

<b>Application Number</b>	19/00483/AS
<b>Location</b>	Harvest House, Branch Road, Chilham, CT4 8DR
<b>Parish Council</b>	Chilham
<b>Ward</b>	Downs North west
<b>Application Description</b>	Full planning application for the erection of 10 2-storey dwellings with associated access, parking, private amenity space and landscaping and provision of 5 no. additional parking bays for use in association with existing surgery
<b>Applicant</b>	Caroline Jackson and Philippa Salmon
<b>Agent</b>	Lee Evans Planning
<b>Site Area</b>	0.8ha

First consultation

(a) 30/8R;2C;1S Chilham Parish Recreation Ground Trust R St. Marys C of E Primary School R	(b) PC R	(c) SW X EA + KCCH&T - KCC Bio - Kent Police - ABC street scene X
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Second consultation

(a) 30/8R	(b) PC R	(c) EA + KCCH&T X KCC Bio X KCC Infrastructure -
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Third consultation

(a) 30/30R	(b) PC R	(c) SW X EA + KCCH&T X KCC Bio X KCC F & WM X KCC Infrastructure – KD AONB Unit Kent Fire and Rescue X Refuse X
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## Introduction

1. This application was initially reported to the Planning Committee on 15<sup>th</sup> July 2020 because it involved the erection of more than 9 dwellings and therefore is classified as a major development that required determination by the Planning Committee under the scheme of delegation. The application was deferred by members for the following reasons:
  - **To relook at traffic management measures and the possibility of providing a footpath link from the site to Bagham Road;**
  - **Seek an alteration to the layout in order to provide roadside planting and screening;**
  - **Relook at density in respect of the amount of built development and the size of the units to create a more spacious layout with more generous gardens. The number of dwellings should remain at 10;**
  - **Relook at the design of the dwellings so that they are more in keeping with the immediate surroundings and appropriate for an edge of village location.**

## Site and Surroundings

2. Please refer to 15<sup>th</sup> July 2020 committee report which is appended to this reports as Annex 1.

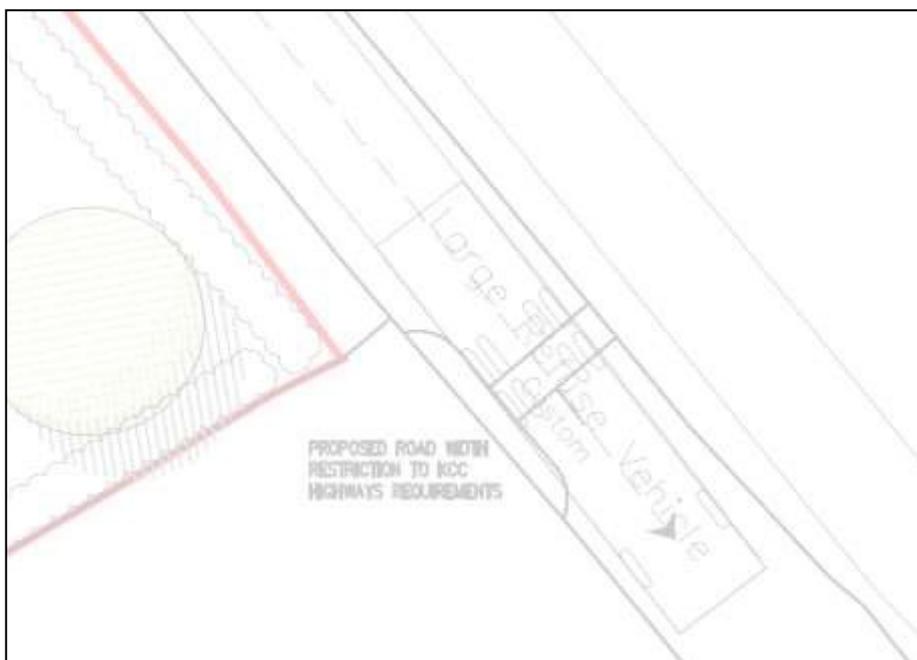
## Proposal

3. Please refer to 15<sup>th</sup> July 2020 committee report which is appended to this report as annex 1.
4. The proposal is for a 10 unit housing scheme but it has been amended in order to seek to address the reasons for deferral made by Members of that Committee. As per the scheme originally submitted, it continues to provide 4

units of affordable housing (as required under Policy HOU1) and an ecological area of a similar area in the south west corner of the site as mitigation. Five additional parking bays for use by the surgery continue to be provided. The additional supporting information / justification is set out below:

To relook at traffic management measures and the possibility of providing a footpath link from the site to Bagham Road – Reason 1 for deferral

5. To address members' concerns around traffic safety in Branch Road, the applicants have worked with KCC Highways and Transportation to develop a traffic calming scheme and provide a footpath on a section of the road across much of the site frontage (see dark shaded strip on Figure 2 below).
6. The traffic calming measures seek to slow traffic approaching the village from the south. They are intended to be 'light touch' so as not to unduly harm the character of this approach into the village but they meet KCC's specification and have been drawn up with their input (see Figure1). They involve a simple narrowing of the carriageway, sufficient in width to allow a refuse vehicle to pass through unobstructed.



**Figure 1:** Traffic calming

7. In terms of the footpath, it has not been possible to introduce a footpath from the site to Bagham Road due to space constraints within the carriageway (KCC Highways and Transportation has confirmed this position). Where there is space – for much of the site frontage – a 1.5m wide footpath has been introduced on the SW side of the lane. Where the footpath has to terminate (due to the narrowing of the carriageway) it is fortunately possible to cross

Branch Road and enter the play space opposite. This approach is acceptable to KCC and has the support of the Parish Council.

8. The provision of this footpath would make the route less like a lane in terms of its appearance which in design terms is regrettable. However, it would potentially improve pedestrian safety or at least pedestrian's perception of safety (it is not a requirement of KCC) and it helps to address members' first reason for deferral. The dark grey strip in the drawing below – footpath and crossovers – will be adopted by KCC.



**Figure 2:** Footpath and crossovers (dark grey strip)

Seek an alteration to the layout in order to provide roadside planting and screening – Reason 2 for deferral

9. The amended layout provides a largely green edge to the frontage with Branch Road through the provision of a new native hedge which is set back to provide the necessary visibility splays. (The existing hedge is removed to make way for the accesses and visibility splays which are a requirement of

KCC Highways and Transportation). Figure 3 below shows the new layout where it abuts Branch Road. To create the new access it has been necessary to remove existing hedge planting. Figure 4 shows an image of the new hedge planting at the access.



