding protected species is discussed further on but included in the proposed general mitigation measures is:

- Ongoing advice/pre-checks from supervising ecologist;
- Protective fencing around 'biodiversity' zones;
- Appropriate storage of chemicals/hazardous substances.

We advise that the implementation of the mitigation measures is secured for the detailed phase of the application. To account for any changes of the site's ecological composition over time, we advise that a separate condition is attached for any subsequent reserved matters application.

Water Vole

Water voles are a fully protected species under the Wildlife and Countryside Act 1981 (as amended) and, as they are present within this development site, mitigation must be implemented to protect individual animals from killing and injury and also to maintain a favourable conservation status of this population.

The revised mitigation strategy states that water voles will be captured and relocated (under the relevant Natural England licence) to a specialist breeding facility, the details of which have been provided separate to the mitigation strategy. The offspring of these individuals will then be released into the designated mitigation area of the development site once the individuals are mature and the mitigation area is suitable.

We highlight that retaining a water vole population on-site is preferable compared to removing individuals. The proposed water vole mitigation measures included in the Site-Wide Ecological Mitigation Strategy lack detail, but further details were provided by the project ecologist (in an example

method statement) to address our concerns, e.g. details of the breeding facility and trapping methodology. As the example method statement adequately addresses our concerns, but does not specifically relate to this application, we advise that the submission and implementation of a separate mitigation strategy for water voles should be secured as a condition of planning permission (if granted).

Reptiles

Populations of grass snake, common lizards and slow worms have been found within the development site. As all species of reptile are protected, there is a need to implement mitigation measures to protect them from killing and injury and ensure long-term provision of suitable habitat.

The revised mitigation strategy provides the necessary detail regarding the proposed on-site receptor area, which comprises of a strip of vegetation (to be seeded prior to works) running adjacent to the railway line within the north-east of the proposed mitigation area.

Mitigation measures for reptiles can be secured via the site-wide mitigation strategy condition (above) for both the detailed phase and the remaining phases.

Great Crested Newt

Following on from our previous comments regarding GCN mitigation, a map denoting the area of the site within the 250m radius of suitable GCN ponds, as well as the location of reptile proof fencing, has been provided. As such, we are satisfied that the favourable conservation status of GCN can be maintained and advise that mitigation measures for GCN can be secured via the site-wide mitigation strategy condition (above) for both the detailed phase and the remaining phases.

Bats

One tree along the western boundary was identified as having moderate-high potential for roosting bats. Two trees, also within the western boundary, were identified as having low potential for roosting bats. The current proposal does not include a direct impact to the trees with bat roosting potential, but it is stated that works may need to be carried out to the trees for health and safety reasons.

Lighting

External lighting has the potential to adversely impact bat activity. The principle of the lighting design, i.e. what areas will be kept dark/have limited light spillage, have been provided for the whole development. However, as phase one of the development relates to a full planning permission, we advise that external lighting plan is sought to ensure that light spillage will not significantly impact bat activity.

Badgers

A badger sett was located immediately adjacent off-site. Section 2.6 of the strategy details the measures to mitigate against potential harm/disturbance to badgers during all phases of the development.

For the remaining phases, the strategy also states that a 20m exclusion zone will be set up in relation to the off-site badger sett and that, if works require a closer proximity to the sett, Natural England will be approached for the appropriate licence.

Mitigation measures for badgers can be secured via the site-wide mitigation strategy condition (above) for both the detailed phase and the remaining phases.

Birds

The strategy states that if development works cannot be undertaken outside of the breeding bird season (March to August), breeding bird surveys will be undertaken with any active nests having a temporary protection setup around them until the juveniles have fledged.

While the measures proposed are adequate to protect breeding birds during the construction phase of the development, it has not been stated that long-term ground-nesting bird habitat (for which the open space/mitigation will not be suitable) will be provided. Therefore, in the absence of off-site ground-nesting bird plots, there will be a loss of ground-nesting bird habitat should planning permission be granted.

Mitigation measures (during construction) for birds can be secured via the site-wide mitigation strategy condition (above) for both the detailed phase and the remaining phases.

Ecological Enhancements

In alignment with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged.

Proposed enhancements have been provided within the mitigation strategy, which includes the provision of bird boxes, bat boxes and hedgehog domes. However, as stated within our previous reply, no enhancements have been proposed for the detailed phase of the application. Additionally, no list of plant species to be provisioned has been provided.

Therefore, we advise that a condition is attached to planning permission (if granted) to secure the implementation of enhancements for both the detailed phase and the remaining phases.

128. **KCC Area Education** made the following observations. Sufficient distance between residential vehicular access and the school vehicular entrance is critical. Phase 2 plans show two houses will have vehicular access in line with the school vehicular entrance. They suggest the turning head is turned into a turning circle to enable traffic flow away from the school site instead of reversing into it. On-street parking arrangements need to be clearer and how it can be designed to support the flow of vehicular movements in and out of the school.

SDDM comment: These concerns have been dealt with in the revised plans, and KCC Highways and Transportation has confirmed they are satisfied with the requirements in relation to the access arrangements for the school.

129. **KCC Infrastructure – Economic Development** were consulted and raised ***no objections*** to this application on the basis that the following contributions are provided:

Primary Education - £4,535.00 per applicable dwelling and £1,134.00 per applicable flat – to (part) fund a new two form entry primary school on the site.

Primary Education – Freehold transfer at nil cost land equating to 2.05ha on site.

Secondary Education - £4,687.00 per applicable dwelling and £1,172.00 per applicable flat to contribute towards a new provision at Chilmington.

Community Learning -	£24,976.25 towards community learning, specifically additional IT equipment and commuted sum to hire local facilities to enable outreach services.
Libraries -	£78,532.00 towards bookstock, IT and equipment at Bockhanger library and mobile service calling at Kennington.
Youth Service -	£20,234.75 towards equipment and mobile vehicle to enable the provision of outreach services within the area.
Adult Social Care -	£34,118.50 towards a changing place facility in the vicinity.
Waste management -	£172,216.50 towards Ashford Waste Transfer Station and Household Waste Recycling Centre – equipment and reconfiguration

The County Council also requested that an informative be added referring to the provision of broadband to all units.

SSDM comment – in ABC officers view, the request for contributions towards waste management are not fully justified and would fail to meet the relevant tests in the CIL Regulations. As such, this is not reflected in the table of proposed planning obligations at the end of this report.

Ashford Borough Council

130. **Ashford Borough Council's Housing Services'** were consulted. Their comments are summarised below:

- There will be an expectation of 30% affordable units across the site;
- 10% of the total units should be made available for affordable or social rent;
- 20% should be made available for affordable home ownership;
- The Housing Officer has made a specific request for the following plots to be made available for affordable rent provision:
 - a) One bed flats – plots 43, 46, 49, 170, 173, 176
 - b) Two bed flats – plots 44, 45, 47, 48, 50, 51, 171, 172, 174, 175, 177, 178
 - c) Two bed houses – plots 188–189
 - d) Three bed houses – plots 61–63 and 164–169

- The Housing Officer has made a specific request for the following plots to be made available for affordable ownership:
 - a) One bed flats – plots 179, 182, 185
 - b) Two bed flats – plots 180, 181, 183, 184, 186, 187, 229–240, 267-278
 - c) Three bed houses – plots 52-60, 227-228, 241-244, 250-257
- The Housing Officer concludes by stating: We are pleased to see that the affordable housing composition has been integrated into the development to ensure a balanced tenure mix rather than being positioned as a cluster of properties.

131. **Street Scene and Open Spaces at Ashford Borough Council** were consulted and made the following comments:

- The vehicle tracking needs to be 11.4m
- Throughout the development there is not a continuous flow of traffic. Consequently, vehicles will have to manoeuvre down side roads and carry out multiple reversing manoeuvres. Ideally the development would be better suited with a circular roadway to avoid this.
- Bin stores for communal properties must have a pull out distance of less than 10m. The store needs to be large enough for the movement of the 1100 litre containers as well as have FB2 locks and fittings so doors can be hooked back.
- The bin stores need to be of sufficient size to be able to accommodate the relevant quantity of bins for this development
- Any private drives that refuse vehicles would not drive down will mean residents are required to present at the nearest road as bins are presented 'abutting the highway'
- The maximum pull-out distance for individual properties must be 25m
- Roadway within the development will need to be adopted or if it is to remain private then an indemnity must be signed off prior to commencement of any waste collection.
- Each property will need to have 1 refuse wheeled bin, 1 recycling wheeled bin and a smaller external food caddy. Wheeled bins are to be stored

within the boundary of an individual's property and must be presented kerbside on day of collection.

SSDM comment: Following amendments received, KCC Highways and Transportation are satisfied with proposed access arrangements for the school site and that whilst not all comments can be addressed (in particular the layout of the roads) the bin stores and carry distances etc. have all been addressed through the KCC negotiations with the applicant.

132. **Environmental Services at Ashford Borough Council** were consulted. They raised the following points.

“I have reviewed the AQ assessment within the Environmental Statement and would note that the mitigation offered in the form of minimum standard boilers and EV charging points, are the standard-type requirements for large residential development, as referenced in the KMAQP Planning Guidance. I note that the increases in pollutants are considered negligible, and levels will remain below the government objectives, however there is still an increase calculated and, as such I would wish further mitigation options to be explored.

I have no objections to the construction phase controls proposed.

I request the AQ assessment is reviewed once the traffic assessment is agreed to determine if there are alterations as a result.”

Agree with contamination reports for the site that there are some further intrusive investigation work to be completed.

Request the application of the following informative as part of any consent granted:

- The applicant should note the code of practice hours in relation to potentially noisy construction/demolition activities which are 0800-1800 Monday to Friday, and 0800-1300 hours Saturday. Noisy works should not occur, in general, outside of these times, on Sundays or Bank/Public Holidays.
- The applicant should note that it is illegal to burn any controlled wastes, which includes all waste except green waste/vegetation cut down on the site where it can be burnt without causing a nuisance to neighbouring properties.

- The applicant should take such measures as reasonably practical to minimise dust emissions from construction and demolition activities and for that purpose would refer them to the IAQM guidance on controlling dust on construction sites.

They note that no reference has been made to the potential noise effects of any plant/operation of the commercial units proposed. These will be in close proximity to existing and proposed residents. Therefore, appropriate conditions should be applied.

133. **Cultural Services** were consulted and presented the following requirements and comments.

Public open space is to be provided on and off site. With a potential 725 dwellings informal public open space, play and allotments are required on site:

Requirement for the provision of public open space

Informal open space, play and allotments to be required on site:

	Capital contribution for on-site provision	Commuted maintenance sum	Quantity
Informal	£262,450	£235,625	3.49 ha
Play (375 dwellings)	£202,875	£248,625	0.43 ha
Allotments	To be provided on adjacent 'Orchard Farm' site.		
Play (725 dwellings)	If play is to be provided on site, the capital value is a minimum of £392,225 – minimum size 0.83ha		

	Capital contribution for off-site provision	Commuted maintenance sum

Sport - outdoors	£998,555	Included in capital sum
Sport - indoors	£327,857	TBC
Allotments	£187,050	£47,850
Play (350 dwellings)	£227,150	£232,050
Strategic Parks	£105,850	£34,075

Off-site contributions calculate as:

A request for contributions of £245,340 for public art has also been made, which would be an on-site provision that would extend the existing Conningbrook Lakes project into this site. A contribution of £62,075 is also made for the voluntary sector.

A contribution of £1,356,351.75 is also requested for a community facility to be provided within the Bowls Club. It is requested that the building be properly designed for community use, with an agreement in place to secure this based upon Sport England's 'Template Community Use Agreement.'

Specific comments were also made re: the open space/landscaping provision. These are summarised below:

- Locations within the flood zones, drainage features, areas for ecological mitigation and buffer areas for noise mitigation will not count towards open space.
- Overall – do not consider that the development provides for the necessary quantum of public open space, or indeed the quality. There is concern that there is an inconsistency in some of the plans, and a lack of clarity in terms of the proposed water levels in some of the drainage areas.
- The preference would be for one large area of open space to be provided within 400m walking distance of all properties, ideally adjacent to the Bowls Club rather than to the north of the site.

Detailed comment on each proposed area of open space have been provided and are summarised below:

- Northern Village Green – Acceptable subject to the provision of details.
- Southern Village Green – Would like more detail on how the space would be used in terms of open space and water attenuation. Have requested that the water attenuation and play space be removed from the open space calculation.
- Greenway – More detail has been requested as to how this will be formed, in particular with relation to the bridge and parking provision.

- Northern Green Street – It is not considered that this would form part of the open space provision.
- Southern Green Street - It is not considered that this would form part of the open space provision.
- Park – Concern is raised that this area of park is within the flood zone, is not well integrated, and forms part of the ecological mitigation strategy. More information is therefore required as to how much of this area would be useable public open space.
- School Greenway – more information is requested to clarify the level of open space provision.

Detailed comments were also made with regards to the play provision within the site. These are summarised below:

- Would require a minimum of two play spaces within the site.
- The provision of LEAP and LAP play provision is not an approach to play design that the Council will support.
- Welcome the capital investment for play on the Conningbrook Lakes site.
- Believe that the play provision has been determined by the construction schedule and phasing of the development. This has resulted in poor play provision in terms of place making, and urban design – the play space adjacent to the proposed bridge, railway and school car park is not acceptable.

Other Groups

134. **Kent Fire and Rescue Service** were consulted and confirmed the means of access for the Fire and rescue Service is considered satisfactory.
135. **Kent Police** were consulted and have the following comments:

If this application is to be approved, we strongly request that a condition for them to approve it from a designing out crime perspective be included. It would also show a clear audit trail for Design for Crime Prevention and Community Safety and meet the Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. The application would be ideally placed to apply for Secured by Design (SBD).

The following will need to be addressed before the final plans are submitted, although it is appreciated that some of them may be considered in detail:

- Access and Movement: place with well-defined routes, spaces and entrances that provide for convenient movement without compromising security;

- Structure: places that are structured so that different uses do not cause conflict;
- Surveillance: places where all publicly accessible spaces are overlooked;
- Ownership: places that promote a sense of ownership, respect, territorial responsibility and community;
- Physical Protection: places that include necessary, well-designed security features;
- Activity: places where the level of human activity is appropriate to the location and creates a sense of safety at all times;
- Management and Maintenance: places that are designed with management and maintenance in mind, to discourage crime in the present and future.

The development needs to demonstrate that permeability does not aid crime, ASB or nuisance. Play areas need to be safe at all hours and residents adjoining them made aware that they are not 10am-4pm toddler play spaces only, they also need their own garden areas to be protected from becoming used as shortcuts. Ground floor bedroom windows need defensive protection. All parking spaces need adequate natural surveillance. Boundary and divisional treatments should be a mini of 1.8m high (not including frontages) with same height gates at the front of the building line. Lighting type and siting with or without CCTV to be addressed.

For the apartment blocks, Access Control, alarms and a secure mail delivery area with no trade button are essential. Security Compartmentalisation may be needed depending on unit numbers.

136. **Kent Downs AONB Unit** was consulted and initially raised an objection to the proposal. This was on the basis of the impact of the setting of the AONB and the lack of landscaping provision within the site itself. Following the receipt of amended plans, the AONB Unit have provided updated comments, which are summarised below:

- The AONB Unit welcomes the amendments to the materials schedule and note that the larger apartment buildings now propose the use of darker colours and that only a small number of buildings are now proposed in pale colours compared to the original submission.
- They also welcome the general reduction in the extent of area identified in the parameter plans (heights) as being suitable for buildings up to 14metres in height. They do request that any building of this height be used as an 'occasional, feature building' within the scheme rather than a blanket approach to this height.

- They welcome the landscape principles in the landscape strategy submitted and note that tree planting is now proposed through the length of the site. They do suggest that more planting should be included along the railway boundary.
- Street tree planting and structural landscaping in public open space should be of a species that will grow to a ‘decent’ height and spread to reduce the impact of wider distance views.
- They have requested that all structural landscaping form part of the detailed planning application so that it can be considered at this stage.

137. **Kent Wildlife Trust** was consulted. They object to this application due to insufficient consideration given to potential recreational disturbance on Conningbrook Country Park.

The environmental statement gives little consideration to the impact of recreational disturbance. The development of 430 homes with improved access along the railway line will lead to greater visitor numbers, and consequently an increased recreational disturbance pressure on the Country Park.

There will also be a cumulative recreational disturbance impact when combined with the effect of 300 additional new homes that are currently under construction at the Conningbrook Lakes housing development. Conningbrook Country Park is itself a planning compensation site and its visitor infrastructure and management have been carefully designed to accommodate visitor numbers anticipated as a result of currently permitted housing development. The development outlined in this application would result in visitor pressure significantly in excess of these numbers.

In accordance with policy ENV2 the application should not be permitted unless the applicant provides a financial contribution to the management of the Country Park or alternative compensation to reduce the impact of recreational disturbance. This should take form as a section 106 agreement between the applicant and Ashford Borough Council. If such an agreement is entered into with robust measures to safeguard and enhance biodiversity, they will consider withdrawing their objection.

138. **South Kent Coast Clinical Commissioning Group** were consulted and request financial contribution to mitigate any implications of the development.

There is a limited capacity in general practices services for the area to accommodate such growth. The need from this development, and others, will be met through the creation of additional capacity in GP premises. Therefore, if the development is approved, they request that the proposal should help to fund the extension of the facilities at Sydenham House Surgery by 291sqm+ by providing additional consulting rooms and waiting space.

The population growth of 2,030 arising from the proposed development will require an extension of 162m² based upon NHS standards of 0.08sqm per patient. This equates to £486,000 (£3,000 per sqm). A further 10% allowance for development fees mean their request from the developer equals a contribution of £534,600. This is subject to agreement of acceptable trigger points which will enable the project to be delivered in advance of the increased patient registration requirements.

139. **Southern Water** were consulted and undertook a desk study of the impact the additional foul sewerage flows from the proposed development will have on the existing public sewer network. They have the following observations.

The initial study indicates an increased risk of flooding unless any required network reinforcement is provided by Southern Water. Any such reinforcement will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works programme.

Southern Water and the developer will need to work together to review if the delivery of their network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver such reinforcement.

They request the following condition to be applied:

- "Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development"

Where a SUDS scheme is implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme.
- Specify and timetable for implementation.

- Provide a management and maintenance plan for the lifetime of the development.

Should the application be approved they request the following condition:

- Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

140. **The River Stour (Kent) Internal Drainage Board** was consulted and made the following comments.

The site is partly in the River Stour (Kent) Internal Drainage Board district and the proposal therefore has a potential to affect its interests, in particular drainage and downstream flood risk. The IDB's prior written consent will be required for any work which will affect any watercourse on site.

Provided surface water run-off is managed in accordance with ABC's SUDs SPD, with details of the proposed SUDs designed and agreed in direct consultation with KCC's SUDs team, IDB interest should not be affected.

Support the comments made by KCC's Senior Flood Risk Project Officer. It will be particularly important that the capacity and condition of the downstream watercourse, including any on-line structures, is established before the site is positively drained to it. Floodplain issues must be assessed and agreed in consultation with the Environment Agency.

141. **The British Horse Society** were consulted and requested footpaths AU21 and AU22 were upgraded to bridleway status with a minimum width of 3 metres. The railway crossing bridge should be constructed to a specification which also allows horse riders.

142. **Stagecoach South East** originally commented on the application in August 2019 raising objection as follows:

- No connectivity is provided to the land to the north, effectively precluding public transport access to either site.

- The existing bus stops in Willesborough Road are currently only served by a limited number of journeys on schooldays, which is hardly adequate for the two proposed developments of over 1,000 homes.

Further comments were received in October 2019 as follows:

- We note that the intended bus route is shown on drawing 42499_5501_015 rev B, and we confirm, subject to location of stops, that this is suitable for use as intended.
- However, were the remainder of site S2 to be developed, as shown in drawing 2940-033E, and including an access and/or egress to Canterbury Road, then this offers the potential for the bus route to serve a much larger area. We therefore request that the road on drawing 2940-033E, from point 3 northwards to point 7, and then westwards towards Canterbury Road, is designed to be suitable for use by buses.
- Should any development ever be carried out to the north of this site, the road running northeastwards from point 7 could provide access for buses, if it is suitably designed.

143. **Network Rail (NR)** were consulted and raised the following:

- The development without mitigation would pose an unacceptable safety risk to the operational railway
- Discussions with KCC, ABC, the developers and numerous user groups have identified the need for a new footbridge across the railway line to replace the existing Cradle Bridge footpath crossing. The Balleaux footpath crossing (just north of the site boundary) should also be closed and diverted over the new bridge
- This would provide far superior and fully accessible access across the railway line
- From a level crossing view NR have no objection subject to the provision of a pedestrian footbridge across the railway adjacent to the site, being implemented and conditioned.
- The applicant will be required to enter into necessary agreements with the Asset Protection Team at NR
- NR also has the following additional requirements:
 - Fencing of 1.8m along the boundary with railway line
 - Drainage from the site is to not impact upon NR land/property
 - Lighting not to interfere with train signalling
 - Details of machinery and method statement if any vibro-compaction/displacement piling plant is to be used will need to be agreed with NR

- Impact of noise and vibration from railway on the development must be assessed in accordance with NPPF
- Recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.

SDDM comment: These additional requirements can be secured by planning condition

144. **Premier Foods** submitted comments through their planning agent Bidwells and raise no objections in principle to the development of the site. Due to the factory's close proximity to the proposed site they raise concerns that future residents may complain about noise from the factory. They therefore request that they are protected from these complaints, and that no onerous requirements are placed as a result of planning permission being granted, for example reduced hours of operation.

SDDM comment: The development is no closer than existing residential development, so it is not considered that there is any change in relationship between the two uses.

145. **Kennington Community Council** were consulted and raised a number of concerns with the application over three separate representations, the first of which was made as a shadow Community Council in March 2019. The concerns are summarised below:
- The proposal misses the opportunity to create a development that is well integrated into Kennington and offers benefits to the area and is considered to be a “high density bolt-on” to Kennington;
 - It exacerbates serious traffic management problems into and out of the Kennington area; in particular, concerns are raised about the impacts on the A28 corridor, the access to the William Harvey Hospital and potential for ‘rat-running through local residential areas.
 - The need for a commitment to provide a new bridge over the railway to avoid the risk of accidents on the adjacent railway;
 - There is insufficient attention given to important environmental aspects of the site; these include the Grade 1 agricultural status of part of the site, impacts on a variety of protected species and the visual impact of the scheme from views from the AONB that requires additional structural landscaping to be provided as mitigation.
 - The planning gains from this proposal must be taken in conjunction with the development of the town centre site of the bowling club. They request that the club incorporates a community facility open to all Kennington

residents and not just a private members club and which is available at times when the bowling green is also in use.

- Water management considerations are inadequate. Shallow groundwater levels mean that piling methodology should be agreed with the Environment Agency to avoid impact on groundwater conditions.
- Appropriate conditions on working hours, noise, dust emissions should be agreed.

On 6th March, a third representation was received that raised an additional request for the funding of a youth worker for a minimum period of two years after the occupation of the 200th dwelling. It also calls for further traffic surveys at the William Harvey Hospital and Simone Weil Avenue to take account of a grant of permission for a restaurant on Canterbury Road. Additional traffic calming measures on local roads are also requested.

SSDM comment: The issue of planning gain in relation to the relocation of the bowls club and the (assumed) potential for the redevelopment of the club's existing site is not a material consideration in the determination of the application. The request for a funded youth worker has been raised only very recently and no justification has been given upon which the request is based so it cannot be considered as meeting the CIL Regulations.

146. **Wye Parish Council** originally responded to the application on 18th March 2019, objecting to the development as it was a major proposal and further information is likely to be made available later, and time was needed to consider the application. At the time of writing this report no further response has been received.

Representation from neighbouring landowners

147. The owner of the neighbouring land (which also forms part of the allocated site S2) has made the following representations:
- Generally supportive of the application and masterplan subject to the following:
 - There is no requirement for on-site allotments to be provided.
 - Any allotments should be on the application site, not the remainder of the allocation.
 - There is only one access road to the adjoining site rather than two.
 - There is insufficient cycle provision across both sites.
 - The inclusion of a ransom strip will prevent the later phase from coming forward.

