

Application Number	21/00182/AS
Location	Land between Arthur Baker Playing Field and, Ashford Road, Charing, Kent
Grid Reference	95478/49050
Parish Council	Charing
Ward	Charing
Application Description	Reserved matters application to consider appearance, landscaping, layout and scale pursuant to outline permission 14/01486/AS (Hybrid planning application for the development of land at Maidstone Road, comprising: full planning permission for the erection of a 51 unit age-restricted affordable housing scheme and outline planning permission for market sale housing on the remainder of the site) for the erection of 59 no. 2, 3, 4 and 5 bedroom market housing units.
Applicant	A Better Choice for Property Development Limited
Agent	DHA Planning
Site Area	Approximately 1.86ha

Introduction

1. This application is reported to the Planning Committee as it is a major development and because the applicant is the Council's wholly-owned subsidiary.

Site and Surroundings

2. The application site is located on the A20 Ashford Road to the south of Charing village. It comprises an irregularly shaped plot of around 1.86 ha. The site is former pasture land which slopes gently upwards towards Arthur Baker Playing Fields on its northern boundary. Trees are largely confined to site boundaries on the site other than a row of Poplars within the central part of the site. There is a small derelict agricultural building at the eastern end of the site as well as several derelict greenhouses and hardstanding. The site is shown marked in Figure 1 below.

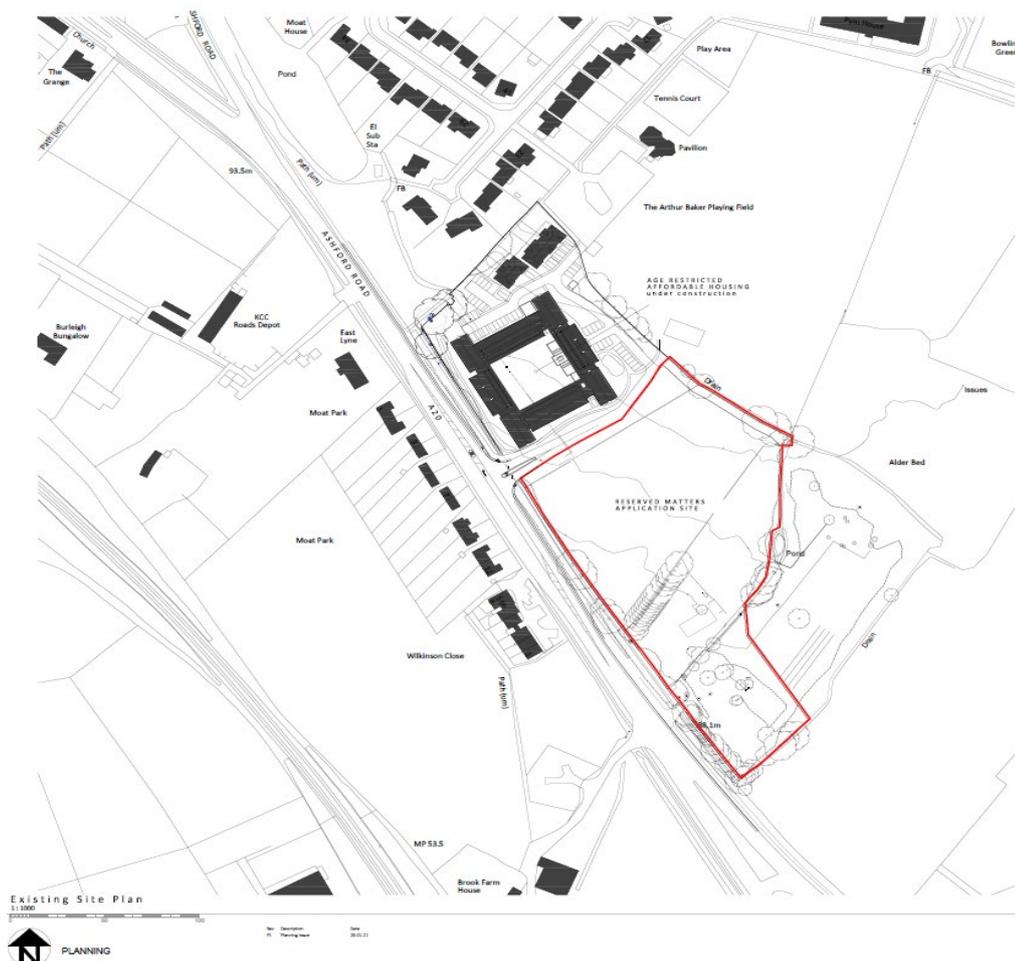


Figure 1: Site location plan

3. The site is bounded in the northeast by newly constructed age-restricted housing together with new access linking to the A20 Ashford Road. The age-restricted housing forms an earlier development phase of planning consent (Ref: 14/01486/AS). The current application relates to the reserved matters for market housing approved in outline under the same consent.
4. To the north of the site lie the Arthur Baker playing fields comprising sports pitches, a pavilion and a parking area. To the east of the site is open countryside which includes the Alderwood and Fen local wildlife site and designated ancient woodland (Alder Beds). A ribbon of two-story residential properties lies to the west of the site on the opposite side of Maidstone Road (A20). The application site is not located within a Conservation Area, although it lies approximately 115m southeast of the boundary of the Charing Conservation Area. There are no listed buildings nearby.