**Figure 3:** Branch Road frontage



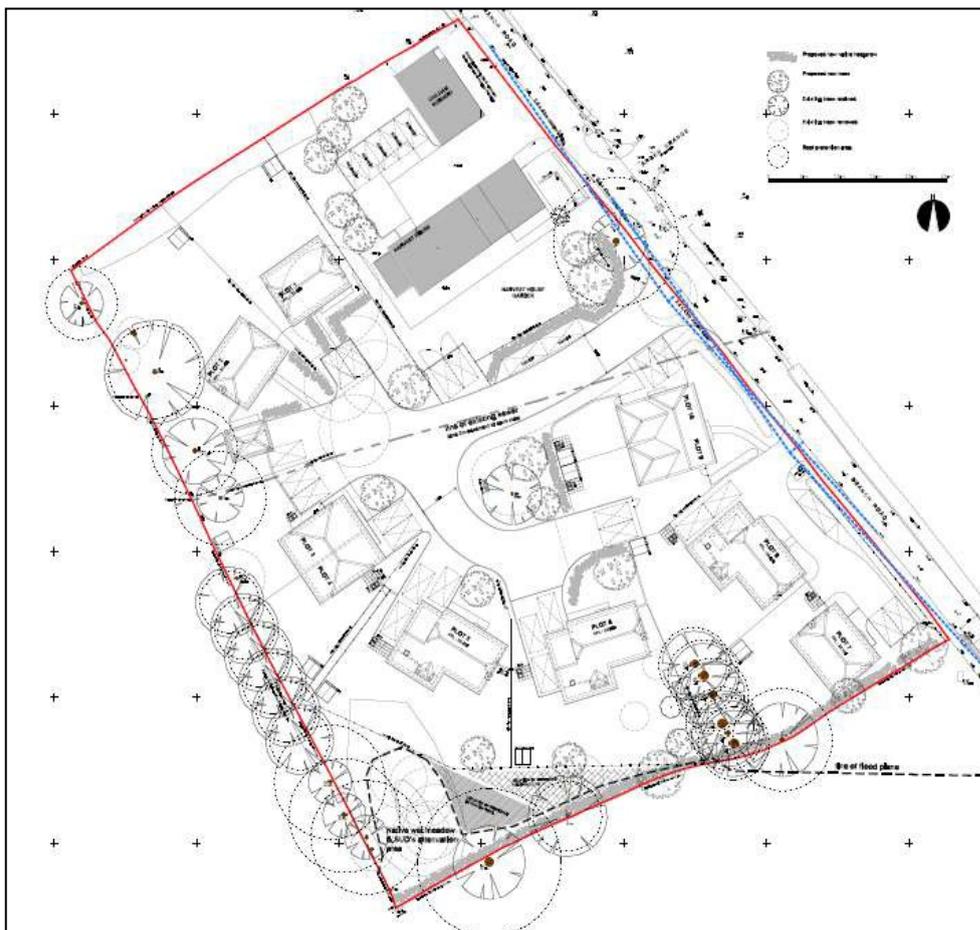
**Figure 4:** New hedge planting at new site access

Relook at density in respect of the amount of built development and the size of the units to create a more spacious layout with more generous gardens. The number of dwellings should remain at 10 – Reason 3 for deferral

10. Figure 5 shows the amended layout. It is different to the previous one (shown in figure 6 for easy comparison) but at 10 units the number of dwellings remains the same and both schemes have an ecological mitigation area in the south west corner of the site and five dedicated additional parking bays for use by the surgery.
11. The continued provision of 10 units is key as this is the Council's threshold for the provision of affordable housing. The four affordable housing units are provided in the NW corner of the site, accessed via the existing access adjacent to Harvest House and the surgery. Two of the units have frontage onto Branch Road, one with its own access drive, with the remainder of the units provided to the rear, largely around a courtyard. The intention is to create a scattering of rural buildings, as opposed to a suburban housing layout.



**Figure 5:** Amended layout



**Figure 6:** Superseded layout

Relook at the design of the dwellings so that they are more in keeping with the immediate surroundings and appropriate for an edge of village location - Reason 4 for deferral

12. The amended plans show a number of distinctive rural building forms which are quite different to the traditional but rather suburban looking building forms that formed part of the original submission. The applicant has sought to respond to the village context by introducing lower ridge building typologies into the mix to introduce a variation in building height and roof form across the development. This, taken together with the variation in materials and detailing, creates a variety not usually seen in such a small developments that mimics the variety in building forms and heights seen in a village context.
13. The development seeks to provide a mix of distinctive rural building forms in the form of a 'cottage style terrace', 'cottage style house' and 'barn like house' to provide variety across the development. The cottage forms would be characterised by their low eaves and through eaves dormer window. Brick would be the dominant material with brick detailing to add interest. The 'barn style buildings' would be larger with a standard ridge height and simple roof form, hipped to one side. They would have some large areas of glazing (as

found in barn conversions) and red brick chimneys. Again the dominant material would be brick but with some clay tile hanging and panelling. In all cases the windows would be powder coated composite aluminium / timber.

14. Typical plans and elevations of the amended building forms are shown in figures 7 – 10 below.



**Figure 7:** Cottage terrace form: low eaves (and ridge) with through-eaves windows and brick detailing; powder coated composite aluminium / timber windows



**Figure 8:** 'Barn-like form': Hipped roof to one side with chimney. Mostly brick with hanging tiles and fibre cement panels with plain clay tiles to roof. Powder coated composite aluminium / timber windows



**Figure 9:** Cottage form: Low eaves (and ridge) with through-eaves windows; brick with brick detailing and clay plain tiles to roof. Powder coated composite aluminium / timber windows.



**Figure 10:** Main house form: Brick and tile hanging with clay plain tiles to roof. Powder coated composite aluminium / timber windows

## Consultations

15. Please refer to the 15<sup>th</sup> July 2020 committee report appended to this report.

**Chilham Parish Council (CPC)** has submitted three further letters of objection raising the following additional points:

Letter 1:

- Whilst recognising that the developer has made some improvements, they are insufficient to meet their concerns;
- Significant concerns remain about road safety and traffic on Branch Road, with the original traffic survey seen as inadequate. A better traffic management scheme is needed for Branch Road;
- The application does not seem to recognise the full range of uses at the surgery in that it is used by nurses and as a dispensary as well as the base for the GP (Officer comment: This comment presumably relates to the amount of parking bays provided for use by the GP Practise – 5 bays are proposed in accordance with Policy S56);
- The developers should be required to provide heat exchange of similar technology rather than gas heating; (Officer Comment: The Local planning authority does not have the powers to require this).