148. The owner of neighbouring land to the north (which is outside of the allocated site S2, but for which there is a current live planning application - 18/00236) has made the following comments:
- Generally supportive of development
 - Raise objection in relation to the lack of access provided to the land to the north of the site. Only a secondary link is currently proposed, but it would need to be a primary spine road
 - Request a condition be applied to the permission to ensure that this is provided

Other representations

149. A total of 1188 letters of representations have been received from 916 individuals. This includes a total of 1091 letters of objection from 813 individuals, 75 letters of support and 22 providing general comments. Four consultations have taken place on the application, with the first consultation receiving the most responses from 764 individuals. The second consultation resulted in comments from 49. The third consultation resulted in responses from 249 individuals. The fourth consultation resulted in responses from 45 individuals.
150. A significant proportion of the representations received relate to general issues that were previously raised in response to the consultation on the draft Local Plan, when the site was being proposed to be included for allocation within the Plan. All of these matters have been duly considered through the process of the Local Plan examination and debated at the public hearings, and were considered to be appropriately addressed in principle by the Local Plan policy. For some of the issues, further detailed consideration would always be required at the planning application stage, once details of the development were known and site (and development) specific studies could be undertaken. Policy S2 identifies the key specific issues which need to be considered in more detail. The assessment section of the report therefore focuses on those areas and how they have been addressed through the planning application.
151. The following summary of issues is therefore split into two sections; firstly those issues which have previously been raised and considered through the Local Plan consultations and examination; and secondly; additional comments not previously raised.

Issues of principle raised which have previously been raised and considered through the Local Plan consultations and examination

152. In summary, these issues are:

Loss of Grade 1 agricultural land and countryside

- The loss of Grade 1 agricultural land is unsustainable and takes away community countryside;
- Loss of open space and green space between the town and settlements to the north;

Landscape and Visual Impact

- The sites location in the AONB;
- A development of this scale would completely change the area of Kennington

Wildlife

- The loss of wildlife and ecology in the area, including indirect recreational disturbance at the ecologically sensitive parts of the Conningbrook Country Park;

Flood Risk

- The area is prone to flooding and there are concerns the development will increase the likelihood of flooding;
- Various areas of Kennington have been flooded recently including the field for the proposed site.

Railway Crossing

- There needs to be a crossing over the railway line to Conningbrook Lakes;

Impact on Road Network

- The roads cannot take any more traffic.
- Increase in traffic on surrounding roads leading to: increased journey times for emergency vehicles, traffic pollution, speeding.
- Local journey times are already unacceptable.

Housing

- Does Ashford need this level of housing
- Ashford is already pulling its weight with massive overdevelopment

Infrastructure

- Increased pressure on local services infrastructure e.g. doctors, dentists, hospitals, primary schools, youth services, public transport;

- The local area is saturated already with new builds and the infrastructure is suffering and oversubscribed;
- Has any thought been given to how the William Harvey Hospital, already filled to capacity, will cope with all these extra houses not only on this site, but all around Ashford and surrounding villages;
- What extra provisions will be made to cope with the sewage from all these new properties, not only in Kennington but in the Ashford Borough.
- Already a strain on available water in Kent;

Additional issues raised in response to the application

Parking

- Insufficient parking provided, with bedrooms labelled as studies to reduce parking space allocations;

Housing

- The proposed affordable housing is inadequate;

Bowls Club

- There is no need for another bowls club;

Highways and Access

- Proposal is in conflict with policies of the Local Transport Plan for Kent;
- Traffic surveys do not consider those who work flexible hours;
- Tweaking traffic lights will not address traffic problems;
- Speed limit should be reduced to 30mph through Willesborough Road;
- Any access to the new site should be provided with a roundabout;
- More car parking spaces need to be provided for the bowls centre to prevent overspill parking.
- What provision will be made to stop George Williams Way on the Little Burton Farm Estate from becoming a short-cut for people living on Great Burton

Bus Provision

- Will a regular bus service be provided for both Great Burton and the Conningbrook Lakes developments to both the Town Centre and the Hospital?

Railway Crossing

- The bridge should be provided by the developer and should be wheelchair friendly
- Level crossing is rudimentary – don't see how it will keep local kids off the railway line
- No clarity of delivery of railway crossing – pedestrian bridge needs to be secured by condition

Amount of development

- Housing numbers proposed are over that set in the Local Plan
- Development is too dense, exceeding its allocated 700 dwelling allocation, two dwellings to be outside the settlement confines;

Design and Layout

- The school is so close to the river and railway line
- The 3 storey apartment blocks are imposing and unpleasant.
- The commercial centre should be at the centre of the development, not adjacent to Willesborough Road as it will have a detrimental impact on the existing Little Burton commercial hub;

Drainage

- The scheme will require a drainage system into the river.

Residential Amenity/Health and well-being

- Concerns of smell from local sewage and water treatment works due to increased pressure on the services;
- Concerns of noise and light pollution;
- Pollution will increase to the detriment of local residents;
- If the land is built over it will remove an important amenity for people's health and wellbeing.

Climate change

- Negative impact on meeting climate change targets.
- More effort needs to be placed upon green energy incentives.

153. 75 letters of support have been received. It emerged that 8 support comments were not valid and they were removed and withdrawn as they were not genuine letters of support. In summary, the supporting comments received related to:-

- The provision of affordable housing to Ashford;

- The new sports and leisure facilities provide good facilities to younger generations. Additionally, these facilities and the school are needed and will be good for the community;
 - The creation of permanent employment once completed and temporary employment during the building of the development, boosting the economy;
 - The surrounding scheme will encourage wildlife to the area;
 - There is a good balance between the accommodation and amenities and the proposal is orderly and aesthetic; and
 - The proposal provides a good road layout and improvements to buses.
154. The matters raised by local residents and summarised above are principally addressed in the Assessment section of this report.

Planning Policy

155. The Development Plan comprises the Ashford Local Plan 2030 (adopted February 2019), the Chilmington Green AAP (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019) and the Kent Minerals and Waste Local Plan (2016)
156. For clarification, the Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012). The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Local Plan 2030

SP1 - Strategic Objectives

SP2 - The Strategic Approach to Housing Delivery

SP4 – Retail and Leisure Needs

SP6 - Promoting High Quality Design

SP7 - Separation of Settlements

S2 – Land North East of Willesborough Road, Kennington

HOU1 – Affordable Housing

HOU6 – Self and Custom Build

HOU12 - Residential space standards internal

HOU14 - Accessibility standards

HOU15 - Private external open space

HOU18 - Providing a range and mix of dwelling types and sizes

EMP6 – Promotion of Fibre to the Premises (FTTP)

EMP9 – Sequential and Impact Assessment
TRA1 – Strategic Transport Schemes
TRA3a - Parking Standards for Residential Development
TRA3b – Parking Standards for non-residential development
TRA4 – Promoting the Local Bus Network
TRA5 - Planning for Pedestrians
TRA6 - Provision for Cycling
TRA7 - The Road Network and Development
TRA8 – Travel Plans, Assessments and Statements
ENV1 - Biodiversity
ENV2 – Green Corridor
ENV3a – Landscape Character and Design
ENV3b - Landscape Character and Design in the AONBs
ENV4 - Light pollution and promoting dark skies
ENV5 - Protecting important rural features
ENV6 – Flood Risk
ENV7 – Water Efficiency
ENV8 - Water Quality, Supply and Treatment
ENV9 - Sustainable Drainage
ENV11 – Sustainable Design and Construction – non-residential
ENV12 – Air Quality
ENV13 - Conservation and Enhancement of Heritage Assets
ENV15 - Archaeology
COM1 - Meeting the Community's Needs
COM2 – Recreation, Sport, Play and Open Spaces
IMP1 – Infrastructure Provision
IMP4 – Governance of public community space and facilities

157. In terms of the site-specific policy – this is set out in full below:

S2 – Land North-East of Willesborough Road, Kennington

Land to the north-east of Willesborough Road, Kennington, is proposed for residential development with an indicative capacity of 700 dwellings. A serviced area of land shall be provided within the site for the development of a two form entry primary school. Development proposals for the site shall be designed and implemented in accordance with an agreed masterplan for the general layout and delivery of development and related infrastructure on the site. The masterplan shall be developed taking into account the following:

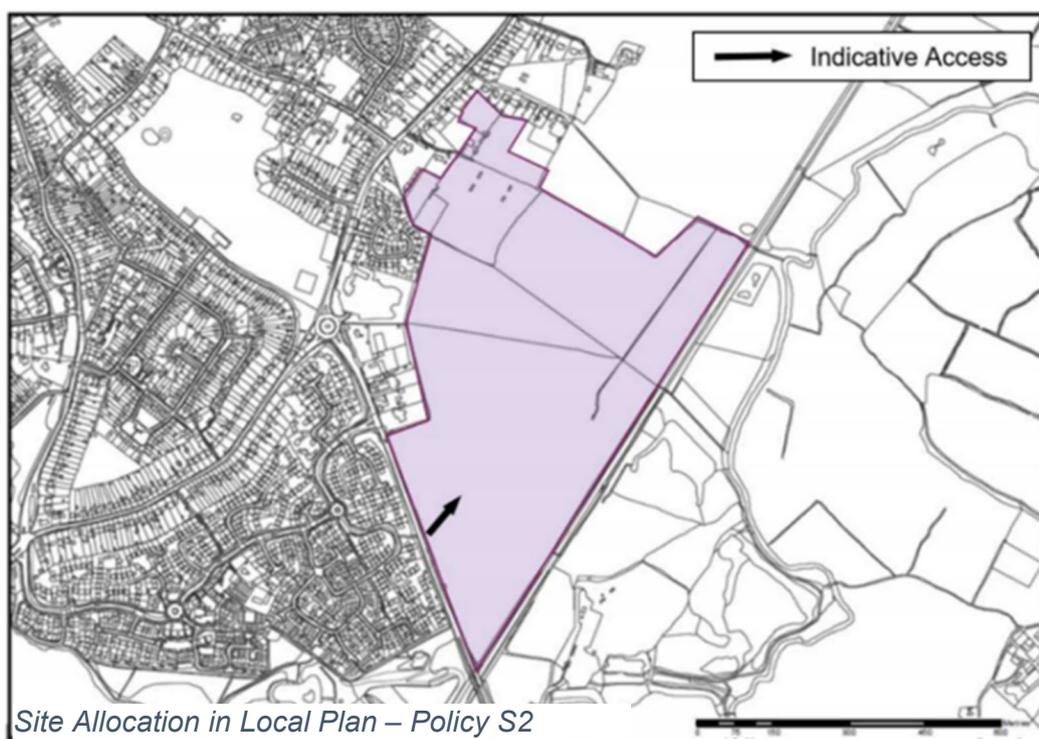
- A) The topography of the site and residential amenity of neighbouring occupiers of the site;
- B) A full flood risk assessment that has been prepared in consultation with the Environment Agency;

- C) Primary access to the site shall be provided from Willesborough Road, with the location of a secondary/emergency access to be determined following further investigation into the feasibility of access onto the Canterbury Road, in liaison with the Local Highways Authority;
- D) New pedestrian and cycle routes are to be provided throughout the development with connections to existing routes. The PRowS running through the site should be maintained and incorporated within the development, where possible. Proposals must investigate, and deliver, if feasible, a pedestrian and cycle bridge crossing over the railway line to replace the existing at-grade pedestrian crossings, and maintain the PRow and provide access into the country park;
- E) Structural planting, including linear tree belts running through the length of the development, together with the use of individual street trees, shall be incorporated in the development with this structural planting to be provided as part of the first phase of development. The existing trees and hedgerows along the boundaries to Willesborough Road, the railway line, and the northern countryside shall be retained and enhanced, except to provide suitable access;
- F) Appropriate species and habitat surveys should be carried out. Results will inform ecological mitigation and enhancement measures to be provided on site and proposals for implementation, maintenance and monitoring in accordance with Policy ENV1;
- G) The location of the primary school site shall be determined following liaison with Kent County Council, and the site should be made available in the initial stage of developing the wider site;
- H) Provision of an extension to the Green Corridor, allotments and areas of informal open space to meet the needs of the development;
- I) The need to minimise the impact of noise and vibration from the railway line on the amenity of future occupiers of the development, informed by a noise and vibration assessment; and,
- J) Be designed to limit its impact upon views from the Kent Downs AONB, informed by a landscape and visual impact assessment, to determine appropriate structural and internal landscaping, building heights and materials.

In addition, the development shall:

- I. Make improvements to the local road network, where necessary and achievable, informed by a Transport Assessment carried out in liaison with KCC Highways and Transportation.
- II. Provide a proportionate financial contribution to the delivery of Highway England's scheme for a new M20 Junction 10a.

- III. Provide a financial contribution to the extension of the existing bus services in the area to serve the development.
- IV. Provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider; and provide future access to the existing sewerage infrastructure for maintenance and upsizing purposes.
- V. Provide a proportionate contribution towards primary education to contribute towards the delivery of the primary school on site. Ensure that any land contamination issues are satisfactorily resolved or mitigated.
- VI. Ensure that any land contamination issues are satisfactorily resolved or mitigated.
- VII. Provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider; and provide future access to the existing sewerage infrastructure for maintenance and upsizing purposes.



No occupation of the residential element of the development shall take place until the proposed M20 Junction 10a is open to traffic, in accordance with Policy TRA1, unless otherwise agreed with the Council and Highways England.

Kent Minerals and Waste Local Plan

DM7 – Safeguarding Mineral Resource

Emerging Partial Review of Kent Minerals and Waste Local Plan

DM7 – Safeguarding Mineral Resource

Supplementary Planning Guidance/Documents

Residential Parking and Design Guidance SPD 2010

Sustainable Drainage SPD 2010

Landscape Character SPD 2011

Residential Space and Layout SPD 2011

Dark Skies SPD 2014

Affordable Housing SPD 2009

Public Green Spaces & Water Environment SPD 2012

Other 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

Kent Downs AONB Management Plan 2015 – 2019

Government Advice

National Planning Policy Framework (NPPF) 2019

158. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 7 – Ensuring the vitality of town centres

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 10 - Supporting High Quality Communications

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 - Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

National Planning Policy Guidance

Technical housing standards – nationally described space standard

Assessment

159. The key issues of consideration are: -

- The principle of development
- The visual impact of the proposal and the setting of the AONB
- The design quality of the scheme
- Housing mix
- Impact on residential amenity
- Highway impacts, car parking & cycle provision
- Open space and play facility provision
- Community, education and health provision
- Indoor and outdoor sports facility provision
- Impact on Heritage Assets
- Other planning issues such as ecology, flood risk and drainage, water supply, loss of agricultural land, contamination and waste infrastructure
- The need to mitigate the needs arising from the development.
- Environmental Impact Assessment

160. I deal with each of these within the sub-sections below.

Principle of Development

161. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. As set out within the policy section, Ashford Borough Council have an adopted development plan – the Ashford Local Plan 2030 (ALP).

162. Para 11 of the NPPF states that a presumption in favour of sustainable development should apply, and for decision taking that means *‘approving development proposals that accord with an up-to-date development plan without delay.’*
163. The Local Plan sets out the land use planning strategy adopted by the Council and Policy SP2 sets out this strategy for housing, which focuses the majority of growth in and near the built-up area of Ashford. This site is allocated through Policy S2 as one of the strategic sites on the edge of the Ashford urban area to deliver the homes required over the local plan period to 2030.
164. Policy S2 allocates the land for residential development with an indicative capacity of 700 dwellings across this site and neighbouring land at Orchard Farm. Part of Orchard Farm has been the subject of a separate resolution to grant outline planning permission for 25 dwellings (19/00834). There remains a further part of Orchard Farm which has yet to be brought forward as a planning application. The policy also requires a serviced area of land to be provided within the site for a new two-form entry primary school.
165. The principle of large scale residential development on the site is therefore established, subject to the detailed consideration of the proposals in relation to the site specific policy criteria, other relevant policies in the adopted Local Plan and any other relevant material considerations.

Local Plan Inspectors’ Report – Allocation

166. The Inspectors’ Report of the 2nd January 2019 sets out much of the rationale for accepting this site as being suitable for residential development, and supporting infrastructure. This following extract provides the justification provided at that time for including the site within the Local Plan:

“The land to the north-east of Willesborough Road, Kennington (S2) is proposed for residential development with an indicative capacity of 700 dwellings. The allocation also includes a two form entry primary school. A small parcel of the site is in separate ownership and the policy and supporting text should be adjusted to give flexibility for houses here to be brought forward more quickly than the rest of the site.”

“The boundary of the Kent Downs AONB is about 1km away. From Wye Downs development would be seen as part of a wide panorama including the Ashford urban area. Nevertheless the policy criteria relating to planting and design are not strong enough to safeguard the setting of this designated area. Further provisions regarding structural planting and materials are therefore

required. With these in place the proposal should not harm the scenic qualities of the AONB so that it is not necessary to undertake a landscape and visual impact assessment at this stage.”

“About 60% of the site is Grade 1 agricultural land. The SA of May 2016 considered the consequences of the 3 alternatives for distributing new development around the edges of Ashford in relation to the quality of surrounding agricultural land. In so doing, the Council has considered use of poorer quality land but rejected that approach because of other sustainability impacts. Therefore this allocation is in line with national policy in paragraph 112 of the NPPF regarding best and most versatile agricultural land.”

“In general terms the Highway Authority is satisfied that this allocation along with others around Ashford town will not have severe capacity impacts. The policy expects primary access to be taken from Willesborough Road with improvements made to the local road network following a Transport Assessment. In this regard an impact assessment (TBD02) has identified issues at 4 signal junctions along the A28/A2042 corridor. However, provided any necessary mitigation is undertaken, there is no clear evidence that traffic arising from the development together with other allocations could not be accommodated or that the local roads could not cope.”

“There are no obvious impediments to delivery and the site will be designed and implemented in accordance with a masterplan. This should provide the necessary certainty about the quality of development, where open space and the school will be located and how cycle and pedestrian connections will be formed. As part of this it is reasonable to determine the feasibility of a footbridge over the railway. There is no evidence that necessary infrastructure will not be provided and this can be secured through the masterplan and at the detailed application stage.”

“Part of the proposed site allocation is within a Mineral Safeguarding Area as identified in the Kent Minerals and Waste Local Plan (MWLP) because of the likely presence of Sandstone (Folkestone Formation). By 2027 a landbank of sand of at least 7 years will exist in Kent. Two further sites have been identified as options after then (ED/27). As there would remain an adequate and steady supply even if the potential reserve were lost there is no conflict with paragraph 146 of the NPPF. If extraction were feasible and viable it would significantly delay delivery. This is therefore an occasion where the need for development overrides the presumption for mineral safeguarding as allowed for by criterion 5) of MWLP Policy DM7.”

“The site adjoins the Great Stour local wildlife site and the Conningbrook Country Park but these are already close to housing so that the two can co-exist. However, greater detail is required about the need for surveys and the implementation, maintenance and monitoring of any mitigation or enhancement measures.”

“Subject to the changes that have been identified to achieve soundness and which are recommended as MM7, the allocation of S2 is justified.”

167. The Inspector’s recommended changes MM7 were made and the Council adopted these in line with Inspector’s recommendations.

Five Year Housing Land Supply

168. The Council is able to demonstrate a deliverable five-year supply of housing land within the Borough. The site, being an allocated site, will make an important contribution to the Council maintaining a five-year housing land supply and a reasonable assumption has been made about anticipated delivery of housing from this site over the next 5 years (and beyond) as part of the Council’s position on housing land supply. Maintaining a five-year housing land supply will enable the Council to be in a stronger position to resist speculative inappropriate developments on unallocated sites within the Borough. The delivery of this site will also help the Council meet its Housing Delivery Test obligations which is a requirement of the NPPF.

Minerals Safeguarding

169. The planning application site falls within a Mineral Safeguarding Area as identified on the ‘Ashford Map’ which accompanies Policy CSM5 ‘Land-won Mineral Safeguarding’ of the Kent Minerals and Waste Local Plan (KMWLP) 2013-2030 (adopted 2016).
170. Policy DM7 ‘Safeguarding Mineral Resources’ of the KMWLP (2016) sets out a range of exceptions that override mineral safeguarding concerns, as a point of principle. It establishes that planning permission can be granted for non-mineral development that is incompatible with minerals safeguarding where it is demonstrated that ‘it constitutes development on a site allocated in the adopted development plan’ (criteria 7).
171. This exception applies to this site. The whole of the application site falls within land identified as site allocation S2 ‘Land North East of Willesborough Road, Kennington’ of the adopted Local Plan 2030 and Policy S2 clearly promotes the site for non-mineral development.

172. Substantial weight should be given to Policy DM7 of the Minerals and Waste Plan (2016). It remains adopted policy and is the most up-to-date part of the development plan in this regard.
173. It is also noted that the Minerals Authority (KCC) have not requested a minerals assessment as part of the planning application, nor have they raised any objections or concerns on mineral safeguarding grounds.
174. However, it is recognised that a Partial Review of the Kent Minerals and Waste Plan (2016) is currently underway. The Partial Review does include proposed changes to Policy DM7 and criteria 7 specifically.
175. Essentially, these changes seek to change the current blanket exceptions for allocated development plan sites, where non-mineral development is proposed. The changes will require suitable evidence (normally in the form of a minerals assessment) to be produced during the formulation of a Local Plan to satisfy that the exemption should still apply. If not, and in most cases, the application will need to be supported by a minerals assessment, regardless of whether it is allocated in a Local Plan.
176. The Partial Review is now at the latter stages. Formal hearing sessions have been held, and a number of Proposed Amendments to the Proposed Changes to the Plan have now been consulted on.
177. It is noted that both the Proposed Changes to the Plan, and the Proposed Amendments have received a number of objections from Local Planning Authorities within Kent, including from the Council. The Examination remains open and the Inspector has not advised whether further hearing sessions are needed to explore further objections, or whether he intends to progress with the issuing of his Report.
178. Also of relevance to this wider issue is that KCC (the Mineral Authority) and the Council signed a Statement of Common Ground (SoCG) in June 2018. This SoCG weighed up the wider planning merits of the then emerging Local Plan 2030 site allocations (including S2) against mineral safeguarding concerns. This included whether the mineral can be extracted satisfactorily and whether the need for the development overrides the presumption for mineral safeguarding.
179. With regards the then emerging site allocation of S2 'Land North East of Willesborough Road, Kennington' a detailed desktop assessment was undertaken by KCC. They concluded that:

“Despite the potential economic mineral resources at this site, on the basis of the significant and important material considerations outlined above, it is agreed that there are exceptional circumstances that would justify KCC (as Mineral Planning Authority’) in setting aside the presumption to safeguard the mineral resources present at the site by invoking an exemption to so safeguard in accordance with criteria 3 and/or 5 of Policy DM7 of the Kent and Waste Local Plan in this particular case.”

180. It is noted that criteria 3 and 5 of Policy DM7 do not form part of the Partial Review of the KMWLP. They will therefore not be materially changed from the 2016 adopted Plan, even if the Proposed Changes and Proposed Amendments of the Partial Review are taken forward.
181. This matter was addressed by the Local Plan Inspector during the Examination in Public and the subsequent letter to the Local Planning Authority. This sets out that by 2027 a landbank of sand of at least 7 years will exist in Kent and that two further sites have been identified as options after then and there would therefore be an adequate and steady supply even if the potential reserve were lost. With this in mind the Inspector was content that there was no conflict with paragraph 146 of the NPPF.
182. The inspector also concluded that if extraction were feasible and viable it would significantly delay delivery of this site, which is a fundamental element of the Council’s five-year supply of housing land, and their strategic allocations. The Inspector then states that this was therefore an occasion where the need for development overrides the presumption for mineral safeguarding.
183. Based on the above factors, I am satisfied that mineral safeguarding issues have been suitably considered and, in this regard, the scheme complies with policy DM7 of the Minerals and Waste Plan.

Housing Capacity

184. The site (and adjoining land at Orchard Farm) is allocated with an indicative capacity of 700 units. This proposal would see an uplift from this indicative capacity with up to 725 units being provided across this application site, 25 proposed as part of Orchard Farm, with the remaining area of land at Orchard Farm yet to come forward. The indicative capacity set out in Policy S2 does not provide a maximum for the allocated site area and it should be for the more detailed masterplanning of the site to consider what the final capacity might be, as is explicitly expressed in the supporting text to policy S2. The policy requires that the masterplan takes into account a number of site specific

factors, including how infrastructure will be appropriately delivered across the site allocation as a whole, and how the landscape impact of the proposal will be addressed. The acceptability of the number of homes proposed will need to be considered through the detailed assessment of these issues, those set out in the criteria and any other material consideration, such as acceptability of the design and layout, visual impact, parking provision and highway capacity. The acceptability of the number of homes proposed will therefore be addressed fully through the relevant sections in the report.

Other proposed uses – Provision of land for school

185. In accordance with the requirements of Policy S2, the proposal includes 2.05ha of land to be serviced for the use as a two form entry primary school. The location of the site has been discussed and agreed with Kent County Council, as the local education authority. The position near to the new railway crossing will allow for good connections to the Conningbrook Lakes Country Park and the dwellings being brought forward on the eastern side of the railway, and its location also allows direct access through the main thoroughfare of the site – and not through minor residential streets. The proposal is therefore considered acceptable in this regard.