Proposal

- The application seeks the approval of reserved matters comprising 59 market sale housing units to the south of the age-restricted housing scheme pursuant to hybrid planning application for age-restricted housing and market housing granted consent in January 2018 (Reference 14/01486/AS). The reserved matters relate to layout, scale, appearance and landscaping.



Figure 2: Layout plan

- The market dwellings comprise a mixture of flats, terraced, semi-detached and detached dwellings with a mix of unit sizes, including 2, 3 and 4 bedroom properties. The proposed development will provide the following in terms of a housing mix:

Unit Type	Accommodation Type	Number	GIA (m2) range
2 bed, 3 person	Flat	6	61.6
2 bed, 4 person	Flat	4	70.9-73.3
2 bed, 4 person	House	11	83.5-84.5
3 bed, 5 person	House	26	97.6-98.2
3 bed, 6 person	House	4	103.6
4 bed, 7 person	House	7	129-129.6
5 bed, 9 person	House	1	148.3
Total		59	

Figure 3: Accommodation schedule

7. The hybrid planning permission was granted with a Section 106 legal agreement in place. It was agreed that affordable housing was in the form of age-restricted housing for 46 flats and 5 bungalows and developer contributions will be provided towards formal and informal open space, sports provision and play space, health and social care, youth services schools, and community services from the market housing.

8. The detailed elements of each of the reserved matters are summarised below.

Reserved Matter: Layout

9. Access into the wider site is from the A20 and has been constructed as part of the age-restricted housing under planning permission 14/01486/AS. Secondary accesses into the market housing site will be created from the main access. Internal roads have been tracked to ensure turning and manoeuvring space for delivery vehicles, refuse vehicles, and a fire tender. In terms of parking, the scheme will provide 150 spaces with parking for housing and visitors.

10. The proposed site layout would comprise housing arranged to address the site’s sensitive edges and set around a network of internal streets and open space. The layout aims to be responsive to the context by fronting development towards Arthur Baker Playing Fields and the A20 Maidstone Roads but also providing a curved internal street with housing orientated towards it. In the southeastern corner, dwellings are arranged as a courtyard with boundary screening (hedges and trees) maintained, and to the northeast Plot 16 has been reduced during the course of the application to retain a significant buffer to the Alder Beds.



Figure 4: Site arrangement

Reserved Matter: Scale

11. The proposed housing would be two storeys in height, with some roof accommodation. This is consistent with condition 12 of Planning Permission 14/01486/AS which requires development to be two storeys in height. The street elevations in Figure 5 below illustrate the two-story height and appearance of dwellings proposed across the site.

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Figure 5: Street scene elevations

Reserved Matter: Appearance

12. The appearance of the housing has been designed to reflect the varied character surrounding the site. The dwellings in plots 17, 18 & 19 reflect a contemporary design approach responsive to its urban fringe location and the design and materiality of the age-restricted development. Dwellings would be finished in red/multi bricks, coloured cladding, clay/slate roofing and grey windows. An illustration of the elevations of Plot 17 & 18 are given in Figure 6 below



Figure 6: Elevations to Blocks 17 & 18

13. Within the site and the rural edges, dwellings would appear more traditionally designed but in a variety of styles. This would include the use of traditional materials including red/multi stock bricks, clay and slate roof tiles, slate tiles,

weatherboarding, and white/cream window frames. This is demonstrated by Plots 3 and 10 in Figure 7 below.



Figure 7: Elevations of plots 3 and 10

Reserved Matter: Landscaping

14. The landscaping strategy allows for hard and soft landscaping across the site. It proposes the retention, protection, and strengthening of existing boundary treatments and a range of new planting to include native species of trees, shrubs and hedgerows. Hard landscaping will be a mix of tarmac, permeable block and resin-bound paving.

Boundary treatments will be carefully considered to respond positively to the edges of the site through a mix of low estate railings, traditional timber post, and rail agricultural fences, and reinforced native hedgerows and trees. These together serve to visually connect with the playing fields, reinforce rural character and landscape, enhance ecological connectivity and provide screening from Maidstone Road.