Letter 2:

- That the density should be revisited – but keep at 10 units – to create a less crowded development, greater garden space and a more spacious feel in keeping with a rural development;
- Provide a footpath to link the site to Bagham Road and create a safe passage way for pedestrians to the GP surgery and sports facilities and look at the traffic management;
- Revisit the layout, design and materials so that it is more in keeping with the existing vernacular and rural area;
- Urge committee members to carry out a site visit;
- If the committee are minded to approve this application then a number of conditions are requested; 1) that the affordable housing to be provided as 4 units for social rent (Officer Comment: This would not be in accordance with the Ministerial Statement or Policy HOU1);

- 2) Section 106 commitment to limit the use of the surgery land and prevent the sale of the surgery for housing and a commitment to keep the building as a GP practise;
- 3) Condition requiring the existing surgery parking and the five additional spaces to be delivered (Officer comment: This is written into the S106 – see Table 1 of this report)
- 4) Submission of a flood risk assessment together with a mitigation plan.

Letter 3:

- The layout has slightly changed but the materials are not in accordance with the wishes of CPC members.
- It is difficult to comprehend the reptile relocation plan as the proposed 'dry basin' appears to have been sited in the flood plain.
- The D&A Statement makes no reference to the ABC zero carbon policy. There is no consideration for photovoltaics on the southern boundary which would save 40 MWh of electrical energy. No consideration towards zero carbon on heating, namely ground source heat pumps.

**Patient Participation Group:** The group has commented that any increase in movements of vehicles behind the surgery, in the vicinity of the allocated parking spaces would increase the possibility of accidents between patients walking to and from their vehicles and residents of the 4 units. The surgery would not be able to operate safely under these plans. There is also concern about the lack of parking for the surgery. (Officer comment: The layout is acceptable in highway terms. The proposal provides an additional 5 parking bays for the specific use of the surgery. The existing informal parking to the front of the surgery would be formalised with the provision of three bays. The surgery would therefore benefit from this proposal in terms of the amount of parking available).

**Neighbours:** In addition to the above, 37 additional letters of objection have been received since the application was reported to planning committee. These reiterate comments as set out in the original report and those raised by the CPC above plus the following:

- There is concern that the development would put the local surgery and dispensary at risk (Officer comment: The surgery and dispensary are not affected by this proposal);
- Procedural concerns - Inadequacies of post-committee consultation with the CPC and timing of consultation on amended plans;
- The new layout introduces too many access onto Branch Road impacting upon road safety;
- The details of the footpath are not clear;

- No details on 'Stodmarsh effect' and making the development nutrient neutral. (Officer comment: See relevant sections of this report);
- Whilst improvements to the design have been made the development still appears over developed and likely to stand out visually when viewed from the A28;
- Still too dense compared to Arden Grange;
- Materials not in keeping – slate tiled rooves and dark fibre cement cladding - out of character (Officer comment: The materials have been changed – now mostly brick elevations with some areas of clay hanging tiles and clay plain tiles to rooves. The amount of cladding is significantly reduced and limited to small areas on the larger units to the rear of the site.);
- Loss of established hedgerows in Branch Road and insufficient road side planting and screening especially to front of plots 9 and 10 (Officer comment: Some loss of hedgerow will result from the creation of the new access and installation of new footway. The new hedge planting to the front of plots 9 and 10 has been extended);
- Rural pastiche with barn style cladding does not work – for this to work it should look like a barn rather than a half clad house;
- Choice of brick important (Officer comment: Materials will be subject to a condition)
- Plot 9 siting close to street is characteristic of historic core and not a rural lane;
- The development does not take into account the 18<sup>th</sup> July 2019 Council Resolution (dated before the Design and Access Statement) which has the aim of becoming Carbon neutral by 2030 and 80% Carbon neutral by 2025. (Officer comment: These figures relate to the Council itself – its C footprint as an organisation - and not to development where C reduction will need to be achieved through other means, such as central and local planning policy, which is still being developed).

**Environment Agency:** Comments that this application has been assessed as having low environmental risk and therefore has no further comments to make.

**AONB Unit** initially objected to the scheme due to the lack of landscaping on the southern boundary which fails to comply with criterion (e) of Policy S56. It also raised concerns about materials - the dark grey fibre cement cladding is wholly inappropriate given the sensitive setting – and suggested it be replaced with a natural black stained or charred timber weatherboard. (Officer' comment: Following a review of materials the fibre cement cladding has been replaced with brick and clay hanging tiles.) It also commented that the development appears to be dominated by car parking due to the provision of the majority of parking space to the front of the proposed houses, especially the parking provision to the front of plots 1 – 4 which incorporates a long run of end-on front of plot parking which is not a traditional

parking layout in the Kent Downs. It suggested an alternative - such as parallel roadside parking or appropriately located parking court yards. Lastly, it commented that hedging would be a more appropriate boundary treatment to Branch Road.

Following the submission of an amended plan showing additional planting including additional hedge planting to this boundary, the AONB unit remained of the view that the proposal does not go far enough in respect of landscaping along the southern boundary. It advises that a further three trees are planted along the boundary to help filter views and integrate the development into the landscape. (Officer comment: An appropriate condition is proposed to secure this additional planting.) The revised materials are considered more appropriate – although it is suggested that the grey tile hanging should be substituted with a traditional red/orange clay tile – commenting that with contemporary designs in the Kent Downs it is essential that traditional materials are used to help reflect local distinctiveness. (Officer comment: A materials condition is proposed to control this).

**Southern Water:** Provides details of the public sewer running across the site and advice in terms of its easement.

**KCC Ecology:** Notes that the submitted ecological report confirms the presence of common lizards and slow worms and highlights the potential for breeding birds and roosting bats. They initially requested additional ecological information due to the time that has lapsed since they first considered this application. Following the submission of this, no objections have been raised subject to conditions.

**KCC Flood and Water Management:** No further comment to make on this application. It refers to its previous comment where no objection was raised subject to a condition.