Other proposed uses – retail/commercial centre

186. The proposal also includes a local retail/commercial centre which is provided at the access point of the application site. The proposal would include:-
- 280 sq.m of A1 (retail), across 2 units,
 - 180 sq.m of A1 (retail food store), as a single unit
 - 100 sq.m A3 (café),
 - 75 sq.m A5 (takeaway),
 - 190 sq.m D2 (gym)
187. The proposal is for small scale retail development, which will provide a local centre aiming to meet some of the everyday needs of the residents of the development. Policy EMP10 of the Local Plan is generally supportive of local centres such as this and para. 7.80 of the Plan sets out the varied roles they can have in providing for local shopping needs, reducing the need to travel and acting as a focal point for the community. Policy EMP9 of the Local Plan indicates that proposals for retail development that are not located in the Primary Shopping Areas (of Ashford or Tenterden) and are not supported by other policies in the Plan should be the subject of a sequential test to demonstrate that no sequentially preferable sites in or adjoining the town centre are not available. Policy S2 does not specifically require a local retail /

commercial centre to be provided as part of the development. However, it is clear from the scale and nature of the retail / commercial proposals that the intention is only to support the local everyday needs of future residents of the development in the same way that similar centres support the sustainability of other residential areas of the town and, given that particular function, it would not be appropriate or reasonable to require a sequential assessment of alternative locations to be undertaken.

188. In terms of any potential impact of the proposal on the vitality and viability of the town centre, the A1 retail provision would total 460 sqm which falls below the threshold set out both within the Local Plan in policy EMP9 (b) to require the undertaking of a retail impact assessment. In any event, due to the relatively small-scale nature of these units, officers do not therefore consider that there would be an adverse impact upon the vitality of the town centre.
189. Concern has been raised in representations regarding the potential impact upon the local centre at Little Burton Farm, however it is considered that the proposal is an appropriate scale to meet the additional needs of the new residents of the development and would be unlikely to attract trade from elsewhere. In any event, there is no policy requirement to consider the impact upon other local suburban centres and competition is not a material planning consideration.
190. It is therefore considered that the proposal to provide commercial uses within the development would be beneficial in place-making terms. It will not have a demonstrably harmful impact upon the town centre and given it is to provide a local service to meet the needs of the development it would not be practical for it to be located elsewhere (i.e. closer to the town centre). As such, this is considered a sustainable form of development; and is consistent with the policies within the Local Plan and NPPF.

Other proposed uses – Bowls Club

191. The proposed development includes the provision of a Bowls club, with clubhouse and bowling greens. A Bowls Club is not a requirement of the site allocation policy, nor a requirement of Policy COM2 in terms of being sports provision meeting the needs of this development (addressed in later sections of this report). It is proposed to provide for the relocation of Ashford Bowls Club, which is currently located within the town centre (Vicarage Lane). Whilst policy COM2 seeks to usually locate new sports facilities at the identified sports and recreation hubs identified in the Local Plan, the provision of the bowls club here would not undermine that overall strategy. The relocation of the club and provision of a new clubhouse is identified within the Council's

Playing Pitch Strategy as requirement to maintain the existing provision, and is therefore considered to be a benefit of the scheme. The Bowls Club will also benefit from significantly improved facilities in comparison to those at their Vicarage Lane site and the applicant has agreed that the supporting facilities shall be made available for use a community hall for the development.

192. The provision of the Bowls club on this site does not conflict with any local plan policy, and as such there is no objection, in principle, to its provision within the site. This is subject to detailed considerations of layout and design, which are considered in the relevant sections of the report.

Masterplan, parameter plans and phasing

193. Policy S2 requires that ‘proposals for the site shall be designed and implemented in accordance with an agreed masterplan for the general layout and delivery of development and relative infrastructure on the site’ The masterplan must take into account the specific criterion set out in the policy.

194. As this application does not incorporate all of the land that is allocated as part of Policy S2, two masterplans have been submitted with the application. One which includes the whole site allocation, and one which includes just the site which is subject to this application (omitting the proposals for Orchard Farm). The masterplan for the application site is also supported by parameter plans, which set out the principles for the development on the application site in terms of the following:

- a) Land use
- b) Density
- c) Building heights
- d) Open space
- e) Access
- f) Pedestrian and cycle routes

195. The masterplans and parameter plans have been amended during consideration of the application, with the current versions submitted to the Council in January 2020.

196. Due to the site being in two separate land ownerships, the supporting text of the policy allows for the situation where a limited scale of development (Orchard Farm) may come forward in advance of the detailed masterplanning for the whole site allocation, subject to being able to demonstrate that the proposals ‘*would not be prejudicial to the proper place-making of the area (including the delivery infrastructure and services).*’ This has allowed part of

Orchard Farm to be considered in advance of the rest of the allocation and is subject to a resolution to grant outline planning permission for 25 dwellings. However, there remains land (part of Orchard Farm) which is yet to come forward through a planning application, and does not form part of this application, as it is in separate ownership. It is therefore necessary to consider

Illustrative Masterplan for whole of S2 site

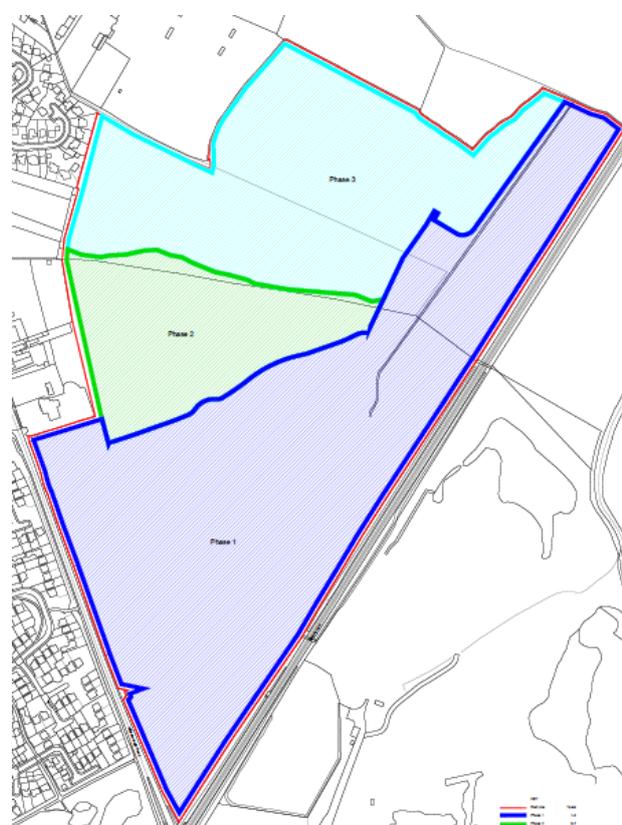


whether this is acceptable in terms of the proper place-making of the area, including the delivery of infrastructure and services.

197. The masterplans that have been submitted address the specific criteria in the policy (as explained in the following sections of the report). They provide the context and principles for an urban extension to Ashford, and it is considered that they demonstrate that all of the necessary infrastructure required by either Policy S2 or other Local Plan policies can be provided within the application site or satisfactorily provided off-site. It is also considered that the application site can be permitted in advance of proposals for the remainder of Orchard Farm, without necessarily prejudicing such proposals. Indeed, the ability to satisfactorily access the remainder of Orchard Farm via the application site remainder can be secured through this application.

198. Whilst it was originally envisaged that the whole allocation would come forward together, I do not consider that the land coming forward separately will lead to any harm to the proper place-making of the area. The detailed acceptability in terms of policy criteria and other material considerations is addressed in the relevant sections of the report.

199. The application has also been submitted with a phasing plan (right). Phase 1 shown in dark blue is subject to the detailed part of the application with phases 2 and 3 forming the outline part of the application. The proposed phasing of the site is considered to be acceptable, with the development beginning at the south and adjoining Willesborough Road, moving north into the site. The phasing also shows the delivery of the necessary infrastructure as part of phase 1; the school and provision of open space, in accordance with the requirements of Policy S2.



Phasing Plan

Impact on the setting of AONB

200. The Council has a statutory duty under the Countryside and Rights of Way Act (2000) to conserve and enhance the natural beauty of designated landscapes including AONBs – and their setting. The boundary of the Kent Downs AONB lies approximately 1km to the north-east of the site.
201. The impact of the development of this site on the setting and character of the AONB was considered through the Local Plan examination. The Inspector considered that from the AONB, the site would be seen as part of a wide panorama including the Ashford Urban Area. It was concluded that the proposal should not harm the scenic qualities of the AONB, if brought forward in accordance the relevant policy criteria of S2, subject to proposed amendments to include requirements for structural planting and materials. The impact of the proposed development on the setting of the AONB should therefore mainly be considered against the following relevant criteria of the policy:
- ‘e) structural planting, including linear tress belts running through the length of the development, together with the use of individual street trees, shall be incorporated in the development with this structural planting to be provided as part of the first phase of development. The existing trees and hedgerows along the boundaries to Willesborough Road, the railway line and the northern countryside shall be retained and enhanced, except to provide suitable access’*
- ‘j) be designed to limit its impact upon views from the Kent Downs AONB, informed by a landscape and visual impact assessment, to determine appropriate structural and internal landscaping, building heights and materials.’*
202. These criteria set out how the site can meet the requirements of Policy SP1 which seeks to conserve the borough’s natural environment including designated landscapes and Policy ENV3b in terms of impact on the setting of the AONB. Protecting the landscape and scenic value of the countryside is consistent with the NPPF, including in particular the environmental considerations as specified in the NPPF (and section 15 - Conserving and Enhancing the Natural Environment).
203. The applicants have submitted a Landscape and Visual Impact Assessment with the application which seeks to address the matter of visual impact of the development, including the longer distance views which have the potential to affect the setting of the AONB. Given that part of the development is in outline form, the impact has been considered in terms of the proposed parameter

plans for building heights, density and open space, as well as the detailed proposals for Phase 1.

204. The applicant's report identifies that the methodology for the assessment of effects has been derived from guidance provided within GLVIA3 (Guidelines for Landscape and Visual Impact Assessment 3rd Edition) published in April 2013 by the Landscape Institute and the Institute of Environmental Management and Assessment, and the Landscape Institute Advice Note 01/11¹.
205. The LVIA states that the level of effect on both landscape and visual receptors have been identified in respect of the different components of the proposed development. This assessment has identified whether the impacts are:
- Adverse, Neutral or Beneficial - Beneficial effects would typically occur where a development would positively contribute to the landscape character or view. Neutral effects would include changes that neither add nor detract from the quality and character of an area or view. Adverse effects would typically occur where there is loss of landscape elements, or the proposal detracts from the landscape quality and character of an area or view;
 - Direct or Indirect – A direct effect will be one where a development will affect a view or the character of an area, either beneficially or adversely. An indirect effect will occur as a result of associated development, i.e. a development may result in an increase in traffic on a particular route;
 - Short, Medium or Long Term – This relates to the expected duration and magnitude of a development. Within this assessment, the potential effects are assessed during the Construction Phase, then at Years 1 and 10, following completion of the development; and
 - Reversible or Irreversible – Whether the resulting effect of a development can be mitigated and whether the result of the mitigation is beneficial or adverse.
206. The Kent Downs AONB Unit were consulted on this application and raised objections in their original response of 25 February 2019. Their concerns relate to the urbanising impact of development within the site, and the

¹ The Landscape Institute and the Institute of Environmental Management and Assessment have jointly published Guidelines for Landscape and Visual Impact Assessment Third Edition (2013) that gives guidance on carrying out a Landscape and Visual Impact Assessment (LVIA), either as a standalone appraisal or part of an Environmental Impact Assessment (EIA).

extensive expansion of Ashford, bringing it ‘closer to the AONB boundary.’ The AONB Unit refer to the Local Plan Inspector’s requirement and considered the plans at that time to be in conflict with the objectives of policy S2 as the tree belt did not run the length of the development. Concern was also raised with regards to the materials proposed in the detailed part of the application, with the light-coloured materials making development more apparent from longer distance views, including the AONB.

207. Since this consultation response has been received, the masterplan has been amended, with a stronger tree line running through the centre of the site – both along the public right of way, and also along the main thoroughfare through the site. All existing boundary planting is to be retained and enhanced (with the exception of a small number removed to provide access), and the applicant has included the large area of public open space to the north-east of the site within the first phase.
208. There has also been a reduction in the area of the site which is proposed to be three storeys (up to a maximum of 14 metres in height). The applicant has also amended the design of a number of housetypes, and darker colour materials are now proposed for the flat blocks (black cladding).
209. In the latest consultation responses, the Kent Downs AONB Unit (September 2019 and repeated in January 2020) welcome the amended materials, additional tree planting through the length of site, and reduction in area of tallest buildings. Concern is still raised with the following, however it is considered that these issues have been appropriately addressed and additional detail can be secured through conditions:
- *Buffer along the railway line in phase 1 needs to be increased* – a detailed landscaping scheme will be required by condition in which additional planting can be provided within this buffer area.
 - *Tree planting in phase 1 at the southern end of the site on the east side of the tree lined road appears to be proposed outside of the public realm, which may restrict ability to provide appropriately sized species and may also be at risk of felling if provided within residential curtilages* – the layout has been designed to incorporate a tree line along the western side of this road, all of which is within the public realm and outside of residential curtilages, separated from the houses by the public footway. There is also a central open space/pocket park along this stretch which provides a cluster of tree planting. Whilst the tree line is only provided on one side of the road, the spacing of the trees relatively close together means this will provide an almost continuous row of trees when viewed from the AONB.

Given this, and the location of the pocket park along this street, the larger area of open space provided in Phase 1 and the buffer along the railway line, sufficient structural landscaping is provided as a whole to mitigate impacts on the setting of the AONB.

- *Maximum height of 14m shown on parameter plans should only be occasional three storey buildings to enable vegetative screening between* – the parameter plans show the maximum heights within this area, and it is proposed that the layout would be similar to that within Phase 1, where there is a mixture of three storey flatted development and two storey housing. This can be secured by condition and be considered further through the detailed reserved matters for phases 2 and 3.

- *Structural planting should be provided as part of the first phase of development, and therefore all planting shown on the Initial Green Grid should form part of the detailed application and be implemented alongside Phase 1* – The applicant has submitted a phasing plan for the proposed landscaping and structural planting (shown to right). The structural planting (in green) is to be provided prior to the occupation of the 50% of dwellings in phase 1; that shown in blue is to be provided before the completion of Phase 1, and that shown in orange to be provided as part of Phases 2 and 3.

Landscaping & Structural Planting Plan



2 and 3. A significant proportion of the structural landscaping and open space is to be brought forward as part of Phase 1. This includes the larger area of open space to the north, the landscaped buffers to the boundaries of the site, and the structural planting and tree lined routes throughout the phase 1 residential development. It is not possible for the structural planting within Phases 2 and 3 to come forward alongside phase 1 as the location of this is subject to consideration of the detailed design and layout

of those phases, which do not form part of this application. It is considered that sufficient structural planting and open space is provided in the early years of the development to mitigate the impact upon the setting of the AONB, and therefore meets the principles of the policy requirement to mitigate the impact upon the setting of the AONB. This phasing has also been used in the assessment carried out as part of the LVIA.

210. The LVIA formed part of the Environmental Impact Assessment which for the application, and has been reviewed for the Council by Temple Group. Following the initial review, additional assessment, photomontage and wirelines has been provided from the three viewpoints (11, 13 and 16) from the Kent Downs AONB to consider the impact of the development and expected level of green infrastructure proposed to mitigate the impacts. The LVIA concludes that the impact upon these viewpoints with the mitigation proposed would be moderate/minor.
211. The Temple Group's review of the Environmental Statement found the LVIA scope and methodology of assessment undertaken (with the additional information that was submitted) is considered to be acceptable. Temple Group do however, disagree with the conclusions regarding the impacts from viewpoints 11 and 16, where they consider the impact would remain significant and adverse. This is a matter of a difference in professional opinion in relation to the visual impact of the development.
212. It is considered that the concerns raised by the AONB unit have been addressed and that the requirements for mitigation through structural landscaping, limitations on building heights and the tone of external materials, have been provided, and will be secured by condition. From the higher ground in the AONB, Kennington and the wider urban area of Ashford are visible and built form (at distance) is therefore an existing characteristic in views perceived from the AONB. Views of the development site are in part masked by existing landscaping, vegetation and the topography of the land. The proposed development, whilst extending this part of the current settlement edge towards the AONB, will only be seen in part and at a distance. It will retain and enhance the current boundary vegetation and will not introduce new components that do not already exist within the immediate site setting. It is considered that the proposed development with the mitigation proposed in the form of landscape buffers, and structural planting will not have an adverse impact upon the setting of the AONB and is therefore considered acceptable in this regard. The provision of the structural landscaping, areas of open space, and landscape buffers can be secured by condition and where necessary, a Section 106 Agreement.

213. The approach taken to mitigating the impact on the setting and character of the AONB has evolved and improved since the initial submission of the application and officers are now confident that the level of mitigation is appropriate and proportionate. And so in this regards, complies with the relevant Local Plan policies including SP1 and ENV3b, as well as the requirements of the NPPF.

Other Landscape and visual impacts

214. The more broader impact upon landscape character in terms of the change of the character of the land from an agricultural field to residential and other built development, has already been considered through the allocation of the site in the Local Plan. The principle of this change has been established and considered acceptable, subject to the detailed consideration of the proposed scheme.
215. In this regard, Policy S2 requires the development to take into account the following in order to address the issue and where possible reduce the impact on landscape character:
- Topography of the site
 - Provision of structural planting, linear tree belts, retention and enhancement of existing boundary landscaping impact upon the landscape will be the change of the existing
 - The requirement for a landscape and visual impact assessment to be carried out relates mainly to the impact of the proposal on the AONB, rather than other landscape impacts. In any event the Landscape and Visual Impact Assessment submitted considers the wider landscape impact of the proposal.
216. In addition policy ENV3a of the Local Plan requires development to have regard to the following:
- a) Landform, topography and natural patterns of drainage;
 - b) The pattern and composition of trees and woodlands;
 - c) The type and composition of wildlife habitats;
 - d) The pattern and composition of field boundaries;
 - e) The pattern and distribution of settlements, roads and footpaths;
 - f) The presence and pattern of historic landscape features;
 - g) The setting, scale, layout, design and detailing of vernacular buildings and other traditional man-made features;
 - h) Any relevant guidance given in the Landscape Character SPD;

- i) Existing features that are important to and contribute to the definition of the local landscape character shall be retained and incorporated into the proposed development
217. The site is located within the Wealden Greensand Character Area (NCA120) at a national level, and within the County Assessment (the site and its setting) has been identified as falling within the Greensand Belt Landscape Character Area and the ‘Stour Gap’ Landscape Character Area.
218. The ‘Stour Gap’ character area is described as a low-lying flat or gently undulating landscape comprising open arable farmland enclosed by the Downs to the north. The landscape is influenced by the urban edge, industrial farm buildings and suburban influences. The character area is identified as being of very poor condition, with low sensitivity, with the overall landscape action being to ‘create’.
219. The Ashford Landscape Character SPD² identifies the Site within the ‘Stour Gap’ Landscape Character Area and in the southern tip of the District Landscape Type ‘SG1 Wilmington Farmlands’.
220. SG1 ‘Wilmington Farmlands’ is described as being a “large open arable farmland with long views to the North Downs. Land falls away towards the river, otherwise mainly flat. Some linear shelter belts, hedgerows stronger to the north and west, mainly hawthorn. Scattered farmsteads along A28 that bisects parcel.” The assessment identifies that the A28 bisects the character area, with traffic noise always being evident.
221. The LVIA identifies that in terms of landscape quality, the site reflects its locality, comprising of a number of trees and hedgerows. Internally, there are few landscape features of note, as the site is an agricultural field. However, it is acknowledged that some higher quality more established trees are located along the site boundaries which afford a degree of containment to the site.
222. It also identifies that the site shares some inter-visibility with the wider landscape setting to the east, however it already has the backdrop of existing residential development which itself forms a strong feature within the wider landscape. The LVIA concludes that the site is of relatively limited landscape or scenic quality – landscape quality low/medium. Likewise, the scenic quality of the site and its setting is considered low/medium.
223. In terms of rarity and representativeness, as the site is currently an agricultural field it is consistent with the land use of the much of the surrounding

² Ashford Landscape Character Assessment” (Jacobs, 2009).

landscape. The LVIA concludes that with the exception of the more established tree planting and vegetation structure, there are no features within the site that do not exist elsewhere within the Kennington area. As such, it is considered that the features within the site do not contribute to the representativeness of the wider Stour Gap Landscape Character Area – the rarity of the site has therefore been classified as low.

224. In terms of the perceptual aspects of the site, the LVIA concludes that the presence of residential areas to the west and north-west combined with the nearby railway, adjacent road corridors and the larger scale built form associated with the industrial estate and stadium to the south reduces the perceived tranquillity of the site and its immediate surroundings. It states that the site and its setting are located adjacent to the existing settlement edge and immediately adjacent to a main transport corridor. It does acknowledge that the perceived tranquillity increases with distance from this urban context and that the wider more rural landscape setting to the east of the site will have a greater perceptual value, but concludes that the overall perceptual value is low.
225. In terms of the future cumulative impacts, the LVIA concludes that the proposed development would increase the presence of built form within the immediate setting of Kennington. The change of land use will inevitably result in an agricultural open land with a corresponding reduction in openness. The LVIA concludes by stating that there would be a moderate cumulative impact in terms of landscape character.
226. In terms of the specific assessment relating to the 1-year and 10-year impacts, the assessment identifies that there will be a number of viewpoints that would have significant adverse impacts at Year 1³. These impacts are due to the close proximity of the site and area considered to reduce in time as the proposed landscaping matures and integrates the development into the wider landscape. In terms of middle distance views a number of vantage points will experience a degree of change in year 1, also less so than in close proximity - for the same reasons. By Year 10, the landscaping provision as proposed will ensure that the impacts from close proximity and middle-distance views are adequately mitigated.
227. A number of objection letters dispute the assessment of landscape impact, stating the value of the land to local residents, and the attractive setting that it provides to the urban area. The change in character of the site as a result of the development is accepted and acknowledged, however in landscape terms

³ Para 10.118, Page 214, Environmental Statement: Volume One, Main Text (Entran)

it is considered that this assessment is fair and is consistent with that taken at the Local Plan examination.

228. It is considered that overall, the impacts from the wider area would not be significantly harmful to the locality. The development would be seen from a number of vantage points against the backdrop of existing residential development and urban infrastructure. The existing tree line along the road frontage with the A2070 is proposed to be retained and enhanced (with the exception of the areas providing the access), which will reduce the visual impact of the development from the road.
229. It is considered that the analysis that has been undertaken as part of the LVIA follows the correct methodology and is thorough and balanced. Although the development will clearly result in change to the character of the area, the principle of this change in character and the resulting impact to landscape character and openness, has already been considered acceptable in principle through the allocation of the site. The development proposed includes significant tree planting, structural planting, landscape buffers and open space, in order to reduce the impact, and ensure the development sits comfortably in its context. The proposal therefore complies with policy S2 and ENV3a of the Local Plan and the NPPF.

Design and Layout

230. The NPPF requires all new development to be well designed and to respond positively to the character and appearance of any locality, and to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Paragraph 128 states that design quality should be considered throughout the evolution and assessment of individual proposals – which is the case in this instance. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.
231. Policy SP6 of the Local Plan promotes high quality design within new development, and requires for careful consideration to be given to the following design criteria:
1. Character, distinctiveness and sense of place
 2. Ease of movement
 3. Legibility
 4. Mixed use and diversity
 5. Public safety and crime
 6. Quality of public spaces and their future management

7. Flexibility and liveability
 8. Richness in detail
 9. Efficient use of natural resources
232. The policy requires development proposals to have responded positively to the design policy and guidance – both at national and a local level - in formulating their proposals.
233. The application has been amended following initial concerns raised by Officers regarding the design and layout of Phase 1 and the parameters set out for the outline element of the scheme, and in response to comments made in consultation responses. This has included the reduction in number of units proposed in Phase 1 from 320 units to 288, including amendments to the layout, housing types and designs, materials proposed, layout of commercial area, amount and locations of open space and structural planting.
234. As set out above, this proposal is for the detailed approval of 288 dwellings as part of the full element of this hybrid application, together with the agreement of the masterplan and parameter plans for the remainder of the site (the outline element of the hybrid application). This section therefore considers the details of Phase 1 first and then the proposals for the outline element of the scheme.
235. The applicant has submitted a detailed Design and Access Statement (DAS), and further addendum, which sets out the design rationale for the development, and seeks to address concerns raised and provide justification for the amended proposals.

Phase 1 – detailed design and layout

236. The development is proposed to be split into two main character areas, the Garden Village Character Area and The Parkland Character Area. Phase 1 is part of the Garden Village Character Area. Within this character area the residential development is focused around the village green.