Figure 8: Landscaping Plan



Planning History

15. The following is relevant relating to the application:

- 14/00018/EIA/AS – screening opinion for proposed residential units with associated car parking and access - EIA not required.
- 14/01486/AS – Hybrid planning application for the development of land at Maidstone Road, comprising:
 - Full planning permission for the erection of a 51 unit age-restricted (55+ years) affordable housing scheme (to include 5 age-restricted affordable bungalows) together with the creation of a new pedestrian and vehicular access point linking Maidstone Road through to the Arthur Baker Playing Fields; and
 - Outline planning permission (matters to be reserved: appearance, landscaping, layout, and scale) for the erection of market sale housing units on the remainder of the site.

Consultations

16. The application has been subject to formal statutory and non-statutory consultation comprising the display of site notice, a press notice, and notification letters sent to 287 owner/occupiers of buildings in the vicinity of the application site. Following submission of further information and reduction of units from 60 to 59, re-consultations were undertaken. Responses to the consultations are summarised below:

Charing Parish Council:

- The parish council supports the application provided the energy strategy is presented before construction starts and is acceptable, including consideration of non-gas heating.

ABC Sport and Leisure:

- Identifies the proposal would not provide the required amount of on-site public open space and requires off-site provision to be in accordance with S106 contribution. Recommends that benches proposed should have backs and armrests and placed on paved surface and requests further details on SuDs by condition.

ABC Environmental Protection:

- Air Quality – Recommend condition for an air quality assessment along with the proposed mitigation plan to be implemented on site the value of the calculated damage value.

- Contaminated Land – Recommend condition to address unexpected contamination.
- Noise – Recommends a condition to protect future occupiers from noise from the A20 highway.

ABC Environmental Services:

- ABC Environmental Services raise no objection.

ABC Housing Services:

- Notes there is no requirement for any further affordable housing, given that the site is a supplementary part of application 14/01486, and the affordable dwellings were earmarked in the s106 document appropriate for that site.
- Advises that 20% of all dwellings should be M4(2) standard

ABC Tree Officer:

- Happy with the including of 15m Ancient Woodland Buffer
- A fringe of hawthorn prevent cats accessing the carr
The buffer planting should mimic the planting found in the carr with alder and wild garlic.

Alderbed Management Group:

- The planting in the 'Wildlife area' to reflect the trees, scrubs and plants that are present in the Alderbed.
- A high chainlink fence between the development and wildlife area to minimize the dumping of garden waste from the houses and to reduce the number of cats going directly into the wildlife area.
- Waterways to be protected to dumping of waste, contamination of the water, and blockages to the water flow. Also, asbestos and possibly other contaminants in Alderbeds should be removed to give a 'clean' environment.
- A green trackway, with a lockable barrier to go from the A20 into the wildlife area to allow for future maintenance of the area.
- Funding for future maintenance.

Arthur Baker Playing Field Trust.

- Alderbed meadow and woodland need substantial protection from the proposed development given the uplift in houses from the original application. As such, there would be a buffer zone, boundary fence and creation of a wildlife ditch, bank and hedge along the eastern edge of the development site connecting the A20 boundary to the Alderwood wood. Also, a green gated roadway should be provided for maintenance. A planting scheme should be agreed upon with KWT and maintenance contribution provided for.

Environment Agency (EA):

- Confirmed that the EA no longer provides comments on reserved matters applications.

Kent County Council Highways and Transportation:

- Initially identified issues relating to meeting parking standards, tight turning from under-croft parking from plots 20a and 20f and small access drives to some plots that required addressing. Revisions and additional supporting information submitted settled all of the issues originally identified. KCC Highways confirmed no highway objection to the reserved matters application.

Kent County Council Ecological Advice Service:

- Advised that further ecological information was submitted including updated ecological surveys and mitigation measures and regarding the management of the proposed ecology area. Also, development should be omitted from the 15m of the ancient woodland to conform to standing advice from Natural England.

Kent County Council Archaeology:

- On the basis of site visits to the investigations on the adjacent site, the application site has the potential to contain multi-period remains, particularly Iron Age and Roman archaeological remains, some of which may be of significance. Recommends condition for a phased program of archaeological work.

Kent County Council Flood and Water Management:

- Initially found a lack of information submitted pertaining to drainage. Also, requested information to demonstrate that the surface water provision is compliant using attenuation feature for the impermeable area as well as the adjusted discharge rate and ability to drain by gravity off-site. However, following additional information submitted confirmed they are satisfied with the general principles proposed for dealing with surface water and as such remove our objection to the determination of the reserved matter.