**KCC Highways and Transportation:** Raises no objections to the proposal subject to a number of conditions. In addition to standard conditions around construction, highway safety and electrical charging points, there is a condition requiring a detailed drawing of the traffic calming feature on Branch Road to be submitted and approved prior to first occupation.

**KCC Economic Development:** has requested contributions in respect of secondary education, community learning, libraries, youth, social care and waste. There is currently no primary education requirement. It has also requested a condition to secure broadband.

**Kent Fire and Rescue:** Has confirmed that the amendments are not detrimental to off-site access requirements of the Fire and Rescue Service.

**Refuse:** Has commented that RCVs must enter and exit in a forward gear so the turning head needs to be sufficient to accommodate for this and ensure this is not obstructed by parked cars;  
Where bin collection is from one location for two or more properties this must be no more than 10m pull out for the crew to the vehicle;  
Roadway will need to be adopted or if it is to remain private an indemnity must be signed off prior to commencement of any waste collections;  
Developer to pay for provision of full sets of wheeled bins to the properties when completed.

## Planning Policy

16. 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).
17. 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).
18. The relevant policies from the Local Plan relating to this application are as follows:-

### **Ashford Borough Local Plan 2000**

SP1 - Strategic Objectives

SP2 - The Strategic Approach to Housing Delivery

SP6 - Promoting High Quality Design

S56 – Chilham, Branch Road

HOU1 – Affordable Housing

HOU5 – Residential Windfall Development in the Countryside

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)

TRA3a - Parking Standards for Residential Development

TRA5 - Planning for Pedestrians

TRA6 - Provision for Cycling

TRA7 - The Road Network and Development

ENV1 - Biodiversity

ENV3b - Landscape Character and Design

ENV4 - Light pollution and promoting dark skies

ENV5 - Protecting important rural features

ENV6 – Flood Risk

ENV7 – Water Efficiency

ENV8 - Water Quality, Supply and Treatment

ENV9 - Sustainable Drainage

ENV13 - Conservation and Enhancement of Heritage Assets

ENV14 – Conservation areas

COM1 - Meeting the Community's Needs

COM2 – Recreation, Sport, Play and Open Spaces

IMP1 – Infrastructure Provision

IMP4 – Governance of public community space and facilities

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

**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

**Village Design Statements**

Chilham Village Design Statement

### **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) 2018

19. 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:-
20. Relevant sections of the NPPF include:
  - Chapter 2 – Achieving sustainable development
  - Chapter 4 – Decision-making
  - Chapter 5 – Delivering a sufficient supply of homes
  - 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

National Planning Policy Guidance (NPPG) / Ministerial Statement on First Time Homes

21. In accordance with the NPPG and Ministerial Statement of 24<sup>th</sup> May 2021, the first 25% of affordable housing would be for first time homes, followed by social rented (as per Policy HOU1) and the remainder to be split in line with affordable housing provision as set out in Policy HOU1. Local plans and Neighbourhood Plans that have been adopted or have reached an advanced stage will not at this stage be subject to the First Homes Requirement (Transitional Stage). The Ashford Local Plan was adopted in February 2019 and therefore meets this requirement.

Technical housing standards – nationally described space standard

## **Assessment**

22. The main issues for consideration are those that resulted in the deferral of the application and these are analysed below. All other material considerations which the planning committee considered on 31<sup>st</sup> July 2020 are as per the appended report.

To relook at traffic management measures and the possibility of providing a footpath link from the site to Bagham Road

23. Policy S56 includes at (d) that the development should include ‘the provision of traffic management measures in Branch Road appropriate to its location within the Kent Downs AONB and the Chilham Conservation Area in accordance with the recommendations of KCC Highways and Transportation’.
24. It is proposed that this will take the form of a simple build out into the carriageway (details to be provided by condition) as a light touch approach appropriate to this sensitive location. KCC is satisfied that this is workable and has requested details to be submitted by way of a planning condition.
25. There is no requirement to provide a footpath within Branch Road and indeed KCC have consistently said that there is insufficient space to put in a connecting footpath between the site and Bagham Lane. It has been established however that there is scope to put in a 1.5m footpath across much of the site frontage and such a footpath is shown in the amended plans. KCC would adopt the footpath. The Parish Council are supportive of this approach.
26. From a design perspective the footpath will make this part of Branch Road more urban in character and less like a rural lane which is regrettable. The Kent Downs AONB Unit has also raised this as a concern noting that the

traffic calming is intended to preclude the need for a footpath in Branch Road. However, officers acknowledge the strength of local feeling about the need for a footpath to make the route feel safer, especially as it is used by local school children to get to the playing field.

27. I consider that the proposed amendments address Members' concerns as far as is possible about traffic calming and the introduction of a footpath in Branch Road.

Seek an alteration to the layout in order to provide roadside planting and screening

28. The amended layout provides a largely green edge to the frontage with Branch Road through a combination of new and retained planting, whilst also providing dwellings (Plots 9 and 10) that address Branch Road in a positive way. Clearly, planting has had to be removed to create the new access into the site and provide appropriate visibility splays but new hedge planting is proposed to either side of the new access.
29. The garden to the retained Harvest House has a side boundary with the street currently with hedge planting. Much of this existing planting will go (to allow for the introduction of the footpath) and the amended plans show a garden wall as its new boundary with the street. This is a deliberate design decision to preclude the possibility of any future occupier of Harvest House deciding to put up close boarded fencing along the Branch Road frontage to provide privacy to the rear garden from the street. The provision of an attractive garden wall, as can be found in rural lanes, is therefore a way of future proofing the development to prevent this from taking place. It is not out of character to have walls in rural lanes and the area of verge to the front of the wall will allow for some low level planting to help soften the edge with the road.
30. Whilst units 9 and 10 are closer to Branch Road than the three units on this boundary in the original plans, the access route to these frontage properties has been 'designed out' thereby removing a large area of hardstanding on the Branch Road frontage. Unit 10 now has its own private drive and unit 9 is accessed to the side off the new access road. It does need to be acknowledged also that the development of this site will inevitably change the character of Branch Road from 'garden behind hedge' to 'new village housing'. The amended layout, with its more direct street interface, with Branch Road would in my view integrate better into this village context. It would also provide 'eyes-on the street', and a feeling of safety for pedestrians.
31. Whilst not a reason for deferral from the 15<sup>th</sup> July 2020 Planning Committee, the North Downs AONB Unit has expressed concern that the requirement for landscaping along the southern boundary has not been met – criterion e of

Policy S56. It adds that the requirement for planting along this boundary is considered essential due to the relative openness of the landscape in this location. It has specified that an indigenous species hedge is needed to this boundary which incorporates several 'in hedge' trees in order to avoid a harsh edge to the village and help integrate the development into the surrounding rural landscaping. It should be noted that the built development in the amended scheme has been set back further from this boundary than was the case in the original layout creating more space for planting. A landscaping condition will need to be added to ensure that the boundary is treated to the AONB unit's specification.