Layout

237. The main accesses into the site would be provided along the western edge, through two junctions onto the A2070, which would then run into the site at a 90° angle, heading eastwards. The primary access linking the commercial centre and the school provided as a wide boulevard with generous verges to support mature trees, is the more northerly access point. A formal public square is proposed centrally along this access road, where the height and mass of the buildings would increase, creating a focal point where differing elements of the development converge. This street elevation along this road consists three blocks of flats (three storey) with two storey detached dwellings

Phase 1 primary access road street scenes



Street Elevation A-A



Street Elevation A-A cont.



between. It is considered that this provides an appropriate street scene setting, with the detached nature of the properties, set back from the road and the structural tree planting providing a spacious feeling to the main route into the development.

238. At the end of this main access road, it is proposed that the new primary school be located upon the eastern boundary, adjacent to the new railway crossing (bridge) to the Conningbrook Lakes site. It is also at this point that the largest area of public open space would be provided (in the north eastern corner).

239. The more southerly access from Willesborough Road would serve the southern residential parcel and would again be formed of a tree lined avenue, which then opens up into a more formal area of open space and the proposed Bowling Club facility. The properties to the south of this access would be predominantly two storey and of a suburban appearance and density.
240. The road frontage along the A2070 is considered to be well designed, providing an active frontage to the roadside, whilst maintaining the majority of trees along the edge of the highway. The provision of private drives ensures a suitable set-back from the main road, which will reduce the noise to future residents, and also ensures that each unit can have private parking on plot – rather than relying on parking courts, or parking to the rear (neither of which are particularly successful when used on a large scale).
241. Internally, the layout has been amended to ensure that there is a good level of street tree planting, and grass verges are proposed along the main routes through the development. This will provide a softness to the development, and will also ensure that the properties are not visually overbearing through the development. The majority of properties are provided with a set back from the edge of the highway/footpath of approximately 6-7metres which allows for either car parking provision, and or a good level of landscaping, providing a spacious character.
242. The oval shaped open space is located in a central position, being easily accessible from all dwellings within this part of the site. Three main routes run to this open space – two highways and one public footpath. There routes are also legible, with dwelling fronting the road and tree planting which identifies the street hierachy through this first phase.
243. The properties that front onto this open space are primarily detached, and this would complement the sense of space provided here. Officers consider this to be a good design solution, and enables the properties to be splayed, to address the curvature of the road appropriately.
244. The properties that run along the railway line are primarily ‘side-on’ which will ensure that any noise and disturbance is kept to a minimum from trains.

Commercial Area

245. The commercial area is located at the entrance to the site from the most northerly access on the Willesborough Road. It would consist of three blocks, two to the north and one on the southern side of the access road. Car parking is provided to the front of Block B, side and rear of Block A and front and side of Block C. Soft landscaping is also provided, which forms part of the structural landscaping provision running into the site. There would be a raised table and change of surface on the highway between the proposed units. This would clearly demarcate this as an area where people are likely to cross, and for traffic to therefore reduce speeds.

Layout of commercial area



246. The provision of a commercial centre at the access point is considered to be the most suitable location as it would limit traffic movement through the wider residential areas of the site. Locating this at the frontage of the site would also generate more footfall from existing residents, leading to the creation of a more vibrant and successful centre. Its location will also provide a focal point for the development, which provides legibility for users and creates a safe public environment.
247. Amendments were sought to change the relationship of the commercial buildings with both the existing and proposed properties nearby, as well as the location of parking (mainly to the rear), and design of the buildings. This has led to the buildings being pushed back and less rear car parking areas – which were considered to be likely to result in anti-social behaviour. The elevations have also been amended. It is considered that an appropriate balance has now been made between providing sufficient car parking for the commercial area, and that the design and layout of the parking is acceptable from a visual and safety perspective.

248. Block A would be three-storey with commercial units at ground floor and residential properties above. The building would have two strong gable features and would be clad in timber boarding (or equivalent – to be conditioned). No information has been provided with regards to the advertisement provision on each building, and from the plan submitted, no space appears to have been provided for shop fascia advertisements. As such, it is recommended that details of any advertisement be provided prior to installation to ensure that it is of a scale and form that will complement the design of the building in question.
249. Block A includes a number of balconies which would provide outdoor space for future occupiers and would also assist to articulate the building. Again, precise details of these balconies should be submitted to the Council and approved in writing prior to the commencement of works.
250. Block B would be three-storeys with the commercial at ground floor and residential above. As with Block A, there would be two strong gable features upon the front elevation and the upper two floors would be clad in timber (or equivalent). The building has a slightly different appearance, with a variation on the corner detail.
251. Block B would be ‘side on’ to the access road and the elevation facing it would have the commercial unit opening out to it, with a good level of fenestration serving the commercial units above. This is considered to be an acceptable elevation on this primary route into the site and provides activation to the street.

252. Block C is the largest of the three blocks and is shown to include three commercial units within the ground floor and an office at first floor – the remaining accommodation at first floor and within the second floor being residential. This block, sited on the southern side of the access road would face outwards towards the car parking area and highway thereafter. Materials would be consistent with those used within Blocks A and B.



Block C Front Elevation

253. It is considered that the commercial area at the front of the site is acceptable, reflecting the scale, mass and materials of the development as a whole, and creating a legible entry and exit point to the development.

Apartment blocks

254. Within the first phase of the development there are seven separate blocks of apartments. Three are located along the main access route, and four are provided on the eastern side of the site adjacent to the railway line.

255. Block A (located next to the commercial area on the northern access road) is proposed to be a three-storey building of brick construction, with some timber (or equivalent) cladding. The main elevations of this building would be



Block A elevation

well articulated with projections and recesses, including the provision of balconies on both the front and rear elevations. It is considered that the proportions of this building are acceptable, with the scale and mass provides a transition between the three storey buildings in the commercial area and the two storey houses.

256. The largest block of flats would be located centrally along the northern access road, fronting on to an informal square. This block (shown as Block H on the site plan) would have an attractive front elevation with two large gable features each with balcony provision in front.



Block H front elevation

This elevation would be clad at first floor and above, and would be well proportioned. It is proposed that a brick plinth be provided and other detailing such as recessed windows would be sought to be controlled by condition (to ensure that the building has a suitable level of layering). The longer elevations would also be well designed, and would include gable projections, with

balconies as well as a square bay projection (ground and first floor only) which helps to articulate the building.

257. Block J which is located on the northern tip of the residential part of Phase 1, along the main access road, would be of a similar scale to Block H, and would also incorporate a number of the design features, including the gable projections and balcony provision, and also



Block J Elevation

- the square bay projection. The repetition of the design features for the flatted blocks along this streetscene, provide for some consistency within the character area, and help to tie the development together. Whilst the flats are as separate entities well-proportioned and articulated there is a similarity between them that needs to be addressed across the wider site.
258. The roof would be constructed of clay tiles, and would also have a good-sized overhang, which again we would require the specific details of prior to the commencement of works.
259. As this building would be located within a highly visible part of the site, with the majority of traffic (both vehicular and pedestrian) moving past it, into and out of the site, or on the way to the school, it is important that it is well designed, and of a scale that sits comfortably within its landscaped grounds. The building would align with the proposed works to the highway and would also be provided with an area of soft landscaping to the front – providing some breathing space and ensuring that the vertical/horizontal relationship is acceptable. It is likely that some form of defensible space will be required here, and as such a condition requesting details of any such treatment be imposed.
260. With the submission of suitable details, it is considered that the design of this block is acceptable and accords with the requirements of both local plan policy and the NPPF.

261. There are two blocks of flats located on the eastern boundary, backing on to the railway line, which are proposed to have the same design (Blocks E). They would be three-storey in

Block E Elevation



height and constructed of brick at ground floor with cladding above. The building would have two small gable features to the front, with balconies provided at either end of the front elevation. This building would be near symmetrical (the central windows being slightly off-set, front and rear) and would sit comfortably within the area of landscaping that surrounds it. The flat block is provided with fenestration on both side elevations.

262. There are a further two blocks of flats (Blocks A) located in the southern corner of the site, between Willesborough Road, and the railway line. These are proposed to be of the same design, but handed. The image here shows the front and side elevations which would be seen from Willesborough Road. The materials are proposed to be mainly brick, with black weatherboarding and a slate grey roof tile. The elevations are broken up with provision of gable features and balconies to provide amenity space, and an appropriate window to void ratio. The design and appearance of these blocks is considered to be acceptable.



Block A Rear and side elevation

Dwellings

263. All dwellings within the development would be from Redrow's 'Heritage Range' and are all of a traditional form, seeking to replicate development of the interwar, and early post-war period, with the inclusion of bay windows and integral garages with timber effect doors. Many of these properties have



Example of House Designs

details such as brick plinths, eaves overhangs and glazed porches, which are archetypical of interwar dwellings. The proportions of the properties are well balanced, with the features and form being as one would anticipate within a housing development in this style. The majority of dwellings proposed are detached, with a smaller number of semi-detached properties. In addition to this there are seven rows of terraces of 4 dwellings, provided across the site within the affordable housing element of the development.



264. The applicants were advised that the houses initially submitted did not have enough variation, and were too uniformed across the site, and efforts have been made by the applicant to address this through greater variety in materials and also through the landscaping provision within each area. 17 different house designs are now proposed, providing sufficient variety and distinctiveness but also a consistency of character across this area.
265. The dwellings are all considered to be of an acceptable standard of design, with materials that reflect the local vernacular. The use of darker stain boarding is welcomed, particularly given the comments raised by the AONB Unit, as this will soften the development from further afield. Likewise, the inclusion of features such as brick plinths and overhanging roofs will ensure that the detailing of the buildings is of a good quality.
266. Kent Police have raised issues in terms of seeking to ensure that the development complies with secure by design, and the applicant have sought, where possible to incorporate this within the detailed design. This includes ensuring that all public open spaces are overlooked, and parking areas have good levels of surveillance to reduce the likelihood of anti-social behaviour. With the features incorporated, it is considered that the design is appropriate in terms of security. The condition requested will be applied for the outline element of the scheme, for these issues to be taken into account.
267. In terms of the policy requirements, it is considered that the proposal does represent a good standard of design, responding positively to the high quality

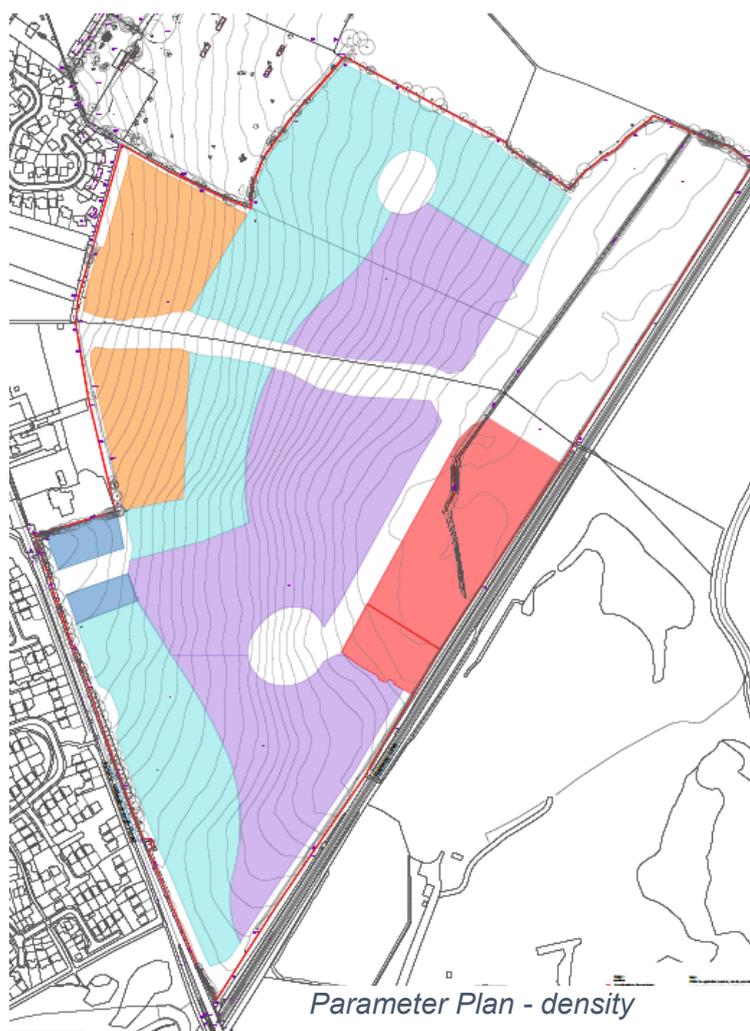
design requirements of Policy SP6, the specific landscape design requirements of ENVA3b, as well as paragraphs 128 and 130 of the NPPF.

Outline application

268. The outline part of the application is supported by parameter plans which will provide the framework for those parts of the scheme, and reserved matters will be expected to come forward following the principles and constraints set out in the plans. The following section therefore considers the acceptability of the proposals taking into account the parameter plans in relation to the design quality (including layout) of the scheme. The detailed design and layout will be subject to future reserved matters applications, however the framework in terms of buildings heights, density and open space will be considered here.

269. The outline part of the scheme (Identified as Phases 2 and 3 on the phasing plan) is proposed for up to 437 residential properties and open space, including SuDS.

270. The density parameter plan provides for three different relative residential density areas across the development site, with the highest (identified as medium density-purple area) on the western half of the site. Density is proposed to reduce to the western side of the site, with an area of low density proposed on the western boundary (orange area), which backs onto the existing residential properties on Willesborough Road, and Canon Woods Way. An area of medium-low density (blue area) is proposed fronting Willesborough



Road, as well as a central strip running through the development, and the section along the northern boundary. The building heights parameter plans follows the same pattern, with the highest buildings (up to 14m) being proposed in the medium density area, and the lowest building heights being proposed in the low density area (up to 9m). The medium-low density area would have building heights up to 12m. This variation reflects the provision of the three storey flat blocks which result in the higher density areas. The outline part of the scheme is proposed to be split into two main character areas, with Phase 2 being within the Garden Village Character Area and Phase 3 forming the Parkland Character Area. Sub-character areas are also proposed within these areas to provide some localised variety and differences in streetscape.

271. In terms of building heights these provide the maximum parameters, and as with Phase 1 of the development, the majority of the development would be expected to come forward as two storey, with the occasional three storey building within the medium density area (up to 14m). It is considered that the proposed maximum building heights provide the framework for a high quality residential development, and address the issues in relation to the impact upon the setting of the AONB and residential amenity (as considered in more detail in the relevant section of the report).
272. In order to achieve the proposed 437 dwellings within the outline element of the scheme it is likely that more semi-detached and terraced properties will be provided within the medium density area, than is proposed within Phase 1. This is considered to be acceptable, and will assist in providing for further definition of the character areas that are proposed, and provide a varying character to that in Phase 1, which is needed across a development of this size. Further details of the two proposed main character areas and any sub-character areas is required in order to inform the design and layout for future reserved matters in Phases 2 and 3, and this can be secured by condition. This should also address how the design of individual dwellings and the apartment blocks will differ from those provided in Phase 1.
273. The open space parameter plan indicates the structural landscaping and open space to be provided as part of Phases 2 and 3. With a wide green corridor proposed centrally west to east across the site, following the line of the existing PRoW and linking to the green corridor proposed alongside the school. There is an area of open space stretching north south along the western side of the proposed central access road, leading up to a proposed village green similar to that provided as part of Phase 1. In addition structural tree planting is proposed along the central access road, and buffer planting around the edges of the site (although this is to be provided alongside Phase 1 of the

development). The provision of the open space and structural planting proposed mitigates the impact upon the setting of the AONB (as previously discussed), and also provides the framework for an attractive residential development.

274. It is considered that the proposed parameters for residential density, building heights and open space provision is acceptable, and subject to further details being agreed in terms of the proposed character areas (to be secured by condition), they provide the framework for a high quality residential development within Phase 2 and 3.

Public Art

275. The proposal will also be required to include elements of public art. Cultural Services have requested that contributions be made to provide art on the site, however the applicant has agreed make the provision themselves, extending the proposed public art strategy from the Conningbrook Lakes Country Park across the proposed bridge into the site. They will seek to work with local artists to provide elements throughout the site, primarily focussed within the areas of open space. It is recommended that this the details of this be dealt with through the submission of a public art strategy to be secured by condition.

Housing Mix

276. Policy HOU18 requires that development proposals of 10 or more dwellings will be required to deliver a range and mix of dwelling types and sizes to meet local needs. The specific range and mix of dwellings to be provided should be informed by proportionate evidence that is robust, up to date and provides an assessment of need.
277. In addition, paragraphs 60 and 61 require for local planning authorities to understand not only their overall housing number, but the specific requirements of all of the community. As such, this proposal has been subject to discussions with the Council's Housing Officer to ensure that there is an appropriate tenure mix throughout the development, that not only meets the policy requirements, but seeks to meet the know requirement at the point of determination.
278. This mix has been formulated through a review of the Council's Strategic Housing Market Assessment (2014 – update 2017), which shows that a range of house types and sizes are required to meet the Borough's housing need

throughout the plan period. The preamble to policy HOU18 states that the Council will work with applicants to determine the correct mix to be provided, based on the context of the site, design considerations and local need. Proposals will therefore need to have regard to:

- the Council's relevant and most up to date housing strategies, including the Strategic Housing Market Assessment, the Housing Strategy and any relevant surveys on local housing need,
- the areas key characteristics and how any proposal will complement the existing built form and/or add variety where necessary,
- the Council's policy on residential space standards, as expressed under policy HOU12,
- the Council's guidance on the layout and design aspects of new dwellings, as expressed through the Residential Space and Layout SPD.

279. The applicant has identified that there would be a mix of 1, 2, 3 and 4 bedroomed units through the first phase of the development, and a policy compliant 30% of affordable housing throughout.

280. The mix of unit size compared to the Council's latest SHMA for the private market element of Phase 1 is provided in the Table below:

No of bedrooms	SHMA requirement	Proposal
1	5.7%	0%
2	28.9%	28%
3	43.8%	46%
4	21.6%	25%

281. It would not be expected for the mix to follow the requirements of the SHMA precisely, as this provides for an average mix across the whole borough.

Affordable Housing

282. Policy HOU1 of the Local Plan states that the Council will require the provision of affordable housing on all schemes promoting 10 dwellings or more. This scheme is policy compliant in that 30% of all units are to be affordable. Of which a third are proposed to be affordable rented tenure, and the remainder affordable home ownership products, with a minimum of a third being provided as shared ownership. The majority of units are provided within the main residential part of the scheme, with one unit being provided within the commercial centre. The remainder are located in three separate areas across

Phase 1 of the residential development, in a mixture of flats and houses, this provides a suitable mix across the site.

283. In terms of the affordable housing within the first phase of the development, the following is proposed to be provided:

Affordable Plots	No.	%
One Bedroom Flats	9	10%
Two Bedroom Flats	43	50%
Two Bedroom Houses	2	2%
Three Bedroom Houses	32	37%
Total	86	
Total Units	288	

284. The Council's Housing Officer has commented on the mix provided and is satisfied that this would meet the needs of the borough, subject to specific mix of affordable rented and affordable home ownership, which can be secured through the S106 agreement, as set out in the Heads of Terms in Table 1.
285. In terms of the mix of property size for the outline scheme, this will be considered in detail as part of future reserved matters – with the parameter plans providing sufficient flexibility to allow an appropriate mix to be brought forward at that time. The S106 is proposed to secure the provision of a minimum of 30% affordable for the outline element of the scheme in accordance with policy HOU1.
286. On this basis, it is considered that this split is acceptable, and would provide a range of properties, both affordable and for private sale that is consistent with the Council's existing evidence base. Officers are therefore satisfied that the housing mix provided is acceptable and meets the requirements of Policy HOU1 and HOU18 as well as paragraphs 60 and 61 of the NPPF.

Self and Custom Build Serviced Plots

287. Policy HOU6 states that the Council will support self and custom build development by requiring all sites within and on the edge of the towns of Ashford and Tenterden delivering more than 40 dwellings to supply no less than 5% of serviced dwelling plots for sale to self or custom builders, subject to the following criteria:
- a) Where this equates to more than 5 custom build dwellings on a single site a Design Brief should be submitted and agreed with the Council prior to the application being submitted;

- b) Where plots have been prominently marketed for sale to self or custom builders for at least 12 months, and have not sold, the plot can return to the developer to be developed and/or sold as open market housing; and,
- c) Development proposals must be of high-quality design and demonstrate a positive response to sustainable development.

288. It is proposed that up to 36 self-build plots will be provided with Phase 3 of the development. This provision complies with the requirements of the policy. There is no policy requirement for this element of the proposal to be front loaded or delivered within a set phase of the development, it is therefore considered acceptable to phase them later in the development. The exact location and details of the serviced plots would be submitted as part of future reserved matters applications and will be secured by condition/through S106 agreement, which will also include provisions to secure their delivery.

Impact on Residential Amenity

289. Paragraph 127 of the NPPF indicates that planning decisions should create a high standard of amenity for existing and future users.
290. Criterion (a) of Policy S2 also requires that the residential amenity of neighbouring occupiers of the site also be considered in developing the masterplan of the site.
291. In terms of the neighbouring occupiers, there are a small number of properties along the A2070 that would back on to the site. These all have relatively long rear gardens (approximately 30m - 45m in length). The property closest to the entry point/commercial area is Downsvie Guest House – which is a relatively sizeable hotel with large car parking area to the front. There are a number of trees and shrubs along the boundary with the application site, creating a degree of separation. Other properties further north (who back on to the site) have less landscaping provision, and more open views out toward the countryside. Properties within Canon Woods Way also back on to the application site, and these are provided with much shallower rear gardens, being between 4metres and 1metres in depth.
292. With the exception of Downsvie Guest House and the properties on Little Burton Farm, all residential properties lie on the boundary of the outline elements of the scheme. Detailed consideration of residential amenity would therefore be considered when the reserved matters are submitted for those parts of the development and the parameter plans provide the framework for this. Where the site is closest to the properties in Canon Woods Way the

landscape parameter plans provide for a wider landscape buffer, further details of which are to be secured by condition. The height parameter plans limit buildings in this location to 9m, within the lowest density area of the development. The masterplan indicates that a scheme can be provided so that properties are located in a manner that will ensure that there would be no overlooking, overshadowing or the creation of a sense of enclosure to existing residents. It is accepted that the views from these properties across existing agricultural fields will be affected, but this is not a material planning consideration.

293. With regard to Downsview Guest House, this property would be located adjacent to the proposed commercial area, however it is considered that there is sufficient separation distance to avoid any unacceptable impact in terms of overlooking, overshadowing or the creation of a sense of enclosure.
294. The rear of the existing properties of Little Burton Farm face the site. Given the size of their gardens, the road between, the existing and proposed landscaped buffers and the proposed set back of properties fronting onto Willesborough Road, there will be no significant adverse impact upon the residential amenity of the occupiers of those properties.
295. It is therefore considered that there would be no significant adverse impact upon the residential amenity of neighbouring occupiers, and as such the proposal accords with the requirements of paragraph 127 of the NPPF and Policy S2 (criterion a).
296. In terms of noise and disturbance – Policy S2 requires this to be considered as part of the masterplan, and paragraph 180 of the NPPF also requires for new development mitigate and reduce to a minimum, potential adverse impacts resulting from noise, for new development. The need to minimise the impact of noise and vibration from the railway line on the amenity of future occupiers of the development, informed by a noise and vibration assessment. The applicant has submitted within their EIA an assessment of noise and vibration. This has been assessed by the Council's Environmental Health Officer who considers its conclusion acceptable.
297. This assessment of noise and vibrations has taken readings from three locations within the application site. These are at the front (along the A2070), in the north-western corner and adjacent to the railway line. Residential units are proposed close to each of these receptor sites. A vibration measurement was also taken adjacent to the railway line.

298. There will be some additional noise and disturbance, both during construction and thereafter (above that experienced at present) but with the uses proposed, this is not considered to be of an unacceptable level.
299. The results of these surveys show that the highest baseline noise levels were recorded along the A2070. Centrally and away from the road traffic source, noise from train movements along the railway line were audible when trains were passing by.
300. From the model that was generated from these results, it has been identified that all rear gardens along the A2070 should be the rear of the properties, and that these will also need upgraded double glazing to mitigate any road noise, which is how they have been provided. All other properties within the development would be exposed to a noise level that would need no additional mitigation – including from passing trains.
301. These mitigation measures were considered acceptable within the ES review. The ES review recommended that planning permission should include conditions to secure a CEMP for prior approval of construction noise, noise from plant machinery 1 metre from the façade of sensitive premises should not exceed a BS of 4142:2014 rating and prior to commencement of construction a scheme will be submitting describing measures to ensure the layout of the scheme has been optimised, internal noise levels comply with recommendations and any approved scheme of measures is to be fully implemented before occupation and maintained.