32. Overall, I consider that the changes to the layout will create a more robust rural boundary with the street with sufficient greenery and landscaping to embed it in its rural context. I therefore consider that the amended layout does address member's second reason for deferral.

Relook at density in respect of the amount of built development and the size of the units to create a more spacious layout with more generous gardens. The number of dwellings should remain at 10

33. Members indicated at the 15<sup>th</sup> July 2020 committee that they did not want to see a reduction in the number of units on the site as a scheme with less than 10 units would not generate any affordable housing. The amended plans continue to show 10 units of which 4 units would be affordable housing, arranged in a terrace as 2 x 2 bed and 2 x 3-bed homes. The homes for private sale would provide a mix of 4 and 5 bed units.
34. The amended scheme is no less dense than the previous one, but it does provide a simpler and better structured layout with less 'left-over' space. The development will not necessarily feel more spacious, but it will feel more distinctly rural.
35. The amended plans show a scattered arrangement of buildings reminiscent of a farm holding/rural settlement to respond to the rural edge context. In common with the previous layout, the amended layout has had to take account of a mains sewer, running east-west across the site with a 3m easement to either side (see layout plan). No built development or tree planting can be provided within the easement. This is quite a major constraint on such a small site.
36. The previous layout as can be seen from figure 5, was more suburban in character. The amended layout, by introducing a courtyard, framed by barn style buildings is more rural in character. In common with the previous layout, it still provides the necessary frontage onto Branch Road, but this too is more rural in appearance as the looping shared drive has been designed out. The terrace form encloses the end of the existing access to Harvest House and

the surgery. This has the potential to create an attractive enclosed mews space but care will need to be taken in its detailed treatment that the hardstanding is broken up with planting. This is something that can be controlled by condition.

37. Whilst the gardens are not necessarily bigger, they all meet or exceed the Council's minimum space standards and are more regularly shaped and arguably more usable.
38. Whilst I don't think this layout is a 'more spacious layout' (as per member's reason for deferral) per se, I do think it is a better layout in that it is more responsive to its rural situation. To introduce more green space in my view would mean reducing units, and forgoing affordable housing. However, given the deliberate farmstead / courtyard style of the development, I do not think it would necessarily benefit from 'more space'. It is deliberately 'tight' in places (eg. around the courtyard) to achieve enclosure. The amended layout in my view is spacious enough for the form of development and provides an attractive development on this edge of village site which is an improvement to the original suburban layout.

Relook at the design of the dwellings so that they are more in keeping with the immediate surroundings and appropriate for an edge of village location

39. The original plans (see original report in Appendix 1) showed a mix of detached and semi-detached units typical of new development. They had similar building forms to each other – same ridge and eaves height – with variety achieved through changes to their materials treatment, rather than their form.
40. The applicants have looked again at the design of the units to provide a number of different rural building forms as might be found in a village setting where places have evolved over time. Each form has its own detailing and materials treatment to add further variety across the development.
41. Central to their approach is the decision to provide units with different building heights to vary the massing across the development. This is reflected in the 'terraced cottage form' and 'detached cottage form', which both have lower eaves (and ridge) heights to the other building forms on the site. These units have through-eaves windows, reflecting the fact that the upper floor accommodation is partly in the roof space. They are brick, with clay plain tiles to the roof and brick detailing. The cottages have substantial chimney stacks which add architectural interest as well as serving functioning fire-places.
42. The three units to the rear of the site have a 'barn like building form' with some contemporary detailing. The roof forms to these units have been amended since first submitted to provide a hip to one side to reduce their

bulk. Their materials have also been amended. Originally conceived with boarding, the appropriateness of this material was a cause for concern by a number of residents, given especially the site's location within the village conservation area where boarding, timber or otherwise, is deemed inappropriate. The Village Design Statement is clear that boarding is not an appropriate material in the CA.

43. These barn like forms are now proposed to be mostly red stock brick with plain clay hanging tiles and clay plain tiles to the roof. The AONB Unit have indicated that they would like to see a red/orange hanging tile rather than the grey proposed and a materials condition is proposed. There remains a small amount of dark boarding as infill panels around the windows to give the illusion of larger window openings, which helps break up the elevations and adds richness. These units include some distinct features, such as the contemporary bay on the rear elevation and substantial brick chimney stacks /slit windows that add interest and lift the design.
44. Unit 10 is different again and appears as a 'main house' on the street with its direct frontage to Branch Road. This is the largest unit: it has a standard ridge and eaves height for the most part with lower elements to help break up the massing. It has a balcony and bay on its rear elevation, both of a contemporary design with a frameless glass balustrade to the balcony. A variety of materials are proposed: brick with clay tile hanging; a small amount of boarding and a clay plain tiled roof. A brick dental course has been added where the hanging tiles meet the brickwork to add richness.
45. In all cases, the fascias and soffits are dark grey to help lift the design and the windows are a powder coated grey composite Aluminium/timber.
46. I consider that the changes in building form and height across the development, together with changes in detailing and high quality materials will create a more distinctive development that sits better in this rural edge context in the village conservation area. I consider that the applicants have addressed the fourth reason for deferral raised by members.

### **Highway and Refuse Issues**

47. KCC highways has raised no objections to the amended layout subject to conditions. They are satisfied with the proposed traffic calming measures subject to a condition requesting details of these. The proposed footpath to Branch Road also meets with their approval. This would be adopted by KCC, together with the three accesses into the site from Branch Road. The new access roads themselves would not be adopted – as they each serve less than 8 units KCC has indicated that it is not in the wider public interest to adopt these routes.

48. The applicant has submitted a refuse vehicle tracking plan to show how the site would be serviced by a refuse vehicle. This meets the specification laid down by the Council's refuse department. As the roads are to remain private, an indemnity must be signed off prior to commencement of any waste collections as specified by the Council's refuse department.

### **Responding to climate Change**

49. A number of objections have been received, including from the Parish Council about the absence of low and zero carbon technologies in this scheme. The proposal does not incorporate any low or zero carbon technologies. The ALP2030 notes the demise of Eco-Homes and Code for Sustainable Homes and the updated Building Regulations effectively superseding these initiatives aimed at securing more sustainable methods of design and construction. The Council's adopted position is to rely on the Building Regulations to reduce energy emissions. Whilst it is open to debate whether the minima set out in the Regulations are stringent enough given the aspirations for the UK to achieve Net Zero by 2050 there is no development plan policy basis to object to the proposal.

### **Habitat Regulations**

50. Since the application was last considered by Members at the planning committee of 15<sup>th</sup> July 2020, the Council has received advice from Natural England (NE) regarding the water quality at the nationally and internationally designated wildlife habitat at Stodmarsh lakes, east of Canterbury, which in particular includes a Special Area of Conservation (SAC), a Special Protection Area for Birds (SPA) and a Ramsar Site.
51. The importance of this advice is that the application site falls within the Stour catchment area and the effect is that this proposal must prima facie now be considered to have a potentially significant adverse impact on the integrity of the Stodmarsh lakes, and therefore an Appropriate Assessment (AA) under the Habitats Regulations would need to be undertaken and suitable mitigation identified to achieve 'nutrient neutrality' as explained in NE's advice, in order for the Council to lawfully grant planning permission
52. Under the Council's Constitution, the Head of Planning and Development already has delegated authority to exercise all functions of the Council under the Habitats Regulations. This includes preparing or considering a draft AA, consulting NE upon it, and amending and/or adopting it after taking into account NE's views.
53. As matters stand, an off-site package of mitigation measures will be required in order for the development proposal to achieve 'nutrient neutral' status and in the absence of such measures (or any others) having been identified and

demonstrated to be deliverable, it is not possible to conclude, at this moment in time, that the scheme would be acceptable in respect of this issue.

54. However, work commissioned by the Council is moving forward on identification of a package of strategic mitigation measures that should enable relevant developments within the Borough's River Stour catchment (where the NE advice applies) to come forward on a 'nutrient neutral' basis, subject to appropriate obligations and conditions to secure the funding and delivery of the mitigation before occupancy of the development.
55. Therefore, on the basis that this proposal is considered to be otherwise acceptable in planning terms (subject to planning conditions and the approach to be taken to s.106 obligations), any resolution to grant planning permission would need to be subject to the adoption by the Head of Planning and Development, having consulted NE, of a suitable Appropriate Assessment to address the Habitats Regulations, to the effect that the proposed development will not adversely affect the integrity of the SAC, SPA and Ramsar Site, and to any necessary additional obligation(s) and/or planning conditions that are necessary in order to reach that assessment. This approach is included as part of my Recommendation further below in this report.

### **Housing Mix / Affordable Housing**

56. It is proposed that the development will provide a housing mix of 2, 3, 4, and 5 bedroom houses which is different to the original scheme, which proposed a mix of 2, 3 and 4 bed houses. The amended mix would continue to accord with policy HOU18 of the adopted Local Plan.
57. In respect of affordable housing, under policy HOU1 of the adopted Local Plan, this would require the development to provide 40%. In accordance with the NPPG and Ministerial Statement of 24<sup>th</sup> May 2021, the first 25% of affordable housing would be for first time homes (1 unit in this case), followed by social rented (as per Policy HOU1) (1 unit) and the remainder to be split in line with affordable housing provision as set out in Policy HOU1 (2 units of shared ownership housing).
58. The scheme includes 4 units of affordable housing in accordance with the policy. This is made up of 2 x 2 bed unit and 2 x 3-bed units. The affordable housing element will be secured through the S106 Agreement.
59. In light of the above I consider that the amended proposals comprise an acceptable housing mix and affordable housing element that is compliant with the above mentioned development plan policies.

### **Housing Land Supply**

60. The Council can currently demonstrate a 4.8 year supply of housing land. Given that a five year supply of housing land cannot be demonstrated, Paragraph 11 part d of the NPPF (2021) is engaged. This states that for decision taking, planning permission should be granted unless: *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.”*
61. I have weighed the scale of the Borough’s housing supply deficit in the balance and in my view, as the development would not result in any demonstrable harm it adds extra weight in favour of this development by making an acceptable contribution to the supply of housing in the Borough.

### **Planning Obligations**

62. 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
63. A contribution is required for enhancement or maintenance of public open space and equipped play at the Village recreation ground in accordance with Policy S56 (g).
64. As a development of 10 units, there is a requirement for the proposal to provide affordable housing in accordance with the recent Ministerial Statement on First Time Homes and Policy HOU1 (see section above). There is also a request in relation to the governance of the ecological area, under policy IMP4.
65. The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution. Contributions are requested in respect of secondary schools, community learning, libraries, youth and adult social services. There is currently no primary school requirement.
66. Since the final quarter of 2020, the position in respect of Stodmarsh lakes is such that a number of development sites in the Stour catchment area will be reliant on an off-site mitigation strategy being put in place and delivered in

order to be able to proceed without giving rise to harm to that sensitive habitat. The application subject of this report falls into that category. The extent of that financial contribution relative to the development applied for is an unknown factor at present but, clearly, the ABC s.106 mitigation sub-total could increase from the figure quoted in the previous paragraph. I deal with Stodmarsh issues further below.

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

## Heads of Terms for Section 106 Agreement/Undertaking

**Table 1**

	Planning Obligation			Regulation 122 Assessment
	Detail	Amounts (s)	Trigger Points (s)	
	<p><b><u>Informal/Natural Green Space</u></b></p> <p>Project: Enhancement/maintenance of public open space and equipped play at the Village recreation ground.</p>	<p>£434 per dwelling for capital costs</p> <p>£325 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings</p>	<p><b>Necessary</b> as informal/natural green space is required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies S56, SP1, COM1, COM2, IMP1 and IMP2, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use informal/natural green space and the facilities to be provided would be available to them.</p> <p><b>Fairly and reasonably related in scale and kind</b> 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>
	<p><b><u>Affordable Housing</u></b></p> <p>Provide not less than <b>40%</b> of the units as affordable housing, comprising 10% affordable rent units and 30%</p>	<p>1 affordable rent unit</p> <p>1 First Time</p>	<p>Affordable units to be constructed and transferred to a registered provider</p>	<p><b>Necessary</b> as would provide housing for those who are not able to rent or buy on the open market pursuant to SP1, HOU1 of Local Plan 2030 the Affordable Housing SPD and guidance in the NPPF.</p>