Accessibility, Space Standards and Gardens

302. Policy HOU12 of the Local Plan requires for new dwellings to comply with the Nationally Described Space Standards. The houses and apartments provided as Phase 1 of the development meet and, in a number of cases, exceed these minimum requirements. It is also proposed that 63 properties meet the Building Regulations part M4(2) which exceeds the requirements for Policy HOU14 for a minimum of 20% to be provided. In terms of the number of properties that will be part M4 (3b) compliant, two dwellings within the affordable rented element of Phase 1 are proposed to meet this standard in line with the policy requirement.
303. Policy HOU15 states that unless drawings indicate alternative provision of private useable external open space, new dwellings, whether created as 'new build', subdivision or conversion shall be provided with an area of private open space. Unless demonstrably unfeasible, this should not be overlooked from

the road or other public spaces. The policy also sets out space requirements for both flats and dwellings.

304. In terms of the dwellings, all gardens have a minimum depth of 10 metres and are, where possible designed so that they run ‘back to back’ with existing gardens. It is therefore considered that this is policy compliant. With regards to the flatted elements, all flats are provided with an outside amenity space, with all flats having balconies of a minimum of 5 sq.m in size, as required by Policy HOU15. It is therefore considered that the proposal is acceptable in terms of the size of units and their amenity spaces and accessibility.
305. In summary, the development would have no adverse impact upon the existing residents of the locality and would also ensure a good standard of accommodation for future residents, exceeding the minimum policy requirements. As such, the proposal complies with policies HOU12 and HOU15 of the Local Plan and the NPPF.

Highway Impacts, Car Parking and Cycle Provision

306. Policy TRA7 of the adopted Ashford Local Plan 2030 relates to transport impacts, and amongst other things states, that developments that would generate significant traffic movements must be well related to the primary and secondary road network, and this should have adequate capacity to accommodate the development.
307. In this regard Policy S2 has specific requirements in relation to highways impact, mitigation and access to the site. These state that primary access to the site shall be provided from Willesborough Road, with the location of a secondary/emergency access to be determined following further investigation into the feasibility of access onto the Canterbury Road, in liaison with the Local Highways Authority; New pedestrian and cycle routes are to be provided throughout the development with connections to existing routes. Also – that the PRoWs running through the site should be maintained and incorporated within the development, where possible. Proposals must investigate, and deliver, if feasible, a pedestrian and cycle bridge crossing over the railway line to replace the existing at-grade pedestrian crossings, and maintain the PRoW and provide access into the country park.
308. Chapter 9 of the NPPF relates to the promotion of sustainable transport. In considering development proposals, local planning authorities should ensure that⁴:

⁴ Paragraph 108 – National Planning Policy Framework 2019

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users; and
 - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
309. The NPPF 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 severe⁵. To this end, paragraph 110 of the NPPF sets out that applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
 - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
310. The applicants submitted a detailed Transport Assessment with their planning application which provides an assessment of existing highways capacity and the scope of mitigation required to accommodate additional vehicular journeys arising from the introduction of new residential and non-residential uses at this location. It also provides details of the new access points to the site, for which detailed approval is sought.
311. The process of assessing the potential highways and transportation impact of the scheme has involved both survey work of actual conditions on the nearby road network and modelling of future conditions involving both the proposed development and without it. This has been instructive in assessing where particular areas of congestion on the network are and what form of mitigation might be necessary to alleviate the impact of the development. Extensive

⁵ Paragraph 109 – National Planning Policy Framework 2019

discussions have been undertaken with KCC Highways and Transportation to ensure that the modelling assessment is robust and that any proposed mitigation can be expected to achieve its intended outcomes.

312. The principal area of congestion in the vicinity of the site is the A28 corridor from the Conningbrook Hotel towards Ashford town centre and the transport assessment work has considered each of the junctions along this corridor from the Conningbrook Hotel roundabout to the Magazine Road / Canterbury Road junction. Survey work carried out in 2018 over several days provided an observed baseline for journey times along this corridor in both the morning and evening peaks, when congestion is greatest. Whilst journey times ebb and flow within the peak hours, an average journey time of between 5-6 minutes southbound was observed across the morning peak and between 4-5 minutes northbound across the evening peak.
313. The amount of trips generated by the proposed development (inc. the non-residential elements such as the school) was then modelled based on national characteristics of large schemes such as this in edge of town locations. Assumptions have been made in respect of proportions of non-car trips and trips made just within the development (for example from home to school and back) and verified by KCC as part of the consideration of the Transport Assessment.
314. Consideration has also been made as to where trips generated by the development may distribute across the network as not all will head for the town centre via the A28. With the opening to traffic of M20 Junction 10a, congestion at Junction 10 has reduced and it is reasonable to anticipate that a proportion of trips from the site will distribute eastwards towards the motorway, especially those heading to Folkestone, Dover and Hastings. A proportion of London-bound motorway trips may also now be expected to route in this direction. Similarly, a minor proportion of trips from the site are likely to distribute north towards Canterbury on the A28. This distribution will naturally spread trips across the network and the effects of this has been considered and agreed by KCC Highways and Transportation as part of the transport modelling, notably on the access to the William Harvey Hospital.
315. The modelling of the additional traffic generated by the scheme on the A28 corridor has also been the subject of a specific VISSIM modelling exercise and subsequently the subject of a Local Model Validation report which has been considered by KCC and their external modelling consultants. This has compared different scenarios ranging from the conditions observed from the

2018 survey work to a 2030 scenario with the proposed development and mitigation measures. It includes an assessment of natural traffic growth between now and 2030 and the impacts of other ‘committed’ development in the vicinity. The results of this are summarised in the sections below

Impact on Strategic Road Network (M20 Junction 10/10a)

316. The applicant has submitted a significant level of information relating to the impact of the development upon the strategic road network – the M20, and in particular the impact upon the nearby junctions. Policy S2 sets out that suitable contributions should be made from this development to mitigate its impact upon the strategic road network and as such discussions have taken place between the applicant, Kent County Council and Highways England (as well as ABC) as to the cumulative impact of this proposal (together with other commitments) and the level of contributions that are therefore sought.
317. As can be seen from the consultation responses, Highways England raise no objection to this application on the basis that given the advanced state of Junction 10a of the M20 and the likely timings for occupations, the proposal would not adversely affect the safety, reliability and/or operation of the strategic road network in this location and its vicinity. There is no requirement to restrict occupations of development on this site in respect of the impact on the Strategic Road Network.
318. The delivery of Junction 10a (M20) has (in part) been forward funded by central government funds which are the subject of an Agreement between the Borough Council and Homes England to be refunded through developer contributions as relevant schemes come forward. Without this forward funding, the junction would not now be available, and there would therefore be constraints to development on this site. As such, the Council are seeking suitable contributions from the applicant to effectively be reimbursed for unlocking the potential of this site. These contributions total £1,747,827 (to be index linked) based on the long-standing approach enshrined in SPG6 (Providing for the Transport needs arising from the South of Ashford Transport Study) and have been agreed with the applicant following detailed consideration of the overall impact this proposal would have on Junctions 10/10a – effectively a pro-rata contribution is sought in relation to all other commitments. This fulfills the requirement in sub-paragraph (ii) of policy S2 and is considered to meet the requirements of the CIL Regulations as being necessary to make this development acceptable, and to be fair and proportionate.

319. Should this contribution be made, officers are therefore satisfied that the development is acceptable in terms of its impact upon the strategic road network.

Impact upon the A28 and A2070 (Willesborough Road)

320. The modelling work undertaken to assess the impact on these corridors has demonstrated that the junctions along the A28 from the Conningbrook Hotel are not currently at their technical capacity based on the observed 2018 traffic flows. However, this situation would not be retained for the Simone Weil Avenue / Canterbury Road junction in 2030 without the proposed development, with congestion particularly significant in the evening peak.
321. When the traffic from the proposed development is added, the modelling suggests that the situation would further deteriorate in both peak periods. Consequently, appropriate mitigation is required to be provided from this development in order for the scheme to be acceptable in highway and junction capacity terms.
322. It is proposed that the Simone Weil Avenue / Canterbury Road junction be altered to match the signal operation of the right-turn movement – effectively allowing the left-turn movement to operate as a free-flow slip but still observing a pedestrian call once per cycle coinciding with the red-phase for right-turners into Simone Weil Avenue. A physical island is required to channel both left and right turners from the A28 Canterbury Road into the correct lanes. The central island on Simone Weil Avenue has been proposed to be moved further west. This will also necessitate the slight repositioning of the existing footpath to ensure that its current width is maintained.
323. Initially, KCC reviewed this proposal and raised a concern that the mitigation scheme did not secure a nil-detriment scenario in terms of capacity impact and resulted in a worsening in capacity compared to the 2030 baseline scenario. A revised modelling solution was then submitted by the applicant (January 2020) which included the upgrading of all four traffic signal junctions along the Canterbury Road to a SCOOT ((Split Cycle Offset Optimisation Technique) system.
324. The proposals now provide a nil-detriment scenario when compared to a without development 2030 future year scenario (Appendix E of the submitted technical note) and may even provide an improvement in journey times southbound in the morning peak and both ways in the evening peak compared with the 2030 scenario.

325. KCC now consider that these improvements (the junction improvement and the SCOOT upgrading) are acceptable in mitigating the impacts of the proposal on the A28 corridor. These upgrades will be required prior to the first occupation of any of the dwellings within the proposed development. This would be secured by condition.
326. The William Harvey Hospital *William Harvey Roundabout proposals* Roundabout was modelled by the applicants prior to submission. This is a four-arm roundabout with the A2070 forming its northern and southern arms. The eastern arm provides access to the hospital and the western arm to Yeoman Gardens. The modelling undertaken shows that with the expected levels of growth, the roundabout exceeds its maximum capacity. As such, a mitigation scheme was developed that would comprise of a minor widening of the east and south kerb lines and the removal of the hatching of the approach from the northern arm. With this mitigation in place, the modelling has concluded that there will be a no detrimental impact at this junction when compared to the 2030 no development scenario.

Site Accesses

327. Policy S2 requires that primary access to the site be provided from Willesborough Road, with potential for a secondary/emergency access to be provided from Canterbury (if feasible).

328. The application proposes two vehicular accesses to be provided from A2070 Willesborough Road, both of which would run at right angles from this highway into the site. The northern-most access (the main access) would be served with a right-hand turning lane, with hatchings and islands at either end (the northern most to include a pedestrian crossing). Extensive discussions were held as to whether this was the most appropriate location, and the proposed position has been agreed, as being safe, and with the least detriment to the existing tree planting along the highway. Suitable visibility splays can be provided on either side of the access to enable safe egress from the site at this point.



329. The southern access into the site would also be provided with a right-hand turning lane, as well as a pedestrian crossing (to the south of the turning lane).

The hatchings along the highway would run from this junction to the northern junction to ensure the safe passage of vehicles. Again, it has been demonstrated that suitable visibility splays can be provided to allow for safe egress from the site.

330. Both of these accesses have been designed to a level that could not only accommodate the level of development within this application site, but also enable the potential development of the remainder of the allocation at Orchard Farm to be accessed in an acceptable way. The accesses will also enable any additional traffic generated by the commercial, leisure and school uses that form part of this application to be accommodated. This negates the need for any form of secondary access to this application site from the A28 Canterbury Road, which is constrained due to the limited width available between frontage residential properties and the traffic flows on Canterbury Road. Therefore, only the 25 dwellings previously resolved to be granted planning permission at Orchard Farm would be directly accessed from Canterbury Road by vehicle.
331. Within the northern (outline) section of the site, links have been shown to the land to the Orchard Farm land that forms part of the S2 allocation but is under separate control. The link to the remainder of the allocation is key, as this will enable access for residents of all bar the 25 units approved at Orchard Farm direct access to the the commercial and school provision on this site without resorting to using the A28 and the A2070. Such a link is also necessary to avoid prejudicing the ability to bring forward the remaining part of the allocation at Orchard Farm. This should be secured via the Section 106 Agreement.
332. As referred to elsewhere in this report, the land to the north of this application site is subject to a current planning application ref: 18/00236/AS. As such, it would be inappropriate to require a link between the two sites at this stage but it also would make little sense to preclude a vehicular access should the land to the north come forward in the future. Such an approach would represent poor place-making contrary to policy SP6 of the Local Plan where ease of movement is specifically referred to as a key criteria in establishing good design. The masterplan indicates that this could achieved if required in the future.

Parking Provision

333. The initial submission was not considered to comply with the requirements of the adopted car parking standards set out in Policy TRA3a and TRA3b. For this reason, amendments were sought to the level parking provided as well as to the layout which would allow for more on-plot car parking. Kent County Council have reviewed the submissions and have made a number of

comments, and whilst the applicant has sought to address the concerns where possible there remain a small number of areas where KCC still raise concern. These matters are:

- The three visitor parking spaces serving plots 31 to 39 are all clumped together and need to be more evenly distributed.
- The three visitor parking spaces serving plots 84 to 91 are all clumped together and need to be more evenly distributed.
- Plots 135-141 require a minimum of 2 visitor parking spaces. Only one visitor space is currently provided.
- Plots 192-193 require a minimum of 1 visitor parking space due to the tandem parking relationship for these plots.
- Plots 258-259 require a minimum of 1 visitor parking space due to the tandem parking relationship for this plot.

334. Whilst the concerns with regards to the above are understood, it is considered that with regards to the ‘clumping’ of visitor spaces, whilst it would be preferable to split these from a parking perspective, this would actually lead to a loss of landscaping provision, which on balance would be more harmful to the character of the development. As such, Officers consider the proposals to be acceptable in this instance.
335. With regards to the parking provision of plots 135 – 141, 192 – 193 and 258 – 259, Officers understand the comments raised, but again, consider on balance this to be acceptable, when assessed against the potential loss of soft landscaping, and tree planting. It is not considered that a slight under-provision on just 11 out of 288 units would result in a likelihood of parking overspill onto the main routes through the site, and as such, the development would not be likely to result in any harm to highway safety.
336. Amended plans have been submitted to address this concern raised with regards to the size of the cycle store for blocks A, E and H to enable sufficient cycle parking to be provided.
337. The County have also requested that all off-street parking should have an electric vehicle (EV) charging point installed. A condition is therefore recommended to secure this.
338. Whilst the school does not form part of the full application, the masterplan shows an area of parking to the front, as well as a suitable turning and drop off area. Full details of this are to be considered as part of any detailed application, but I am satisfied that the proposals have addressed this matter, and that suitable provision can be made at that stage.

339. The commercial area to the front of the site is also to be provided with sufficient car parking, for the uses that are proposed. The initial submission had much of the parking to the rear of the units, which Officers raised concern with, due to the potential for anti-social behaviour due to the lack of surveillance. As such, the buildings were pushed back, and the majority of spaces are now provided to the front of each commercial unit. Kent County Council have considered both the number and the layout of spaces, and consider this to be acceptable.
340. With the exception of the dwellings listed above, all properties are provided with adequate car parking spaces throughout the development, in accordance with the Council's adopted standards. This would ensure that future residents and visitors will be able to enter, leave and move through the site safely, without any unsafe car parking taking place. It is therefore considered, on balance, that the parking provision is acceptable.

Highway Safety

341. The internal road layout (full application) has been provided with tracking and visibility splay diagrams. This shows that appropriate movements can be made throughout the development, and safe access and egress can be achieved.
342. Consideration has been given to the position of private driveways to ensure that sufficient car parking provision is made, which would prevent unneighbourly or unsafe on-street car parking. Whilst it is inevitable that some on-street parking will take place, either through convenience, additional cars (over and above the average) or large numbers of visitors, given the design of the proposal, this is unlikely to generate a highway safety concern. Speeds will be low within the development, and visibility good.
343. Accesses into and out of the site have been assessed and are considered to be safe with suitable visibility splays on either side.
344. Concerns were raised by the public during the consultation process regarding the speed of traffic on the A2070 Willesborough Road and requests have been put forward to reduce the speed there to 30mph. The submitted Transport Assessment observes that the average northbound speed along Willesborough Road is 35mph and the southbound speed is 41mph. In light of this and the 5 year crash data collected which does not identify a significant crash trend, it is considered that speed reduction measures are not required.

Bus service and Bus Stop Provision

345. Currently there is no bus service which runs between the site and the town centre. KCC have therefore requested that a financial contribution of up to £100,000 a year (for up to 8 years) to support the provision of a new bus service – this could be in the form of an extension to an existing service or the provision of a whole new service. It is considered that after this time, the bus service would likely be self-sustaining and therefore not requiring subsidy from the developer. This requirement would be secured through the Section 106 agreement, as detailed in the Heads of Terms set out in Table 1 at the end of this report.
346. The provision of a new bus service is wholly supported by the applicants and helps meet the objectives as set out in the Transport Assessment in providing a sustainable alternative to the private car. The submitted Travel Plan sets out an objective to provide site users with information to make an informed choice of their travel options through the use of a Travel Information Point.
347. Suitable bus stop provision therefore also needs to be made, and the road internal to the site need to be designed to accommodate a bus. The applicants have submitted a plan (42499_5501_13C) which shows the proposed location of the bus stops along the A2070 Willesborough Road, being between the two access roads when heading in a northerly direction, and beneath the most southern access when heading in the opposite direction. The siting of these bus stops has been agreed in discussion with the KCC. The applicants have submitted a plan (42299_5501_rev B) which demonstrates that a suitable route for a bus service within Phase 1 is achievable, running a loop through this part of the development. Stagecoach in their consultation response support the proposals for the route within Phase 1, subject to the location of bus stops. These can be secured by condition.
348. However, Stagecoach raise concern that were the remainder of site S2 to be developed, as shown in drawing 2940-033E, and including an access and/or egress to Canterbury Road, then this offers the potential for the bus route to serve a much larger area – and therefore the road network must be able to facilitate this additional routing through the site. Given the restricted access options onto this site, it will not be possible for a bus service to access the site allocation from Canterbury Road. The bus service will however need to be extended into Phases 2 and 3 of the development, and details of how this can be achieved should be submitted with the reserved matters for those parts of the development.

Pedestrian and cycle links

349. It is proposed that a new toucan crossing be provided across the A2070 which will link the development to the western side of the highway. This would be a suitable location, both in terms of highway safety and in terms of future desire lines, as it links directly into a footpath running into Clarke Crescent and the residential development thereafter – this is a wide and attractive route for pedestrians. This would allow for the ease of pedestrian movement from existing residential development to the new school provision as well as commercial areas. The County Council are of the view that this is a suitable and safe location for the crossing.
350. A footpath is also proposed at the southern end of the road frontage that would enter the site directly opposite the Pilgrims Cycle Trail (NCN Route 18), which runs to the south of the existing residential properties of Little Burton Farm into Ashford Town Centre. This footpath would then run along the site frontage and would connect into the proposed highway network to allow for suitable pedestrian and cycle movements within the development thereafter.
351. The applicant has submitted parameter plans that set out the points of access into the site and the proposal pattern of movements within. This shows that the existing PRow would be utilised in the main, with new footpaths provided internally – the majority along the proposed highways, but also along the perimeters of the site. Within the outline element of the proposal – the connections are highlighted along the proposed main vehicular access, although it is likely that at the detailed design stage additional routes may be added.
352. Lengthy and detailed discussions have taken place with the applicant on the matter of highways, and in particular access, road design and car parking. Following a series of amendments, and a thorough and robust investigation of the nearby road network, it is now considered that the proposal would represent an acceptable design, and the mitigation proposed would not result in any severe impact upon the highway network. Kent County Council have been involved in all negotiations, and are now content that this application is acceptable, as are Highways England. It is therefore considered that the proposal would comply with criteria c) and d) of the Policy S2.

Public Rights of Way (PROW)

353. The existing Public Rights of Way (PROW) that would be affected by this proposal (AU20, AU21, and AU22) dissect the site in an east-west direction and also in a north south direction. These public footpaths are all located to

the northern side of the application site – primarily within the area that forms part of the outline planning application. Nevertheless, careful consideration should be afforded to the impact on these footpaths, with the masterplan able to demonstrate that these can be retained, and where possible, enhanced.

354. Of particular importance is the railway crossing point, where PRow AU22 crosses the railway line from this site into the Conningbrook Country Park to the east of the railway line. There is also an additional railway crossing to the north of the site, just outside of the application boundary, along PRow AU17. Policy S2 requires that the potential for a pedestrian and cycle bridge across the railway line to replace the existing at grade pedestrian crossing, be investigated and, if feasible, be delivered as part of the development.
355. The bridge over the railway line is needed in order to maintain the route of the existing public right of way, and to provide a connection between the site and the Conningbrook Country Park, as well as to provide a walking and cycling route from residential development currently taking place in the country park, the proposed future housing (Site S19 of the Ashford Local Plan 2030) and the facilities provided as part of this development. It is considered that the provision of this bridge is a major benefit to the development, and significantly improves connectivity for pedestrians and cyclists in the area. With the provision of a new primary school on this site, the improved connectivity is key to ensuring that pupils (and parents) are able to cross the railway line safely. If the bridge was not provided, the alternative route would require crossing the railway line via the existing highway bridge crossing on Willesborough Road and would be a much longer route and less attractive route, which would likely encourage increased use of the private car for residents and visitors to make journeys between the sites.
356. Maintaining the existing at-grade pedestrian crossing is not an option due to the increase in risk of public safety from additional users of the crossing as a result of this and surrounding developments. Discussions with Network Rail at the time of the preparation of the Ashford Local Plan identified their intention to close the existing crossing over the railway line on safety grounds. Network Rail have been consulted on this application and have stated that they consider the new bridge crossing to be an appropriate provision, as otherwise the existing crossing would be unsafe. As such, they are supportive of the proposals, subject to the applicant entering into suitable agreements that will ensure the bridge is delivered appropriately and thereafter maintained.
357. KCC Public Rights of Way (PRow) have stated that there is a need to address the rail crossings and potential re-alignment of the PRow affected; that the

development provides an excellent opportunity to secure access across the site to the adjacent country park; and consider that a bridge providing rights for pedestrians and cycle use is required.

358. The detail of the proposed bridge does not form part of this planning application, however the applicants have investigated the potential for the bridge in accordance with policy S2 and agreed to the principle of delivering it, including provision of a ramped design. The following has been carried out by the applicant in this regard:

- Design options and submission of an indicative design which has been subject to detailed costings for the bridge's construction, including with ramped access (in the region of £3 million).
- Initial discussions with Network Rail's asset protection team have taken place, starting the process to entering into the necessary agreements needed with Network Rail, as set out as being required within Network Rail's consultation response.
- Initial discussions with the landowners on the eastern side of the railway line in order to gain permission to construct and land the bridge. The landowner is Brett's with the Council having a long lease on the land for the provision of the country park.
- KCC has confirmed that it will take on the adoption and future maintenance of the bridge, subject to appropriate maintenance commuted sums being made by the developer (to be agreed through a future highways agreements, once the final detailed design has been agreed)

359. In terms of the timing of the delivery of the bridge, it is necessary to consider this against the phasing of the housing and provision of the school and the potential increase in usage of the crossing. It will be necessary to put a temporary closure of the existing crossing in place early on in the development due to works that are required to increase the land levels on the eastern side of the site alongside of the railway. The whole of phase 1 will be fenced off as a construction site, and therefore there will be no direct access from the development onto the PRow AU22 during construction and early completions on the site, other than by the existing entrance to the PRow from the junction of Canterbury Road and Willesborough Road. It is recommended that these provisions are secured by condition or through the S106 agreement.

360. The access to the bridge from the site is located in close proximity to the entrance to the proposed primary school. The residential development is proposed to be developed out starting from Willesborough Road and moving northwards into the site. It is therefore considered necessary that the bridge

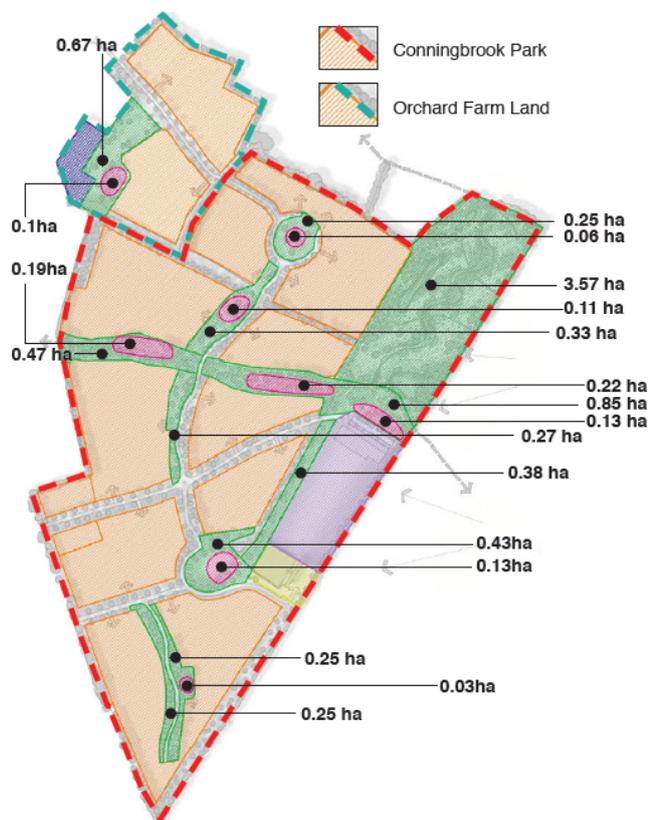
be open for use no later than the occupation of the final dwelling within Phase 1 or the opening of the primary school, whichever is sooner.