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	<p>shared ownership units in the locations and with the floorspace, number of bedrooms and size of bedrooms as specified. The affordable housing shall be managed by a registered provider of social housing approved by the Council. Shared ownership units to be leased in the terms specified. Affordable rent units to be let at no more than 80% market rent and in accordance with the registered provider's nominations agreement</p>	<p>Home unit  2 shared ownership units</p>	<p>upon occupation of 75% of the open market dwellings.</p>	<p><b>Directly related</b> as the affordable housing would be provided on-site in conjunction with open market housing.</p> <p><b>Fairly and reasonably related in scale and kind</b> as based on a proportion of the total number of housing units to be provided.</p>
	<p><b><u>Governance of public or community space and facilities onsite</u></b></p> <ul style="list-style-type: none"> <li>Ecological area</li> </ul> <p>Scheme for ongoing management 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 space and that the entity is accountable to the owners for the</p>	<p>N/A</p>	<p>Scheme to be approved before construction of any dwelling above foundation level.</p> <p>Scheme to be implemented for each dwelling before its occupation.</p> <p>Areas to be transferred to approved management entity</p>	<p><b>Necessary</b> as onsite public or community space is needed to meet site-specific requirements generated from the development and needs to be effectively and sustainably managed pursuant to Local Plan 2030 policies SP1, ENV9, COM1, COM2, COM3, COM4, IMP1 and IMP4 and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use this space and the space to be funded will be available to them.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and taking into account the number of users and is based on good practice stewardship arrangements.</p>

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	management thereof. Scheme must also include details of ongoing funding/endowment of management entity to ensure it is financially sustainable and details of any mechanism for securing such ongoing endowment.		and funding/endowment secured, before occupation of more than 50% of the dwellings.	
	<p><b><u>Accessible Housing</u></b></p> <p>At least 20% of all homes shall be built in compliance with building regulations M4(2) as a minimum standard.</p>	Provide on-site 20% of all units.	<p>Dwellings required to be built in accordance with the standard to be approved prior to construction commencing.</p> <p>Prior to first occupation of 50% of the dwellings not required to be built in accordance with the standard.</p>	<p><b>Necessary</b> as would provide accessible housing pursuant to policies SP1 and HOU14(a) of Local Plan 2030 and guidance in the NPPF</p> <p><b>Directly related</b> as accessible homes for those with reduced mobility would be provided on-site.</p> <p><b>Fairly and reasonably</b> related in scale and kind as based on a proportion of the total number of housing units to be provided</p>
	<p><b><u>Libraries</u></b></p> <p>Contribution for additional resources and bookstock for the mobile library service attending Chilham for the new net borrowers generated by this</p>	£55.45 per dwelling	Half the contribution upon occupation of 25% of the dwellings	<p><b>Necessary</b> 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>

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	development		and balance on occupation of 50% of the dwellings	<p><b>Directly related</b> as occupiers will use library books and the books to be funded will be available to them.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and because amount calculated based on the number of dwellings.</p>
	<p><b><u>Community Learning</u></b></p> <p>Project: Additional resources and equipment for additional learners form development at Ashford Adult Education Centre</p>	£16.42 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings	<p><b>Necessary</b> 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 and Infrastructure – Creating Quality Places' and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use community learning services and the facilities to be funded will be available to them.</p> <p><b>Fairly and reasonably related in scale and kind</b> 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>
	<p><b><u>Secondary Schools</u></b></p> <p>Project: Towards Norton Knatchbull expansion</p>	£4540.00 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50%	<p><b>Necessary</b> as no spare capacity at any secondary school in the vicinity and pursuant to, Local Plan 2030 Policies SP1, COM1, IMP1 and IMP2, Developer Contributions/Planning Obligations SPG, Education Contributions Arising from Affordable Housing SPG (if applicable), KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF. .</p>

			of the dwellings	<p><b>Directly related</b> as children of occupiers will attend secondary school and the facilities to be funded would be available to them.</p> <p><b>Fairly and reasonably related in scale and kind</b> 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 or sheltered accommodation specifically for the elderly.</p>
	<p><b><u>Youth Services</u></b></p> <p>Project: Towards additional resources for the Ashford Youth Service</p>	£65.50 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings	<p><b>Necessary</b> as enhanced youth services needed to meet the demand that would be generated and pursuant to Local Plan 2030 policies SP1, COM1, IMP1 and IMP2, KCC document 'Creating Quality places' and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use youth services and the services to be funded will be available to them.</p> <p><b>Fairly and reasonably related in scale and kind</b> 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 and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly</p>

	<p><b><u>Adult Social Care</u></b></p> <p>Project: Towards Extra care Accommodation Ashford</p>	<p>£146.88 per dwelling</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p><b>Necessary</b> as enhanced facilities and assistive technology required to meet the demand that would be generated pursuant to Local Plan 2030 Policies SP1, COM1, IMP1 and IMP2, KCC's 'Development and Infrastructure – Creating Quality Places' and guidance in the NPPF.</p> <p><b>Directly related</b> as occupiers will use community facilities and assistive technology services and the facilities and services to be funded will be available to them.</p> <p><b>Fairly and reasonably related in scale and kind</b> 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>
	<p><b><u>Long-term availability of parking facilities and surrounding land for use of Chilham Surgery</u></b></p> <p>Scheme to secure that the parking facilities and surrounding land are completed, inspected and made available for the exclusive use of Chilham Surgery and its doctors, staff, patients and visitors. Scheme to include details of long-term management and maintenance responsibilities, and tenure to be offered to the Surgery (as</p>	<p>N/A</p>	<p>Scheme to be approved before construction of any dwelling above foundation level.</p> <p>Approved scheme to be implemented before occupation</p>	<p><b>Necessary</b> as the parking spaces are needed to meet a site-specific policy requirement and need to be effectively secured for the long term use of the Surgery, pursuant to Local Plan 2030 policies SP1, S56, TRA3(a) and IMP1 and guidance in the NPPF.</p> <p><b>Directly related</b> as the spaces are to be provided by the development of this allocated site.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and taking</p>