361. Given that the bridge is also required in relation to the site S19, and the balance of land forming this site allocation S2, in different land ownership and being brought forward separately, it is recommended that the Council should use reasonable endeavours to collect proportionate financial contributions from those developments (and any other in the future which may benefit from the bridge) for the construction of the bridge, to pay back to the applicant.
362. The requirements for entering into the necessary agreements required to deliver the bridge, and the securing its delivery will be provided for within the S106 agreement, as set out in Table 1.
363. In terms of other PRow through the site, these would all be maintained, without diversion, and whilst new development would clearly alter the character of the paths, no objections have been raised by the County in terms of the impact upon them. They have however requested that they be upgraded due to the additional usage likely to result. They have therefore requested that all PRow within the site should be improved to mitigate this additional use generated. A surfaced route would be expected, for footpaths they have requested a minimum width of 2 metres and for bridleways a minimum width of 3 metres. The specification of such surfacing will need to be approved and authorised by Kent County Council's PRow and Access Service. It would be a requirement of this planning permission that appropriate upgrading be made at a suitable time.
364. It is important to note however, that there are no bridleways on either end of this section, and the bridge design is also not of a form that would provide for such a crossing. On balance, it is therefore not considered necessary to upgrade all PRow across the site to bridleways.
365. The County Council PRow team has raised concerns with regards to the number of road crossings which would dissect the PRow within the site (it is suggested there would be five crossings). Whilst these concerns are understood, the parameter plans submitted show that there would be less crossings than perhaps anticipated. Also, all PRow are sought to be enhanced and form part of the comprehensive landscaping provision throughout the site. They would therefore form strong features within the development and would be highly visible. Furthermore, the roads would all be relatively low-speed and would not be likely to be heavily trafficked (being predominantly at the northern end of the site). It is considered that the overall

gains in terms of PROW provision outweigh any harm brought about by this concern.

Open Space and Play Facility Provision

366. The need for open space and children's and young person's play is set out in Policy COM2 of the Local Plan with the specific requirements being derived from the formulae set out in the Council's Public Green Spaces and Water Environment SPD. This indicates a requirement for a minimum of 0.87ha of children's and young person's play; and 3.48ha of informal open space to address the needs generated by 725 dwellings. To meet the specific requirements of the detailed part of the application (288 dwellings), a minimum of 1.39 ha of informal public open space and 0.33 of equipped play space would be required. The application proposes to meet all of these requirements on site, and more in the case of informal open space. However, concerns have been raised by Cultural Services about the nature of some of the space and facilities proposed, which have been reflected in their comments reported above.



367. With regards to informal open space, the major proportion of land identified for this purpose lies in the north-eastern part of the site, which lies mostly within Flood Zone 2. This area includes some parts which are intended to contain water as part of the drainage strategy for the site and at certain times of the year, some other parts of this area may also be wet resulting from lying water but it's zoning means that it is not expected this would not be the case for the majority of the time. As such, a significant proportion of this area should be available for use as informal public open space that directly serves the site. In addition, there are green links running across the site and linking the proposed focal points of the northern and southern village green areas. The proximity to the Conningbrook Strategic Park is also a relevant consideration

here and it may be reasonably expected that some informal recreational pressures will, in practice, be met by the presence of the park and the connectivity achieved by the new bridge over the railway.

368. Officers have considered the concerns raised about the useability of some of the proposed informal open space and whilst these are acknowledged and would, ideally, fall into Flood zone 1, on balance the proposals are considered to be acceptable. The proposed 'park' at the north-eastern end of the site sits close to the Conningbrook Lakes country park, and the associated bridge, and also helps soften views of the development from the AONB to the north. This area would not be suitable for housebuilding, and as such this land would remain as open space and attenuation in any event. The supporting text to the site specific policy at para 3.26 of the Local Plan supports this proposal, stating that in the event the area (in Flood zone 2) cannot be used for residential development, it should be utilised for publically accessible open space.
369. It is proposed that the delivery and phasing of the main area of informal open space and the areas within the detailed part of the application site are delivered via a Section 106 Agreement in the first Phase of the development and this is set out in Table 1 below.
370. Some areas of incidental open space, such as alongside roads (i.e verges) and landscaped buffers around the periphery of the site should not qualify as informal open space. The latest issue of the masterplan does now provide more internal open space and when all potential useable areas are considered, the overall quantum of informal open space is considered to be sufficient to met the needs generated by the proposals, especially given the proximity of the country park.
371. As can be seen from the diagram on the previous page, the boundaries of the site have no longer been included within the open space calculations, but rather the larger areas of landscaping within the development. These areas total (including the north-east section) 7.05 ha⁶ across the application site (plus a further indicative 0.67ha within the Orchard Farm part of the allocation, outside of their control).
372. It is considered that the amendments that have been made now ensure that suitable informal public open space can be provided across the whole

⁶ The applicant has excluded the school and bowls club from their calculation of 9.08ha of open space, as these are not considered publicly available as this cannot be secured at this stage.

allocation which complies with the Council's Public Green Spaces & Water Environment SPD.

373. **Children's Play Space** – The proposals for children's play spaces contained within the proposals indicate that play spaces of 0.97 ha can be provided on the allocation, of which 0.87ha is proposed to be provided on the application site. The Public Green Spaces & Water Environment SPD sets out that the threshold for the provision of on-site play space is at 415 dwellings, so this is triggered by the outline part of the application. Nevertheless, the detailed part of the application currently indicates the provision of a small play space at the southern village green although this does not meet the minimum size specification for a children's play space and associated buffer area set out in the SPD.
374. Elsewhere, indicative proposals for potential play spaces have been identified on the remainder of the application site but these are illustrative and not proposed for approval as part of this application.
375. The Council's broad approach to the provision of children's play space is to avoid multiple numbers of small facilities with limited equipment and space and to enable the provision of a smaller number of larger, more strategic facilities. Contextually, for this site, the adjacent Conningbrook Strategic Park is intended to provide children's play facilities but the SPD indicates that this site should also make appropriate provision too and these circumstances justify a bespoke approach here.
376. Given that a strict interpretation of the SPD would result in no on-site children's play space being required to serve the first phase of the development, the proposals to include a small area as part of this phase is potentially a material benefit that will assist with place-making and community development of the early stages of the scheme alongside the development of the primary school and addresses one of the concerns raised by the Community Council. Therefore, on balance, the proposal for a play space as part of the southern village green is supported and should be secured via the Section 106 Agreement.
377. On the remainder of the application site, the indicative proposals for several small play spaces are not supported and will need to be re-considered when detailed proposals and layouts for this part of the site come forward in due course. Here, the balance of the minimum on-site requirement should be

provided in accordance with the minimum specifications set out within the SPD unless otherwise subsequently agreed with the Council in light of the development of facilities at the Country Park.

378. **Strategic Parks** - The need for strategic parks is set out in Policy COM2 with the specific requirements being set out in the Council's Public Green Spaces and Water Environment SPD. A per dwelling contribution of £146 for capital works and £47 for maintenance has been requested by Cultural Services towards Conningbrook Strategic Park (c. £140,000 in total). However, an important requirement of policy S2 is the delivery, if feasible, of a pedestrian and cycle bridge over the adjacent railway line to replace the existing at-grade pedestrian crossing and provide much improved safety in crossing the railway and connectivity to and from the Country park and the new housing development on the eastern side of the railway line. The applicant has agreed to fund the delivery of a new bridge across the railway line, at a cost estimated to be in the region of £3 million. Given the significant cost of the bridge and the benefits it will bring to the access to the country park for all those living in the wider area to the west of the railway, it is considered justified to require a reduced capital contribution of £100 per dwelling towards facilities in the country park itself. Given the specific location of the site so close to the country park, it is considered necessary that both the bridge and this reduced capital contribution are provided.
379. It is noted that Kent Wildlife Trust have raised concerns relating to the potential for increased recreational pressure on the sensitive ecological areas in the Country park that lie in the vicinity of the proposed bridge. Whilst these concerns are acknowledged, they should be seen in the wider context of the purpose of the Country Park to attract visitors from a large catchment from Ashford and beyond and so issues of managing recreational pressures here are inherent in any event. However, it would be appropriate for this development to contribute towards the maintenance and management of the country park and this is included within the proposed obligations in Table 1 below.
380. **Allotments** - The Public Green Spaces and Water Environment SPD and policy COM2 of the Local Plan indicates that the threshold for the provision of allotments on a development site is 1375 dwellings, so technically this proposal does not trigger the need for on-site provision. However, it is noted that policy S2 indicates that the masterplan for the allocated area should make provision for allotments to meet the needs of the development.

381. Whilst potential land for allotments has been indicated on the land at Orchard Farm, this is outside the gift of the applicants and the application does not include the provision of land for allotments on the application site. In this case, there exists the capacity to bring forward allotments in the wider area to provide for the needs of this development, but their on-going maintenance is not secured and therefore a suitable off-site maintenance contribution is considered to adequately meet the site's requirements for allotment provision.
382. Officers therefore consider that the level and nature of open space on site, together with the contributions being made for off-site mitigation, is acceptable, and would meet the needs of the future residents, thereby complying with Policies S2 and COM2 of the Local Plan.

Community, Education and Health Provision

383. Policy COM1 of the Ashford Local Plan 2030 requires infrastructure and facilities required to meet the needs generated by new development, including education, health and community provision shall be provided.
384. The application includes the provision of a Bowls Club, which is proposed to provide for the relocation of the Ashford Town Bowls Club, from its current location in Ashford town centre. The proposal includes the provision of a club house with function room and ancillary facilities such as kitchen, toilets and changing rooms. Ashford Bowls Club have agreed to make the facility available for wider community use, both during the Bowls season and outside of it. It is considered that this provision meets the need for additional community provision on-site and that an off-site contribution is therefore not justified or reasonable in addition to this. It is recommended that the provision of the Bowls club and an appropriate community users agreement will be secured through the S106 agreement to ensure its availability to the wider community. It is considered that this provision meets the needs for community provision on site, and therefore the request from cultural services for a financial contribution towards to the provision of a new community facility building in the area would not be justified or required.
385. In addition to this KCC has requested contributions towards primary and secondary education, adult social care, libraries, adult education and youth services, in order to mitigate the impact of the development.
386. The site allocation policy (S2) states that a new primary school will be provided within the application site, at a location agreed through liaison with Kent County Council. Whilst this proposal is not required to fund (wholly) the provision of this school, it is required to provide the land, and the appropriate

level of contributions thereafter. The applicant has agreed that this proposal would make the land available to the education authority, as well as make suitable contributions towards its build costs. The policy requires that the school location is determined following liaison with Kent County Council, which has confirmed they are satisfied with the location of the school within the site. The school is proposed to be located on land to the eastern side of the site, adjoining the railway line, where land raising work will be required to remove the site from Flood Zone 2. With this in mind, and the need for the site to be fully serviced prior to it being transferred to KCC, the site will be required to be transferred at the earliest opportunity, and during the first phase of development. Given that there is a need to deliver the primary school on this site in the first phase of development, the applicant has also agreed to make the full primary school financial contribution alongside the transfer of the land for the primary school to Kent County Council.

387. The development also generates demand for additional secondary school pupils, and Kent County Council has therefore requested a contribution towards the additional 2FE phase of the secondary school which forms part of the Chilmington development. The secondary school contribution has been agreed to be phased later in the development, which would align with the potential delivery timescales of the additional 2FE at the Chilmington school. Whilst this is not the closest secondary school to the development, there are limited options for further expansion at the other schools which are not already being taken forward. The development of the Chilmington Green Secondary school has been identified as the key project for ensuring there is sufficient capacity in secondary school provision across the Ashford area to meet the needs of new development in the Local Plan. It is therefore considered to meet the CIL regulations.
388. Concern has been raised regarding potential capacity issues in terms of access to general practice provision and limited capacity at the William Harvey hospital. In terms of primary health care, the Ashford CCG in their consultation response have identified that there is currently limited capacity within existing general practice premises to accommodate growth in this area; this is supported within the local Ashford Primary Care Development Plan which has been developed by the GP contractors and adopted by the CCG. The need from this development, along with other new developments, will therefore need to be met through the creation of additional capacity in general practice premises; this is highlighted in the CCG GP Estates Strategy.
389. The CCG has advised that this development is expected to impact directly on the Ashford Urban Primary Care Network of practices, and in line with the

Development Plan, the CCG would support the extension of Sydenham House Surgery as a priority project to absorb growth from planned housing developments. The practice is developing a business case in order to mitigate the impact of the growth already experienced, as well as any future growth from additional development. The proposal is to extend the building by 291sqm + to provide additional consulting rooms, along with additional waiting space. The cost of the project is as yet to be confirmed, however the tender process will begin shortly. The applicant has agreed to pay a contribution of £534,528 based upon 725 dwellings in this respect, and for the full contribution to be made during Phase 1 of the development, enabling the project to be delivered early. It is considered that this meets the needs of the development in respect of primary health care.

390. Capacity at the William Harvey Hospital is an issue to be addressed by the East Kent Hospitals Trust in order to meet the demands of increasing population in the area. No response has been received from the Trust raising concern about the development or requesting funding towards improvements and hence no contribution is sought from this development.
391. A request has been made by Cultural Services for a financial contribution towards the voluntary sector. However there is no specific evidence provided which justifies this request in relation to the CIL regulations, and is therefore not supported in this instance.
392. It is considered that the development is meeting its full needs for community, health and education provision either through direct provision on site, or through off-site contributions to expand existing and provide new facilities, in accordance with Policy COM1 and IMP1 of the adopted Local Plan.

Indoor and Outdoor Sports Facility Provision

393. Policy COM2 of the Ashford Local Plan 2030 provides clear policy support for seeking financial contributions towards indoor and outdoor sports facilities required to meet the needs generated by the development. This is supported by consultation responses from Sport England and Cultural Services, seeking contributions towards the delivery of the Council's Indoor Sports Facilities and Playing Pitches Strategy, which was developed alongside the Local Plan, and identifies the additional needs for facilities resulting from development set out in the Local Plan.
394. As required by Policy COM2, the Sports England Calculator has been used to assess the appropriate level of financial contribution to meet the needs of the

development, and a financial contribution towards both outdoor and indoor sports facilities has been agreed by the applicant. A contribution of £327,845 (based upon 725 dwellings) has been agreed to be made for indoor sports which will be used towards improvements in provision at the Stour Centre. In terms of outdoor sports, a total contribution of £ 998,542 (based upon 725 dwellings) has been agreed – this will partially fund the provision of the 3G pitch and changing facilities at Finberry as well as further facilities at one of Ashford’s Sport and Recreation Hubs, as set out in Local Plan Policy COM2 and the Council’s Sports Strategy. It has been agreed that the capital contribution towards the Finberry 3G pitch will be provided in advance of the requirements set out in the SPD (280 units rather than 400 units), to enable the earlier delivery of the project. The location of this provision follows the ‘hub’ approach which has been agreed through the Council’s Sports Strategy as adopted as part of Local Plan, as set out in Policy COM2. It is therefore considered that the proposals meets the needs generated by the development, and accord with the CIL regulations. This is be secured through the S106 agreement as set out in the Heads of Terms in Table 1.

395. The development is therefore meeting its full needs for indoor and outdoor sports facilities through off-site contributions to expand existing and provide new facilities, in accordance with Policy COM1, COM2 and IMP1 of the adopted Local Plan.

Impact on Heritage Assets

396. In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), it is the Council’s statutory duty and obligation to have special regard to the desirability of preservation and/or enhancement of heritage assets such as conservation areas and Listed buildings and their setting.
397. Policy ENV13 states that proposals which protect, conserve and enhance the heritage assets of the Borough, sustaining and enhancing their significance and the contribution they make to local character and distinctiveness, will be supported.
398. In terms of heritage assets around the site the applicant’s heritage assessment identifies that there are 34 Grade II listed buildings within a 1km radius of the application site, most of which lie within the centre of Kennington (the centre of Kennington is also a Conservation Area). The majority of these listed buildings have been identified as being of a significant distance from the site, with no inter-visibility with the site. However, there are two which are both within 500m of the centre of the site, where further consideration is required:

the Grange, a Grade II listed building dating to the early 19th century located north west of the site, on the northern corner of Canterbury Road and The Street in Kennington. Bordering the north west boundary of the site, is the Grade II listed Spearpoint Cottage. Originating in the 17th century and altered in the 18th and 19th centuries.

399. With regard to the Grange, the applicant's assessment identifies this as an early 19th century 'L' shaped house of three storeys. Built in red brick it has a hipped tiled roof and an ornate modillion eaves cornice. It has sash windows with their glazing bars intact with stuccoed Keystones. This building lies approximately 200m to the north-west of the site, and is located on the corner of Canterbury Road and The Street – access is provided from The Street. The property is situated within a plot of approximately half an acre.
400. With regard to impact upon this heritage setting, it is considered that its historical setting has already been eroded with the encroachment of existing residential development. This development lies between the site and the property, and as such there is no inter-visibility between the site and the property. As such, the Council are satisfied that there would be 'less than substantial harm' to this property brought about by this proposal.
401. With regards to Spearpoint Cottage, this property is located on the eastern side of Spearpoint Corner, at the northern end of Willesborough Road. It is slightly set back from the main road with its own access off the main road. The roundabout at Spearpoint Corner is one of the main arterial routes into Ashford with the roads from Ashford (Willesborough Road and Faversham Road) converging at Spearpoint Corner to traverse northwards on the Canterbury Road.
402. The cottage sites within a plot of approximately half an acre, and as the building is bound by hedges, it is not possible to view it from a public vantage point. Between the rear of Spearpoint Cottage and the site boundary is a large area under lawn and this land belongs to Holmlea, therefore creating a buffer of land between Spearpoint Cottage and the site.
403. In terms of the impact upon this heritage asset, it is considered that the cottage's historical setting has already been eroded with the encroachment of development and the building of the roundabout at Spearpoint Corner. Furthermore, there is another garden between the site and the Spearpoint Cottage and the vegetation ensures that there is no inter-visibility with the site and therefore its openness does not contribute to its significance. Therefore,

is it considered that any impact caused to the significance of this heritage asset would be considered 'less than substantial'.

404. As noted, the centre of Kennington is a Conservation Area which contains a number of listed buildings. It is therefore important to consider this relationship in the determination of this application. Because the Conservation Area is a significant distance from the site, with no direct functional or visual relationship, it is again considered that the impact would be 'less than substantial'. It is noted that in making this assessment, consideration has been given to the likelihood of construction traffic passing through the Conservation Area, and future traffic flows – both of which are considered negligible impacts.
405. It is therefore considered that this proposal would not result in any harm greater than 'less than substantial' and as such, when weighed against the benefits of the proposal, it is considered that the proposal is acceptable.
406. The ES review also found the suggested mitigation to be acceptable provided construction vehicles routes as to minimise or if possible prevent HGV traffic flows through the conservation area. The proposal therefore accords with the requirements of Policy ENV13 of the Local Plan and Chapter 16 of the NPPF.
407. In terms of potential archaeology, it has been identified that the site of this proposed scheme lies within an area of high potential associated with Palaeolithic remains. The previous archaeological investigations on the Conningbrook Lakes site (adjacent) revealed important evidence of Upper Palaeolithic activity with faunal remains associated with stone artefacts. As such, Kent County Council have identified that a detailed geoarchaeological assessment is required in order to clarify the potential of this site as it is possible that significant remains also survive within this site.
408. It has also been identified that there is a broad potential for later prehistoric, through to modern archaeological remains, some of which may be of significance. The County therefore recommend that early archaeological and geoarchaeological work is undertaken for this site.
409. The applicant's own assessment (geoarchaeological) has highlighted that the site has the potential to contain significant Palaeolithic remains, and that further investigations will therefore be required. This work will be required to be undertaken early, to ensure that suitable mitigation can be provide thereafter. On this basis, the County have recommended that any archaeological condition only be imposed upon the detailed area of the site, with the outline area requiring further work to be undertaken prior to the

submission of details. This would accord with the requirements of Policy ENV15.

Ecology

410. Policy ENV1 states that proposals for new development should identify and seek opportunities to incorporate and enhance biodiversity. Proposals should safeguard features of nature conservation interest and should include measures to retain, conserve and enhance habitats... and networks of ecological interest... including... water features, ditches, dykes and hedgerows, as corridors and stepping stones for wildlife. Where harm to biodiversity assets cannot be avoided, appropriate mitigation will be required in line with a timetable to be agreed with the Local Authority. Normally any mitigation measures will be required to be delivered on-site, unless special circumstances dictate that an off-site model is more appropriate. Policy ENV1 of the Local Plan is consistent with the guidance contained within the NPPF.
411. The proposed development has been subject to consultation with KCC Ecology.
412. The application site lies within close proximity to a number of local wildlife sites (LWS), including the Great Stour (Ashford to Fordwich LWS), Naccolt Pit LWS, Willesborough Lees and Flowergarden Wood LWS and Bybrook Nature Reserve LWS. There are a number of other ecological designations as identified as being within the vicinity of the site (set out at table 11.4 of the ES⁷), which are also considered in the context of this submission.
413. The applicant's Environmental Statement (ES) addresses the impact upon ecology and nature conservation within Chapter 11. In order to inform the initial scope of assessment, consideration was given to the zone of influence of the proposed development. This area is defined as being that which may be affected by the biophysical changes caused by the proposed development and associated activities. It is identified that the extent of changes will typically reduce over distance.
414. The ES identifies two broad zones for consideration, these are:
- A primary zone of influence largely relating to the site itself, along with the wider survey area to the north west, incorporating habitats and associated species directly affected by the footprint of the Proposed Development

⁷ Table 11.4 – Ecological designations situated within the vicinity of the site, page 14, Chapter 11, Environmental Statement

and associated works (in terms of habitat loss or damage). This zone also includes areas affected by factors such as noise, vibration, lighting, dust and pollution, the effects of which will be focused within the nearby surrounds (i.e. within 100m) of the Proposed Development. Survey work has specifically focused on this area, to allow an assessment of habitats and species directly affected by the Proposed Development; and

- Beyond this, a wider (or secondary) zone of influence exists, where ecological features may be subject to wider scale effects such as recreational disturbance, air pollution from traffic or water pollution within the wider river catchment. The assessment of features within this zone is largely based on background information identifying ecological designations or known habitats or species populations of importance which could be sensitive to such wider scale effects.

415. In terms of the Faunal Groups, the following were surveyed:

Bats (Tree Investigations, Building Investigations, Automated Activity Surveys and Manual Activity Surveys)

416. Appropriate bat survey have been carried out for the site and immediate surroundings. This identified that there were a small number of trees adjacent to the site boundaries that were considered to have bat roosting potential. There was no evidence indicating the likely presence of a substantial bat roost however, although it was acknowledged that they may be used occasionally, or temporarily for this purpose. In terms of foraging, generally low levels of activity were recorded within the site although at least seven different species were identified during the surveys. The applicant's submission indicates that the site is 'unlikely to be of high importance to these species.'

417. The potential roosting habitat within and adjacent to the site may be at risk of some disturbance due to the built development, in particular from lighting and increased noise and disturbance, as well as the potential for greater predation from domestic animals. The impact of lighting is likely to be greatest when considering the commuting of bats, in particular where roads cross commuting routes. However, given that any roads along these commuting routes are not likely to be highly trafficked, the impact is still not considered to be significant.

418. In terms of mitigation, it is proposed that tree T1 be retained. Should the tree not be retained, detailed surveys will be required at the appropriate stage prior to works, to fully confirm any bat roosting, and the implementation of any suitable mitigation required thereafter. Members should be aware, that should

any roosts be found, an EPS licence will be required to be provided from Natural England.

419. Kent County Council responded to this submission and whilst they were satisfied that there is negligible bat roost potential within the site, several of the trees along the boundary have been identified as having suitable bat roosting features. They have raised concern about the potential loss of T1 and as such, requested that additional information be provided prior to determination to clarify whether this tree would be retained. With regards to the lighting, they have suggested that a detailed lighting strategy be secured by condition, that addresses the matter of light spill etc.
420. The applicant has subsequently submitted this information, which demonstrates that T1 can indeed be retained. Further mitigation proposed states that should any tree be required to be removed in the future (for health and safety reasons), then they will be subject to inspection prior to felling in the form of climbing inspections, with the use of an endoscope, to ensure that bats are absent and that no evidence of a roost (e.g. droppings) is present. Following this inspection, the tree would be felled on the same day if possible – if not further inspections would take place prior to felling.

Badgers

421. The entire survey area and immediate surrounds were surveyed for evidence of Badger setts and activity, including presence of well-worn paths, push-throughs, snagged hair, footprints, latrines and foraging signs. The surveys revealed that one, single entrance Badger Sett was recorded close to the northern boundary of the site, which was believed to be an outlier Sett. There were also a small number of latrines around the edge of the site.
422. Given that the Sett is located outside of the application site, it will be retained with a landscaped buffer along the boundary that will ensure that there should be limited loss of foraging ground. There may be an increased risk of traffic collisions where roads are close to the foraging routes, however as set out above, the impact is not considered to be significant.
423. Kent County Council have considered the likely impacts on this Sett and state that as badgers are protected under various legislation, including the Protection of Badger Act 1992, mitigation measures will be required during works in this area as it is likely to be adversely impacted. They have suggested that it would be more appropriate to provide a 30m buffer strip alongside this Sett – in order to ensure that it is not impacted. They have therefore asked

that a strategy be provided that will ensure this appropriate buffer is delivered through both construction and thereafter.

424. The applicant has submitted additional information which sets out the mitigation measures for Phase 1. In addition, due to the length of time since the previous report being completed (April 2017) it has been agreed that prior to any works on site and additional, update badger survey will be carried out prior to any ground disturbance.
425. A 20m buffer zone is still proposed rather than the 30m requested by Kent County Council, which the applicant considers to be acceptable. On review, Kent County Council have agreed that this is acceptable.

Water Vole

426. The ditch at the north east of the site was subject to specific survey for Water Vole, which involved actively searching the length of the watercourse where suitable habitat was present, both from within the channel and along the bank top, to record evidence of these species.
427. The applicants have identified evidence of water voles, including their burrows, some feeding remains and latrines at the site. Given the close proximity of the River Stour, it is likely that the water voles colonise the site from this location, and as such the population at the site is likely to form part of a wider population of water voles associated with this river.
428. It is acknowledged that the water vole may be at some risk from additional recreational pressures and domestic animal predation, however, the applicant's submission indicates that the qualitative and quantitative enhancements will outweigh any potential harm. The impact upon water vole has therefore be classified as negligible and non-significant.
429. In response, Kent County Council have requested that additional information be provided with regards to the relocation of any water voles, and any future mitigation thereafter.
430. The applicant has subsequently submitted a detailed strategy⁸ for the relocation of any Water Vole. This suggests measures such as careful strimming and further surveys to be undertaken if required.
431. Kent County Council Ecology have reviewed the submission and state that whilst the Site Wide Ecological Mitigation Strategy lacks detail they are

⁸ Page 11, Site-Wide Ecological Mitigation Strategy (Aspect Ecology), August 2019

satisfied with the methodology and have suggested the imposition of conditions to provide a separate mitigation strategy should permission be granted.

Reptiles

432. Specific reptile surveys recorded the presence of slow worm (good population), common lizard (low population) and grass snake (low population). The applicant's ES states that the majority of the site, being dominated by arable land, is largely unsuitable for reptile species. However, field edge habitats were recorded to support a good population of Slow Worm and a low population of Common Lizard and Grass Snake. These are largely retained within proposed landscape buffers, although may not be managed specifically for reptiles. However, the large area of open space within the north-east of the site will likely provide some areas suitable for reptiles, ensuring no overall loss of habitat under the Proposed Development. Accordingly, prior to mitigation, effects on reptiles from the completed development are considered to be negligible and non-significant (probable).
433. Kent County Council's response states that the ES states habitat manipulation and relocation of reptiles to 'suitable receptor sites' within the development boundary during construction. They highlight that details will need to be provided to demonstrate that optimal and sufficiently-sized reptile habitat can be created/enhanced within the site, which can be included in the recommended site-wide mitigation strategy. In addition to providing details of the reptile receptor site, they advise that long-term management plans for the receptor site are provided in the recommended site-wide mitigation strategy. This should demonstrate how the receptor area will be appropriately managed to support favourable reptile habitat.
434. In response, the applicant has suggested that in order to maintain connectivity through the site, boundary treatment solutions such as fence cut outs, missing bricks at wall bases and landscaped boundary features. It is proposed that the long-term management of the site form part of a submission made post decision by condition. This is considered to be acceptable and a condition would be imposed accordingly.

Great Crested Newts

435. An assessment of ponds within 500m of the site was undertaken using OS mapping. Based on this, a single waterbody providing potential breeding habitat located to the north of the site was subject to specific survey in the

form of four visits utilising torching, bottle trapping, netting and egg searching methods.

436. The majority of the site is unsuitable for GCN (being arable land) and would not be utilised as habitat. Any peripheral areas where they may be located (i.e. in the wetter parts of the site) would be retained as landscaped areas in any event, with both qualitative and quantitative enhancements possible. The impact upon GCN is therefore considered negligible and non-significant.
437. The County have reviewed this submission and have requested that GCN precautionary mitigation measures are incorporated into the recommended site-wide mitigation.
438. In response, the applicant has identified a number of measures will be undertaken to ensure that the GCN population is maintained. This includes the method of search and the provision of amphibian fencing to the provided on site.
439. The ecological work that has been undertaken is now considered to address the implications of the proposal and has now been independently reviewed by Kent County Council Ecology and Natural England. No objections are raised on the basis of ecology, subject to a number of conditions being imposed – with these set out in full within the consultation section of this report.
440. The detailed mitigation measures were considered acceptable within the Temple Group's review of the ES. It is therefore considered that the proposal would comply with the requirements of criterion (f) of Policy S2 and Policy ENV1 of the Local Plan and the requirements of Chapter 15 of the NPPF.

Flood Risk and Drainage

441. Criterion b) of Policy S2 requires that the application be accompanied by a Flood Risk Assessment (FRA) and criterion vi) requires that suitable connections to the existing sewerage network be provided in order to make this development acceptable.
442. Amongst other things, recently adopted policy ENV9 of the Local Plan 2030 states that all development should include appropriate sustainable drainage systems for the disposal of surface water, in order to avoid any increase in flood risk or adverse impact on water quality, and to minimise the drainage from the pre-developed site. The policy requires for a discharge of 4 l/s/ha or 10% lower than the current greenfield run off rates (whichever is the lower) during a 1:100 storm event.

443. Paragraph 163 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- a) Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 - b) The development is appropriately flood resistant and resilient;
 - c) It incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - d) Any residual risk can be safely managed; and
 - e) Safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
444. Paragraph 165 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
- a) Take account of advice from the lead local flood authority;
 - b) Have appropriate proposed minimum operational standards;
 - c) Have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
 - d) Where possible, provide multifunctional benefits.
445. The application has been subject to consultation with the Environment Agency (EA) and KCC Flood and Water Management.
446. The applicant has submitted a Flood Risk Assessment (FRA) and Drainage Strategy which sets out that the site falls predominantly in Flood Zone 1, with the area surrounding the existing ditch in the north east of the site falling within Flood Zone 2. The site is also not within a Groundwater Source Protection Zone. The re-modelling of the site would effectively move the flood zone, with some engineering works to provide new areas of attenuation. The EA have confirmed this is acceptable.
447. As a result, there will be no housing within Flood zone 2, and the site is at low risk of flooding, with the exception of groundwater flooding, surface water

flooding, and flooding cause by blocked culverts which are considered to be high risk, medium risk and a possible risk respectively.

448. With this in mind, the applicant has submitted a drainage strategy for the site that consists of 'traditional' gravity piped networks that will convey flows to one of two attenuation basins located in the north east of the site. These basins will then discharge into the existing ditch – at a rate of 4 l/s/ha – within the site, or to an extension of this ditch (proposed) within the application site. This would then subsequently discharge into the Great Stour river at an appropriate rate. This is considered to be acceptable, and aligns with the requirements of Policy ENV9.
449. The Flood Risk assessment have been considered by the Environment Agency and by Kent County Council, both of whom consider the assessment and mitigation to be acceptable.
450. In terms of the foul water, this will again comprise of a gravity fed system that will convey flows to two pumping stations, prior to being pumped via a rising main to the nearest Southern Water public foul water sewer manhole which is located within Canterbury Road. One pumping station is located adjacent to the Bowls Club within Phase 1 of the development. A further will be required within the outline part of the development, details of which will be secured by condition.
451. Southern Water has requested that the applicant liaise with them at an early stage to ensure that suitable capacity is provided through the phasing of the application, and have requested that appropriate conditions be imposed to ensure this delivery. This is considered an acceptable approach.
452. The Environment Agency have been consulted on these proposals and have raised no objections subject to suitable conditions being imposed upon any permission. Whilst some of the attenuation basins are located within Flood Zone 2 no objections are raised on this basis, as it is not considered to impact upon the capacity of this land to absorb flood waters if required. The suggested conditions are set out at the end of this report.
453. Kent County Council Flood and Water Management also reviewed the submission and initially requested that additional information be provided and that a couple of errors within the initial submission be addressed. The latter consultation response (of 16 September 2019) acknowledges that KCC raise no objection to this proposal following the submitted information from the

applicant being reviewed. Again, they have suggested a number of planning conditions which are set out at the end of this report.

454. The River Stour Internal Drainage Board were also consulted and raised no objections to this proposal.
455. Given the above, it is considered that the applicants have demonstrated that the site can be adequately serviced both in terms of foul and surface water, and that the proposal would not give rise to any additional likelihood of flooding either within the site, or elsewhere. As such, subject to the imposition of conditions as set out within this report, it is considered that all matters relating to drainage and flood have been adequately considered that there would be no likely harmful impacts as a result of this proposal.
456. The proposed drainage system was considered acceptable within the Temple Group's review. As such the proposal complies with policies ENV9 and S2(b) of the Local Plan and Paragraphs 163 and 165 of the NPPF.

Climate change – energy efficiency and water usage

457. The application is supported by an Energy and Sustainability Statement which sets out how the development will meet current Building Regulations and Local Plan requirements for energy efficiency, carbon emissions and water usage.
458. Policy ENV7 requires that all new residential development must achieve as a minimum the optional requirement set through Building Regulations for water efficiency that requires an estimated water use of no more than 110 litres per person per day. In accordance with this policy, all new residential development will utilise low flow sanitary items and efficient appliances, and a water assessment has been carried out to ensure that each dwelling achieves as a minimum this target.
459. In accordance with the BREEAM criteria of Policy ENV11, all major non-domestic elements of the development (i.e. the proposed school) will achieve a BREEAM Very Good rating which will be secured by condition. In particular, emphasis shall be given to the water efficiency of the buildings to ensure that a minimum of 3 Credits are achieved for this element. As the school design is in Outline only a detailed BREEAM pre-assessment will be conducted during the Detailed Planning or Reserved Matters Application stage for the school.
460. Regarding energy efficiency and carbon emissions, the development is proposed to meet the requirements of Part L of the building regulations with

the proposed energy strategy being based on a fabric first approach, utilising passive design measures, well insulated and air tight building fabric and space and water heating provided by high efficiency gas fired boilers. Should Building Regulations change in the future, the development is adaptable to be able to meet any change in standards.

461. Concern has been raised regarding water availability. South East Water, who supplies water for Ashford Borough, has confirmed that the scale of housing development and population growth set out in the Local Plan has been used to inform demand predictions in their Water Resource Management Plan 2019, which sets out how sufficient water will be available over the period to 2080. The requirements of Policy ENV7 ensure that water usage from the proposed properties is at the maximum level allowed. This issue was also raised and considered to be appropriately addressed through the local plan examination process, by virtue of the requirements of Policy ENV7.

Air Quality

462. The application has been submitted with an air quality assessment as part of the environmental statement. Temple Group have reviewed the assessment and following receipt of additional information are satisfied that the impact in terms of air quality is acceptable subject to appropriate mitigation being secured by condition. The potential impact relating to air quality during construction is in relation to dust and particulate matter, which can be mitigated through the provision of a construction management plan.
463. In terms of air quality following completion of the development, this remains better than the threshold set within national air quality objectives. In any event mitigation is proposed through the provision of electric car charging points for all dwellings, and 1 per 10 unallocated spaces. All gas-fired boilers meet a minimum standard of less than 40 mg NO_x/kWh. Both of which will be secured by condition.

Loss of Agricultural Land

464. Concerns have been raised over the loss of high-grade agricultural land as a result of this development. This was a consideration for the Inspector(s) when the land was proposed for allocation in the Local Plan in 2018 and was a matter given full consideration at that time. Whilst this development would give rise to the loss of best and most versatile farmland, the Inspector concluded that the Sustainability Appraisal (undertaken in 2016) demonstrated that locating development in areas of less agricultural land value would be less

sustainable for other reasons. This matter of principle has already been given full consideration, with the Inspector(s) concluding that the allocation did accord with paragraph 112 of the NPPF regarding the best and more versatile agricultural land.

Broadband

465. The applicant has confirmed that all properties will be provided with high-speed broadband as requested by the County Council, and in accordance with the requirements of Policy EMP6 of the adopted Local Plan. This will be secured by condition and provided prior to occupation of all units.

Contamination

466. The Council's Environmental Protection Team and the EA have raised no objection in respect of ground contamination subject to conditions, requiring the developer to investigate and risk assess potential contamination and where necessary remediate. A condition requiring the developer to report any unexpected contamination to the Local Planning Authority is also required.

Environment Impact Assessment

467. The applicant has submitted an Environmental Impact Assessment (EIA) with the planning application which has been subject to independent review by the Temple Group. Following submission of further information, assessment and clarifications, Temple Group have concluded that sufficient information has been submitted and the Environmental Statement is complete. Consideration of specific issues have been dealt with in the preceding sections of the report.
468. The Temple Group has provided a summary of mitigation measures proposed by the applicant on all topics and assessed whether additional mitigation would be required. These recommendations will be secured by condition. In terms of ecology and nature conservation it is considered that during the operation of the development, houses rather than gardens are to face onto habitat to prevent informal garden extensions, SUDs to be implemented to reduce point source pollution, filter drains or petrol/water interceptors to minimise the risk of polluted surface water run off. Green infrastructure corridors and boundary treatment solutions to maintain small fauna connectivity and a lighting design at the detailed design stage are all suggested mitigation measures. Groundwater monitoring and a localised surface water management system is considered necessary for water quality, hydrology and flood risk. In addition, further ground-gas monitoring and ground investigation as well as appropriate health and safety and pollution prevention controls are considered necessary.

Planning Obligations

469. 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.
470. As set out throughout this report, the development is considered to result in the need for various planning obligations in order to mitigate its impact and provide for suitable community and other facilities to meet the needs of the development. The requirements are supported by various Local Plan policies and have also been requested by the relevant providers and other interested parties in consultation responses.
471. 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.
472. Should any of the projects or trigger points identified in Table 1 be subsequently amended then delegated authority is requested to amend the S106 agreement accordingly.

Table 1 - Heads of Terms for Section 106 Agreement

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
1	<p><u>Affordable Housing</u></p> <p>In accordance with table within Policy HOU1 to provide not less than 30% affordable housing. 10% affordable rented, and 20% shared ownership/other affordable home ownership. Location, floorspace, number and size of bedrooms to be as specified with Housing. The affordable housing shall be managed by a registered provider of social housing approved by the Council. Shared ownership units to be leased in the terms specified. Affordable rent units to be let at no more than 80% market rent and in accordance with the registered provider's nominations agreement.</p>	<p>Phase 1 – 29 affordable rent; 56 shared ownership; 1 two bedroom flat as affordable home ownership to be provided in local centre.</p> <p>Phase 2/3 – 10% affordable rent; 20% shared ownership/affordable home ownership – specifics to be agreed through reserved matters</p>	<p>Phase 1 affordable housing to be provided prior to occupation of 75% of open market dwellings in that phase</p> <p>Phase 2/3 affordable housing to be provided prior to occupation of 75% of open market dwellings in that phase</p>	<p>Necessary as would provide housing for those who are not able to rent or buy on the open market pursuant to Policies SP1, HOU1 of Local Plan 2030 the Affordable Housing SPD and guidance in the NPPF.</p> <p>Directly related as the affordable housing would be provided on-site in conjunction with open market housing.</p> <p>Fairly and reasonably related in scale and kind as based on a proportion of the total number of housing units to be provided.</p>
2	<p><u>Accessible and adaptable Housing</u></p>	<p>20% M4(2) across the whole site</p>	<p>All accessible and adaptable homes</p>	<p>Necessary as providing a mix and type of housing required to meet identified needs in accordance with Policy HOU14 of Local Plan</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
	<p>Level 2 access homes (M4(2)) to be provided on-site</p> <p>Wheelchair accessible housing (M4(3b)) as part of affordable rented element to be provided in accordance with HOU14, with two units to be provided in Phase 1 and four across the Phase 2/3.</p>	<p>M4(3b): Phase 1 – 2 units Phase 2/3 – up to 4 units, to be identified in reserved matters</p>	<p>for each phase are to be provided before the occupation of 75% of open market dwellings in that phase</p>	<p>2030 and guidance in the NPPF.</p> <p>Directly related as the accessible/adaptable housing would be provided on-site</p> <p>Fairly and reasonably related in scale and kind as based on a proportion of the total number of housing units to be provided.</p>
	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
3	<p><u>Adult Social Care</u></p> <p>Project: Changing Place facility at Julie Rose Stadium or other in the local vicinity</p>	<p>£47.06 per dwelling</p>	<p>For each phase – 50% before occupation of 25% dwellings in that phase; balance before occupation of 50% dwellings in that phase</p>	<p>Necessary as enhanced facilities required to meet the demand that would be generated pursuant to Local Plan 2030 Policies SP1, COM1, and IMP1, KCC’s ‘Development and Infrastructure – Creating Quality Places’ and guidance in the NPPF.</p> <p>Directly related as occupiers will use community facilities and services to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of users and is based on the number of dwellings.</p>
4				

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
	<p><u>Allotments</u></p> <p>Off-site contribution towards maintenance of existing allotment provision.</p>	<p>£66 per dwelling for maintenance</p>	<p>Before occupation of 400th dwelling</p>	<p>Necessary as allotments are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies SP1, COM1, COM2, COM3, and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use allotments and the facilities to be maintained would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be maintained and the maintenance period is limited to 10 years.</p>
5	<p><u>Children’s Play and Informal Open Space</u></p> <p>Provision of children’s play and informal open space on site.</p> <p>Alternative for part of provision to be provided through off-site contribution at Conningbrook</p>	<p>Children and young people’s play. Minimum of 0.87ha to be provided on site, in two locations. (0.5ha/1,000 persons)</p>	<p>Full detailed specification of phase 1 play and open space to be submitted prior to commencement</p> <p>Open space to be delivered and made available in</p>	<p>Necessary as children’s play and informal open space are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies SP1, COM1, COM2, COM3, and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
	Country Park if agreed with the Council.	<p>Informal open space minimum requirements of 3.48ha on site. (2ha/1000 persons)</p> <p>Details to be agreed through a specification to be submitted</p>	<p>accordance with landscaping phasing plan submitted 2940-041A</p> <p>Phase 1 Play space (village green LEAP) to be provided and made available prior to occupation of 75% dwellings in that phase</p> <p>Phase 2/3 Details of phasing to be submitted and agreed prior to commencement on those phases</p>	<p>Directly related as occupiers will use play and informal open space and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained</p>
6	<p><u>Community Buildings</u></p> <p>Community facility to be provided as part of the Bowls Club, with a community use agreement to secure use of the facility for the community and its ongoing management and maintenance.</p>	<p>Community use agreement to include: reasonable hire fees, damage deposit, and terms & conditions of hire;</p>	<p>Details of Community use agreement to submitted prior to commencement of construction of the Bowls club building</p> <p>Community facility to be provided and made available for</p>	<p>Necessary as community spaces are required to meet the demand that would be generated and must be maintained pursuant to Local Plan 2030 Policies COM1, COM2, and IMP1 and guidance in the NPPF.</p> <p>Directly related as occupiers will use community spaces and the facilities to be funded will be available to them.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
	In the event the Bowls Club facility is not provided and made available, a financial contribution towards the provision and maintenance of an off-site facility of £1,356,351.75	reasonably available methods of booking and gaining access to the building; also availability (opening hours, days of the week, the number of occasions when the Club will be permitted to refuse bookings for their own functions, closure for maintenance, etc)	use prior to occupation of 300 th dwelling	Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of users and is based on the number of dwellings.
7	<u>Community Learning</u> Project: Outreach services for Adult Education Provision in the local area	£34.45 per dwelling	For each phase – 50% before occupation of 25%	Necessary as enhanced services required to meet the demand that would be generated and pursuant to Local Plan 2030 Policies COM1, IMP1 and IMP2, KCC's 'Development