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	appropriate).		of more than 25% of the dwellings.	into account the site allocation policy and good practice.
	<p><b><u>Monitoring Fee</u></b></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking</p>	£500 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years	<p><b>Necessary</b> in order to ensure the planning obligations are complied with.</p> <p><b>Directly related</b> as only costs arising in connection with the monitoring of the development and these planning obligations are covered.</p> <p><b>Fairly and reasonably related in scale and kind</b> considering the extent of the development and the obligations to be monitored.</p>
<p><a href="#">Notices</a> must be given to the Council at various stages in order to aid monitoring. All contributions are <a href="#">index linked</a> in order to maintain their value. The Council's legal costs in connection with the deed must be paid.</p> <p><b>If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.</b></p>				

## Human Rights Issues

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

## Working with the applicant

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

## Conclusion

70. The site lies within the AONB and Chilham Conservation Area and comprises land allocated for residential development under policy S56 of the Local Plan 2030. The stated allocation evidences the fact that subject to meeting the criteria identified in policy S56, the Council considers the principle of residential development on this site to be acceptable and also sustainable.
71. The site, being an allocated site, will make an important contribution to the Council boosting the supply of housing which is a requirement of the NPPF and achieving a 5 year housing land supply.
72. The application site is located immediately adjacent to an established rural settlement and within easy walking distance of the centre of the village where there are a range of local services and facilities including a shop/post office, village hall, public houses, primary school, village hall and recreation ground/open space including a children’s play area. There are bus stops located within walking distance of the site.
73. The proposals would result in a visual change from a rear garden to a developed housing scheme, however, the visual impacts associated with this would be relatively localised and softened by the existing and enhanced landscaping. As such the wider landscape impacts are not considered to be significant. The development has been assessed as preserving the setting of the listed buildings and not being harmful to the character and appearance of the conservation area. The housing designs, the layout and building materials combine to create a distinctly rural and varied edge of settlement development. Overall, it is considered that the proposals will represent an

appropriate form of development that sits sympathetically within the landscape and preserves and enhances the village setting and character and appearance of the AONB; would preserve the setting of the listed buildings and would not be unacceptably harmful to the character and appearance of the conservation area.

74. There would be no demonstrable adverse impacts on the residential amenity of neighbouring or future occupiers.
75. Subject to conditions, the development can be accommodated without any adverse impact upon matters of ecological importance.
76. In terms of flooding and drainage, I am satisfied that subject to conditions, the site can be developed in an acceptable way.
77. The application has been subject to consultation with Kent Highways and Transportation who have stated that the development does not cause concern with regard to capacity or highway safety on the surrounding network and that the accesses onto Branch Road are sufficient in size and have adequate visibility. The proposal is also acceptable in terms of its parking arrangements.
78. It is proposed that the development will provide a housing mix of 2, 3, 4 & 5 bedroom houses. The mix would accord with policy HOU18 of the adopted Local Plan. The proposal would lead to additional housing supply in the borough at a time when a five year supply of housing land cannot be demonstrated, which lends more weight in favour of the development.
79. The proposed development would provide 40% affordable housing (4 units) comprising one First Time Buyer, 1 affordable rent and 2 affordable home ownership products to comply with the Ministerial Statement and policy HOU1 of the Local Plan 2030. In accordance with policy S56 of the Local Plan 2030, the development shall provide a contribution towards the enhancement or maintenance of public open space and equipped play at the village recreation ground. Together with the affordable housing, these can be secured by a S106 agreement along with the other contributions as requested by KCC.
80. Currently, insufficient information has been provided to allow the Council to assess the impact of the proposal on the Stodmarsh SAC, SPA and Ramsar Site under the Habitats Regulations. Therefore, the recommendation to grant planning permission is subject to the adoption, under delegated powers, of an Appropriate Assessment to the effect that the development will not adversely affect the integrity of the SAC, SPA and Ramsar Site, and to any necessary additional obligation(s) and/or planning conditions deemed necessary to achieve that end.

81. Overall, for the reasons set out above, the proposed development is considered to comply with the requirements of the development plan and it is therefore recommended that planning permission is granted.

## **Recommendation**

### **Permit**

**(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) Subject to the applicant submitting information to enable an Appropriate Assessment under the Habitats Regulations to be adopted by the Head of Planning and Development which identifies suitable mitigation proposals such that, in her view, having consulted the Director of Law and Governance and Natural England, the proposal would not have a significant adverse effect on the integrity of the Stodmarsh SAC, SPA and Ramsar Site; and with delegated authority to the Development Management Manager or the Strategic Development and Delivery Manager to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation;**

**(C) Resolve to 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**

1. Standard time condition
2. Development carried out in accordance with the approved plans.
3. Details and samples of materials including surface finish to driveway / parking.
4. Architectural details.
5. No flues, vents, stacks, extractor fans or meter boxes to be located on the primary elevation.
6. Landscaping scheme to include proposed new tree planting to southern site boundary with open countryside.

7. Planting plans required to accompany the landscaping scheme.
8. Retention of existing hedgerows.
9. Tree protection measures.
10. Tree protection for new trees.
11. Details of boundary treatments.
12. Landscape management plan.
13. Removal of permitted development rights – extensions, alterations and boundary treatments.
14. Occupation as a single dwelling house only.
15. Reptile mitigation implementation / reptile mitigation and management report
16. Bat Sensitive Lighting Design / No additional External Lighting
17. Ecological enhancements.
18. Construction Management Plan/Hours of working.
19. Completion and maintenance of access.
20. Provision and maintenance of visibility splays.
21. Provision of footpath to Branch Road and traffic calming.
22. Use of bound surface for first 5m.
23. Provision of measures to prevent discharge of surface water onto public highway.
24. Provision and retention of parking and turning.
25. Provision and retention of parking spaces/garaging.
26. Provision and Retention of Bicycle Storage.
27. Electrical charging points.
28. Provision of parking bays for surgery and their permanent retention.
29. Detailed drawings of traffic calming features in accordance with plan 08696 – A-L-(00)-X-0104 G
30. Sustainable surface water drainage scheme.
31. Verification report.
32. Details of the sewage treatment system.
33. Provision and retention of refuse collection facilities.
34. FTTP
35. Unexpected contamination.
36. Enforcement condition.

1. S106
2. Refuse collection indemnity

### **Working with the Applicant**

In accordance with paragraphs 38 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals focused on solutions. ABC works with applicants/agents in a positive and creative manner by;

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

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- the applicant/ agent responded by submitting amended plans, which were found to be acceptable and permission was granted
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

### **Background Papers**

All papers referred to in this report are currently published on the Ashford Borough Council web site ([www.ashford.gov.uk](http://www.ashford.gov.uk)). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 19/00483/AS)

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Annex 1