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
			<p> dwellings in that phase; balance before occupation of 50% dwellings in that phase</p>	<p>and Infrastructure – Creating Quality Places’ and guidance in the NPPF.</p> <p>Directly related as occupiers will use community learning services and the facilities to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of users and is based on the number of dwellings.</p>
8	<p><u>Health Care</u></p> <p>Project: Extension to Sydenham House Surgery, or other project within the Ashford Urban Primary Care Network Area</p>	<p>£737.28 per dwelling</p>	<p>To be paid in four instalments of £133,632 before occupation of:</p> <p>75 dwellings 150 dwellings 225 dwellings 300 dwellings</p>	<p>Necessary as additional healthcare facilities required to meet the demand that would be generated pursuant to Local Plan 2030 Policies SP1, COM1, IMP1 and IMP2 and guidance in the NPPF.</p> <p>Directly related as occupiers will use healthcare facilities and the facilities to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
				been calculated based on the estimated number of occupiers.
9	<p><u>Libraries</u></p> <p>Contribution for additional book stock, IT and equipment at Bockhanger library, and mobile service calling at Kennington</p>	£108.32 per dwelling	For each phase – 50% before occupation of 25% dwellings in that phase; balance before occupation of 50% dwellings in that phase	<p>Necessary as more books required to meet the demand generated and pursuant to Local Plan 2030 Policies SP1, COM1 and KCC’s ‘Development and Infrastructure – Creating Quality Places’ and guidance in the NPPF.</p> <p>Directly related as occupiers will use library books and the books to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because amount calculated based on the number of dwellings.</p>
10	<p><u>Outdoor Sports Pitches</u></p> <p>Project: Finberry 3G pitch, changing facility and maintenance for a period of 10 years, or other artificial sports pitch facility at an Ashford Sport and Recreation Hub</p>	Phase 1 Total Contribution of £396662.19	Capital costs to be paid before occupation of 280 th dwelling. Maintenance at 400 th dwelling occupations	<p>Necessary as outdoor sports pitches are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies COM1, COM2, and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
	Project: Outdoor playing pitches, ancillary changing facilities and maintenance for a period of 10 years at an Ashford Sport and Recreation hub	Phase 2&3 £1,377.3 per dwelling	Before completion of 540 th dwelling	<p>Directly related as occupiers will use sports pitches and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
11	<p><u>Indoor Sports Buildings</u></p> <p>Towards improvements at the Stour Centre or other indoor sports facility at an Ashford Hub</p>	<p>Phase 1 £130,686</p> <p>Phase 2&3 to be calculated at £452.2 per dwelling</p>	All to be paid before occupation of 400 th dwelling	<p>Necessary as additional indoor sports facilities are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies COM1, COM2, and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use sports pitches and the buildings to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
				and maintained and the maintenance period is limited to 10 years.
12	<p><u>Primary Schools</u></p> <p>Project: 2FE Primary School to be provided on site</p> <p>Developer to provide services to plot and transfer land to KCC and provide proportionate capital contributions for the construction of the school.</p> <p>Arrangements for land transfer to be agreed with KCC including any proportionate payment for value of land meeting needs for education additional to those arising from this development.</p>	<p>£1,134 per flat</p> <p>£4,535 per house</p> <p>£0 for any 1-bed dwelling with less than 56 m² gross internal area</p>	<p>Partial payment to cover design costs at 120 occupations</p> <p>Transfer of school site and balance of primary school contribution by 180 occupations</p>	<p>Necessary as no spare capacity at any primary school in the vicinity and pursuant to, Local Plan 2030 Policies SP1, COM1 and IMP1, KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.</p> <p>Directly related as children of occupiers will attend primary school and the facilities to be funded would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of primary school pupils and is based on the number of dwellings and because no payment is due on small 1-bed dwellings.</p>
13	<p><u>Secondary Schools</u></p> <p>Project: Chilmington Green Phase 2 additional 2FE or</p>	<p>£1,172 per flat</p>	<p>50% before occupation of 25% of dwellings outside of Phase 1</p>	<p>Necessary as insufficient capacity to meet the needs of the development and pursuant to, Local Plan 2030 Policies SP1, COM1, IMP1 and IMP2, Developer Contributions/Planning Obligations SPG, KCC's 'Development and</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
	other secondary school project in Ashford Urban Area	£4,687 per house £0 for any 1-bed dwelling with less than 56 m ² gross internal area	50% before occupation of 50% of dwellings outside of Phase 1	<p>Infrastructure – Creating Quality Places’ and guidance in the NPPF. .</p> <p>Directly related as children of occupiers will attend secondary school and the facilities to be funded would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of secondary school pupils and is based on the number of dwellings and because no payment is due on small 1-bed dwellings.</p>
14	<p><u>Strategic Parks</u></p> <p>Capital contribution towards provision of Conningbrook Country Park</p> <p>Management and maintenance of Conningbrook Country Park</p>	<p>£100 per dwelling (capital)</p> <p>£47 per dwelling (maintenance)</p>	<p>Prior to the occupation of the 400th dwelling</p> <p>Prior to the opening of the pedestrian and cycle bridge to be provided across the railway line.</p>	<p>Necessary to meet the additional demand for use of the country park and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies SP1, COM1, COM2, COM3, IMP1 and IMP2, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use the strategic park and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
				development and the number of occupiers and the extent of the facilities to be provided and maintained, and taking into account the provision of the bridge
15	<p><u>Public Right of Way Improvements</u></p> <p>Project: Pedestrian and cycle bridge over the railway line to be delivered by the developer. Along with necessary diversion to the existing public rights of way.</p> <p>Temporary diversions of existing at grade crossing to be put in place during construction.</p> <p>Council to use reasonable endeavours to payback proportion of cost (current capital cost estimated at £3million) from other developments that benefit from</p>	<p>Developer to provide the bridge and enter into adoption agreement for its future maintenance by Kent County Council as part of the public rights of way network.</p>	<p>No occupations of any dwellings on site until temporary diversions or physical restrictions of access have been put in place from the development site onto both existing at-grade PRoW/railway crossings</p> <p>Submission of planning application for the bridge, ProW diversion order application to be made and technical design of bridge to be agreed prior to occupation of 100th dwelling.</p>	<p>Necessary as the bridge is required to maintain the existing PRoW and ensure safe access across the railway line, connecting facilities and services on either site, pursuant to Local Plan 2030 Policies S2, TRA5 and TRA6 and guidance in the NPPF.</p> <p>Directly related as the development would result in additional usage of the existing PRoW.</p> <p>Fairly and reasonably related in scale and kind considering the scale of development and impact upon the existing PRoW, and the need for the bridge to be in place to ensure no increase in risk to public safety, and taking into account the proposed commitment to payback a proportion of the cost from other developments.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
	<p>the bridge, including balance of S2 site and S19.</p> <p>Reasonable endeavours to secure diversions of northern PRow outside of application site. If northern crossing hasn't been closed prior to opening of the open space parkland, then physical restrictions shall be put in place to restrict access to the northern PRow and maintained thereafter until the at-grade crossing is closed.</p>		<p>All necessary agreements (including adoption agreement) to be entered into prior to occupation of 180 unit.</p> <p>New bridge to be provided and opened and adopted, and existing crossing to be permanently closed prior to occupation of 280th dwelling or opening of the primary school, whichever is sooner.</p>	
16	<p><u>Sustainable Travel</u></p> <p>Provision of new or extension of existing bus service, which provides a half hourly service between the site and Ashford Town Centre/station</p>	<p>Maximum of £100,000 per annum for 8 years, with provision to roll over any unspent support from</p>	<p>First contribution prior to occupation of 1st dwelling</p> <p>Then annually after that</p>	<p>Necessary as enhancements to the local movement and transport network are essential to achieve sustainable travel and accessibility requirements in accordance with Local Plan 2030 policies SP1, SP2, S2, TRA4, TRA5 and TRA6.</p> <p>Directly related as occupiers and visitors will need to access the site via sustainable travel</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
		year to year if necessary Payback clause in the event that bus fares/costs make the service commercially viable before 8 years and it will continue thereafter.		methods and the facilities to be provided would be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has been calculated based on local and site specific evidence.
17	<u>Youth Services</u> Project: Equipment and mobile vehicle to enable the provision of outreach services in the area.	£27.91 per dwelling	For each phase – 50% before occupation of 25% dwellings in that phase; balance before occupation of 50% dwellings in that phase	Necessary as enhanced youth services needed to meet the demand that would be generated and pursuant to Local Plan 2030 policies SP1, COM1 and IMP1, KCC document ‘Creating Quality places’ and guidance in the NPPF. Directly related as occupiers will use youth services and the services to be funded will be available to them. Fairly and reasonably related in scale and kind considering the extent of the

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
				development and because the amount has taken into account the estimated number of users and is based on the number of dwellings
18	<p><u>Governance of public informal open and play space and facilities</u></p> <p>Scheme for ongoing management of informal/natural/play space to include details of management entity. Scheme to include details of constitutional documents of management entity which must ensure owners of dwellings are members of the entity, that they can fully participate in strategic decisions regarding the maintenance of the open space and that the entity is accountable to the owners of the management thereof. Scheme must also include details of ongoing funding/endowment of management entity to ensure it</p>	<p>Funding mechanism to be approved as part of detailed scheme.</p>	<p>Scheme to be approved by the Council prior to first occupation.</p>	<p>Necessary as new/enhanced public and play spaces needed to meet the demand that would be generated from the development pursuant to Local Plan 2030 policies SP1, ENV9, COM1, COM2, COM3, COM4, IMP1 and IMP4 and guidance in the NPPF.</p> <p>Directly related as occupiers will use these spaces and the spaces to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of users and is based on stewardship policies in the Local Plan 2030.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
	is financially sustainable and details of any mechanism for securing such ongoing endowment.			
19	<p><u>Strategic Highways</u></p> <p>Junction 10A - Contribution towards construction of junction 10A of the M20 towards repayment of forward-funding of the improvement works</p>	<p>Total contribution of £1,747,827.50</p> <p>(NB When the current indexation is included, the amount is roughly doubled)</p>	<p>To be paid in three equal instalments of before occupation of: 350th, 500th and 650th dwellings</p>	<p>Necessary in order to meet the demand generated by the development and in the interests of highway safety pursuant to Local Plan 2030 Policies SP1, TRA1, S2, SPG6, Kent Local Transport Plan and guidance in the NPPF.</p> <p>Directly related as occupiers will travel and the facilities funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has been calculated based on the scale of the development and the estimated number of relevant trips.</p>
20	<u>Custom/Self Build Housing</u>			<p>Necessary as would provide housing for those who are on the Right to Build register (Ashford Self and custom build register)</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
	Up to 36 serviced plots for use by custom/self-builders to be made available and marketed.	Up to 36 serviced plots (5% of total dwellings)	Details to accompany reserved matters application for Phase 3, including marketing strategy and timing of implementation	<p>pursuant to HOU6 of Local Plan 2030 and guidance in the NPPF.</p> <p>Directly related as the plots would be provided on-site in conjunction with open market housing.</p> <p>Fairly and reasonably related in scale and kind as based on a proportion of the total number of housing units to be provided and the area of the borough.</p>
21	<p><u>Access to adjoining land</u></p> <p>Suitable access routes (vehicular and pedestrian/cycle) should be provided up to the boundary of the site (with no ransom strip) with the land at Orchard Farm (remaining part of S2 allocation to come forward). In locations broadly shown on the parameter plans.</p>	Routes shall be provided to adoptable width/standard up to the boundary and adoption agreements entered into with the local highway authority	Details including layouts and timing of entering into adoption agreements, provision and adoption, to accompany reserved matters applications for Phases 2 and 3.	<p>Necessary in order to ensure the co-ordinated layout and delivery of development and related infrastructure on site, in accordance with Policy S2 of the Local Plan 2030.</p> <p>Directly related as the access routes would be provide on-site as part of the development of this part of the allocated site S2, whose primary access will be from Willesborough Road but with pedestrian and cycle links throughout the site.</p> <p>Fairly and reasonably related in scale and kind as based on the proportion of the total</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
				number of housing units to be provided on each part of the allocated site S2.
22	<p><u>Monitoring Fee</u></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking</p>	£1000 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years	<p>Necessary in order to ensure the planning obligations are complied with.</p> <p>Directly related as only costs arising in connection with the monitoring of the development and these planning obligations are covered.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the obligations to be monitored.</p>
23	<p><u>KCC Travel Plan Monitoring Fee</u></p> <p>Contribution towards the County Council's costs of monitoring compliance with the approved Travel Plan for the site and securing remedial measures in the event of non-achievement of modal split targets</p>	£100 per annum for a period of 10 years	First payment upon commencement of development and on the anniversary thereof in subsequent years	<p>Necessary in order to ensure the travel plan is complied with.</p> <p>Directly related as only costs arising in connection with the monitoring of the travel plan are covered.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the nature of the travel plan to be monitored.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts	Trigger Points	
<p>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 legal costs in connection with the deed must be paid.</p> <p>If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.</p>				

Human Rights Issues

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

Working with the Applicant

474. In accordance with paragraphs 186 and 187 of the NPPF Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and proactive manner as explained in the note to the applicant included in the recommendation below.

Conclusion

475. The application site forms the large majority of site allocation S2 of the Ashford Local Plan 2030. It is the second largest allocation in the Plan and is therefore of great significance to the delivery of the overall planning and development strategy for the Borough. If the allocation was to fail to come forward, this would result in a potential shortfall in the quantum of residential development necessary to meet the Local Plan’s overall housing targets to 2030, thus putting pressure on other unallocated locations to bridge the gap (notwithstanding any impact on the Council’s ability to demonstrate a deliverable 5 year housing land supply and meet its Housing Delivery Test targets.)
476. The allocation of the site in the Local Plan means, of course, that the site has recently been assessed by the independent Local Plan Inspector(s) as being suitable in principle for large-scale housing and educational development in the form of a new 2FE primary school. The Local Plan Examination in Public was the appropriate forum to consider and debate the merits of the development of the site and many issues that were raised during the Local Plan consultation have been re-iterated in representations made on this planning application. With this in mind, it is clear that the principle of significant residential development here is acceptable.
477. However, this does not mean that this application must therefore be acceptable. Site policy S2 requires several criteria to be adequately met and the full part of this application (for 288 dwellings) in particular requires a

thorough assessment of detailed design and layout matters to ensure the scheme achieves the appropriate quality sought by policies SP1 and SP6 of the Local Plan.

478. Members are therefore required to consider whether the application, as submitted, meets the requirements of the National Planning Policy Framework, and their own, adopted Local Plan (and other guidance).
479. As Members will see, the application has been subject to significant amendments since submission, which has been sought in order to improve the proposal and to address the considered shortfalls, in light of adopted policy.
480. The application has seen a reduction in the number of units proposed from that originally submitted but it still proposes more than the indicative number of 700 units contained within policy S2. The supporting text to policy S2 (at para. 3.16 of the Local Plan) indicates that a final site capacity should be determined following a detailed and inclusive site masterplanning exercise and the application has provided the vehicle by which such a detailed approach has been undertaken. In developing and amending the proposals since the submission of the application, the applicant has responded to the need to justify the scheme in qualitative terms and to ensure that it addresses good place-making principles in both its general layout and detailed designs. In addition, the evidence presented to support the application has needed to demonstrate how the quantity of development proposed can be delivered and what mitigation is necessary to address any additional needs arising.
481. In turn, officers have given careful consideration to the overall impacts of the proposals whether that is in terms of infrastructure provision, landscape and visual impact or the detailed character of the place to be created. This has not be governed by adopting the indicative figure in the Local Plan site policy as a 'ceiling' or maximum and it would be incorrect to interpret the site policy in such terms.
482. Inevitably, the proposals would result in a significant visual change from an open field to a developed housing scheme, however, the visual impacts associated with this would be relatively localised and softened by the existing and enhanced landscaping proposed as part of the scheme. The detailed part of the application and the parameter plans that will govern the details of the development to come forward on the remainder have been thoroughly assessed and developed so that the wider landscape impacts, (and especially

those from the AONB to the north) are not considered to be significant. In the detailed part of the application, the architectural designs, the design of streets and driveways, the landscaping, and the different green spaces combine to create an interesting and varied streetscene, adding visual richness to the scheme to create a distinctive ‘Kentish’ character with a sense of place. Overall, it is considered that the proposals will represent an appropriate form of development that sits sympathetically within the landscape and preserves the setting of the AONB.

483. Potential highway impacts are always a matter of concern with large scale developments and in this case, significant consultation has taken place between the applicant and the County Council to address the concerns initially raised. A robust process of traffic modelling has been undertaken and whilst such exercises are often the subject of cynicism, KCC and their external consultants have tested and accepted the outcomes which have resulted in a set of highway improvements to be implemented that should improve network flow above that which would have otherwise been the case without the proposed development. Officers concur with KCC officers that there are no technical grounds for refusal on highway matters subject to appropriate conditions and obligations.
484. The proposals provides 30% affordable housing, and would also bring about significant contributions to local infrastructure. Importantly, the applicant has also committed to delivering the new bridge link across the railway line, thereby improving pedestrian and cycleway connectivity from the wider area to the Conningbrook Lakes country park site. Conversely, it will also provide a good pedestrian access to the new primary school that will be constructed on the application site from the new dwellings around the Conningbrook Lakes.
485. The delivery of the new 2FE primary school required by the site policy is also secured by this application. This will provide additional primary school capacity in the local area to serve not only the residents of this development but also more broadly in Kennington and Willesborough and is the product of a long-standing dialogue with KCC Education on how best to meet emerging demand in this part of Ashford.
486. Other matters are discussed in the earlier sections of this report and officers now consider the proposal to comply with the requirements of the development plan and where this is not the case, a justified exception can be made.

487. In conclusion, for the reasons set out above, it is considered that this is an acceptable proposal that complies with the Council's own policies and the requirements of the NPPF. It is acknowledged that there are a significant number of representations submitted, but the matters raised in these letters have either been previously considered and resolved through the allocation of the site in the Local Plan or within the submissions made, and assessment in this report. For these reasons, it is not considered that there are any reasons to refuse planning permission, and it is recommended that Members resolve to approve the application.

Recommendation

- (A) 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 Head of Planning and Development, the Development Management Manager or the Strategic Development and Delivery Manager in consultation with the Director of Law and Governance, with delegated authority to either the Development Management Manager or the Strategic Development and Delivery 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.**

(B) PERMIT

Subject to planning conditions and notes, including those dealing with the subject matters identified below, with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018

Standard Conditions

1. Standard time conditions (full and outline) including submission of reserved matters within standard timeframe.
2. Carried out in accordance with the approved plans

3. Proposal shall conform with the ES as submitted unless agreed in writing.
 4. Phasing Plan.
 5. Site shall be made available for enforcement inspection when required.
 6. Materials
- Highways/Parking (Full Application)**
7. Submission of a Traffic Regulation Order for the proposed the double yellow lines on the main spine road as shown in drawing number 42499-5501/022 Revision B prior to the occupation of the first dwelling on site.
 8. Provision of the submitted visibility splays at each junction as shown in drawing number 42499/5501/024 Revision A prior to each junction permitted hereby being brought into use.
 9. A combined soft landscaping plan and street lighting plan shall be submitted prior to the commencement of development on site. The submitted plans shall be approved in writing by the Local Planning Authority in consultation with the Local Highway Authority prior the commencement of above foundation level works.
 10. A services plan shall be submitted prior to the commencement of development on site. The submitted plans shall be approved in writing by the Local Planning Authority in consultation with the Local Highway Authority prior the commencement of above foundation level works.
 11. A hard landscaping plan shall be submitted prior to the commencement of development on site. The submitted plans shall be approved in writing by the Local Planning Authority in consultation with the Local Highway Authority prior to the commencement of above foundation level works.
 12. Provision and permanent retention of the vehicle parking spaces as shown on the submitted plan (3053_020 Revision O) prior to the occupation of each dwelling that the parking spaces serve.
 13. Provision and permanent retention of the vehicle turning facilities as shown on the submitted plan (42499_5501_007 Revision G) prior to the occupation of dwellings for which the turning areas serve.

14. Provision and permanent retention of the cycle parking facilities as shown on the submitted plans (3053_133 Revision E and 3053_020 Revision O) prior to the occupation of each dwelling for which the cycle parking facilities serve.
15. Provision and permanent retention of the vehicle parking spaces, motorcycle spaces and cycle parking spaces as shown on the submitted plan (3053_020 Revision O) prior to the occupation of any of the units within the local centre.
16. Provision and permanent retention of the vehicle parking spaces, motorcycle spaces and cycle parking spaces as shown on the submitted plan (3053_020 Revision O) prior to the bowling centre hereby permitted being brought into use.
17. Submission of a Traffic Regulation Order for the proposed loading bay for the local centre prior to the occupation of any development on site.
18. Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwelling:
 - (a) Footways, with the exception of the wearing course;
 - (b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).
19. Provision and permanent retention of an electric vehicle charging point for each house and 10% of the total car parking provision for the local centre, apartments and bowling centre in accordance with details to be submitted to and approved by the Local Planning Authority.

Highways/Parking (Outline)

20. Submission of a Construction Management Plan before the commencement of any phase of development on site to include the following:
 - (a) Routing of construction and delivery vehicles to / from site
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (d) Provision of wheel washing facilities

(e) Temporary traffic management / signage

21. The proposed roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority.
22. Completion of the highway mitigation scheme for the junction of Simone Weil Avenue / A28 Canterbury Road as shown in drawing number 42499_5501_010 Revision D prior to the occupation of the first dwelling on site.
 - Installation of a SCOOT system for the following traffic signal junctions:
 - Magazine Road / A28 Canterbury Road
 - Simone Weil Avenue / A28 Canterbury Road
 - Bybrook Road / A28 Canterbury Road George Williams Way / Faversham Road / A28 Canterbury Road

prior to the occupation of the first dwelling on site in accordance with details to be approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.
23. Completion of the highway mitigation scheme for the junction of the William Harvey Hospital roundabout as shown in drawing number 42499_5501_020 prior to the occupation of the first dwelling on site.
24. Completion of the access points together with the proposed toucan crossing across Willesborough Road, central pedestrian island on Willesborough Road and re-location of the existing bus stops as shown in drawing number 42499_5501_013 Revision D prior to the occupation of the first dwelling on site.
25. Completion of the new footway on the eastern side of Willesborough Road up to the access to the Julie Rose Stadium as shown in drawing number 42499_5501_013 Revision D prior to the occupation of the first dwelling on site.

26. Submission and approval of technical details of the pedestrian / cycleway bridge over the railway line by the Local Planning Authority in consultation with the Local Highway Authority prior to the occupation of the 150th dwelling on site. The bridge shall be delivered and opened for use by the general public prior to the first occupation on Phase 2 or opening of the Primary School (whichever is sooner).

Design

27. Details of character areas for the outline part of the scheme.
28. Reserved matters shall accord with the parameter plans.
29. All future reserved matters shall be accompanied by a statement stating how they accord with the outline plans, including how the provision of any three storey buildings have taken into account the impact upon the AONB
30. Details of bin storage.
31. Details of hard landscaping.
32. Details of any external lighting (non-highways)
33. No meter boxes on front elevations (or side elevations facing public domain).
34. Details of fenestration recessed/eaves overhangs/porches to be provided prior to any commencement of each phase.

Ecology

35. (Detailed Phase) Mitigation to be delivered in accordance with the submitted mitigation strategy.
36. (Outline/Reserved Matters) Each reserved matters application shall be accompanied by an up-to-date mitigation strategy informed by a walkover survey.
37. (Detailed Phase) Landscape and Ecological Management Plan (LEMP) to be submitted to the LPA within six months of work commencing.
38. (Outline/Reserved Matters) LEMP to be updated with each phase thereafter.

39. No development until a method statement for the protection of Water Voles has been submitted.
40. No development until a lighting plan for biodiversity has been submitted.
41. (Detailed Phase) Within six months of commencement a strategy for biodiversity enhancement shall be provided.
42. (Outline/Reserved Matters) With each reserved matters phase a strategy for biodiversity enhancement shall be provided.

Landscaping

43. Details of all walls and fences – and any exposed boundary treatments to be walls rather than fences.
44. Submission of a full landscaping scheme for each phase.
45. Landscape implementation condition – including replacement planting should it be required within the first five years.
46. Landscape Management Plan to be submitted and approved.
47. Details of tree/hedge protection measures across the site.
48. No trenches for underground services to be under tree canopies (of retained trees) unless agreed in writing.
49. No development (except for the details element) shall take place until an earthworks strategy has been agreed.
50. Details of public art strategy to be submitted prior to first occupation.
51. All open space to be retained as publicly available.
52. Slab levels of all buildings within the site to be provided.

Heritage

53. No development until a programme for geo-archaeological field assessment has been agreed + any future safeguarding measures.
54. No development shall take place until a programme of archaeological work is agreed.

55. Prior to first occupation a phased programme of post excavational work is to be agreed.

Flood Risk/Drainage/Contamination

56. Works carried out in accordance with the submitted Flood Risk Assessment including:

- Finished floor levels no lower than 300mm above the design flood level for the site.
- Compensatory storage shall be provided as per the requirements of the Flood Risk Assessment.

57. No development until details of the outline application surface water drainage has been submitted.

58. No development until details of the SuDs scheme for the full application have been submitted.

59. No development shall take place until foul and surface water drainage has been agreed with Southern Water.

60. Phasing plans submitted shall align with the delivery by Southern Water of any sewerage network reinforcements required.

61. No building to be occupied until a verification report has been submitted which demonstrates the modelled operation of the drainage system appropriately manages flood risk.

62. No development until a remediation strategy to address contamination has been submitted.

63. A verification report for each phase will be required thereafter.

64. Works to stop on site if unexpected contamination is located.

65. No drainage systems for the infiltration of waters to be permitted.

66. No piling or foundation designs using penetrative methods are to be undertaken.

Other Conditions

67. Crime Prevention Strategy to minimise the risk of crime.

68. Details of the provision and management of utility services within the development.

69. Details of broadband provision throughout the site.
70. (Detailed Phase) Construction Environmental Management Plan (CEMP) to be submitted.
71. (Outline/Reserved Matters) With each reserved matters application a CEMP shall be submitted.
72. Prior to any works a scheme to reduce noise/vibrations from plant and machinery shall be submitted.
73. Details of any advertisements within the local centre to be approved prior to installation.
74. Commercial buildings to be built to BREEAM 'very good' rating.
75. Hours of operation of commercial units within local centre.
76. Use class restrictions of commercial units within local centre.
77. Broadband to be provided to all units.

INFORMATIVES

1. Any work to vegetation that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation needs to be removed during the breeding season, mitigation measures need to be implemented during construction in order to protect breeding birds. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found, development must cease until after the juveniles have fledged.
2. Skylark and Starling (both RSPB red-listed species), as well as Dunnock and Reed Bunting (both amber-listed species), were recorded during the initial ecological survey. As these species have undergone significant population declines, we advise that mitigation measures are included in the recommended site-wide strategy to retain/provide suitable habitat for Starling, Dunnock and Reed Bunting. Skylarks are the only ground-nesting birds of the four species listed and, as such, suitable habitat cannot be retained/provided for this species. Therefore, we advise that precautionary measures, in the form of pre-work checks by an experienced ecologist, are implemented to ensure that no ground-nesting species will be impacted.

3. In alignment with paragraph 175 of the National Planning Policy Framework 2019, the implementation of enhancements for biodiversity should be encouraged. Examples of bird and bat nest boxes to be installed have been submitted and we would strongly recommend that the integrated Swift nest bricks and/or House Martin nest bowls are provided as these species have undergone severe population declines.
4. We recommend that the applicant submits details within the recommended site-wide mitigation strategy to demonstrate how the development will provide enhancements for biodiversity. Any soft landscaping design should include the provision of native plant species only.
5. Considering the shallow groundwater levels beneath the site, surface water disposal via infiltration into the ground is not recommended. We advise the applicant to follow our guidance – The Environment Agency’s approach to groundwater protection. This is a report that highlights the importance of groundwater and encourages industry and other organisations to act responsibly and improve their practices. The design of the drainage systems should be in line with G1, G9, G12 and G13 position statements <https://www.gov.uk/government/publications/groundwater-protection-position-statements>
6. With respect to any proposals for piling through made ground, the applicant should refer to the guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention". NGWCL Centre Project NC/99/73. We suggest that approval of piling methodology is further discussed with us when the guidance has been utilised to design appropriate piling regimes at the site.
7. All works within the highway will be subject to a Section 278 Highway Approval process with KCC Highways and Transportation.
8. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.
9. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called ‘highway land’. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the

ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

10. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.