Kent Fire and Rescue:

- Advises that in the event of planning permission being granted the Fire & Rescue Service would require the on-site access requirements to be established. Also, confirmed that the emergency access requirements for the Fire and Rescue Service are satisfactory.

Kent Police:

- Recommend the use of Secured By Design principles.
- Consideration should be given to matters including layout, permeability, boundary treatments, lighting, refuse stores, parking, cycle stores, landscaping, house design, and site security during the construction

phase.

Kent Wildlife Trust:

- Originally submitted a holding objection on the basis of lack of up-to-date ecological information and long-term mitigation and management plan.
- Subsequently wrote to say these concerns were satisfied through new documents proposing a buffer zone to ancient woodland and planting mix within. Also, a fence around the perimeter will reduce recreational disturbance on the wildlife area. A new habitat plan is being prepared which should mitigate the impact and achieve net gains.
- Advises a revised habitat management plan for the development site and the wildlife area should be discussed with the Parish Council and the Charing Alder Bed Society.

Southern Water:

- The proposed development is located approximately 325 metres from Charing Wastewater Treatment Works. To avoid potential odour nuisance an Odour Assessment is required.
- Later clarifies that the request for an odour assessment to be noted in the advisories for this site and that it cannot enforce this to be carried out during the reserved matter stage of the planning process.

Natural England:

- The development has the potential to impact nationally and internationally important wildlife sites at Stodmarsh in the Stour Valley from excessive nutrients from wastewater discharges.
- Further information is required in order to form part of a Habitats Regulations Assessment (HRA) to determine the significance of these impacts and the scope for mitigation to avoid adverse effects on integrity.
- Where a HRA, completed or adopted by the competent authority, concludes no adverse effect on the integrity of the site and meets the required criteria for mitigation (see Annex B) Natural England will review the proposal.

17. **Neighbours** – Across the consultations, 7 objection representations were received and 5 comments were received. These are summarised below:

General comments:

- Restrict vehicular access to the playing field through The Moat.
- Houses are in an individual style and groups are appealing.
- Serious consideration has been given to Charing's future as set out in the design statement.
- Pedestrian footpath is fine to Arthur Baker Playing Fields, vehicular access is not.

- The lake on the Moat is fed by spring water and any obstruction could lead to flooding.
- Visitor parking may draw train users to park.
- Consideration of wildlife is welcomed.
- CCTV to be installed in all new development.
- Pleased that the developers have consulted with the Parish Council
- Bungalows could be provided.
- Wished that houses hadn't been approved but it's in the Local Plan.

Objections:

- Out of scale
- High density
- Need to preserve Alderbed meadows
- Sustainability – net zero
- Impact on traffic and parking
- Impact on countryside
- No new houses in village
- Increased flood risk
- Village facilities and infrastructure may not be able to cope
- No vehicle link to Arthur Baker Playing Field unless for emergencies only
- Additional development should not be allowed to go ahead.

Planning Policy

18. The Development Plan for Ashford Borough 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), the Boughton Aluph & Eastwell Parishes Neighbourhood Plan (2021), the Egerton Neighbourhood Plan (2022), the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020).
19. The relevant policies from the Local Plan relating to this application are as follows:-

Vision for Ashford Borough

SP1 Strategic objectives

SP2 The strategic approach to housing development

SP6 Promoting high quality design

S29 Land South of the Arthur Baker Playing Field

HOU1 Affordable Housing

HOU12 Residential space standard internal

HOU14 Accessibility standards

HOU15 Private External Open Space

HOU18 Providing a range and mix of dwelling types and sizes

EMP6 Fibre to the Premises
TRA3a Parking standards for residential development
TRA6 Provision for cycling
TRA7 The road network and development
TRA8 Travel plans, assessment and statements
ENV1 Biodiversity
ENV4 Light Pollution and Promoting Dark Skies
ENV6 Flood Risk
ENV7 Water efficiency
ENV8 Water quality, supply and treatment
ENV9 Sustainable drainage
ENV11 Sustainable Design and Construction
ENV12 Air Quality
ENV13 Conservation and enhancement of heritage assets
ENV14 Conservation areas
ENV15 Archaeology
COM1 Meeting community needs
COM2 Recreation, Sport, Play and Open Spaces
COM 3 & 4 Allotments and Cemeteries
IMP1 Infrastructure provision
IMP2 Flexibility, viability and deferred contributions
IMP4 Governance of public community space and facilities

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

Supplementary Planning Guidance/Documents

Affordable Housing SPD 2009
Residential Parking and Design Guidance SPD 2010
Sustainable Drainage SPD 2010
Residential Space and Layout SPD 2011 (now external space only)
Sustainable Design and Construction SPD 2012
Public Green Spaces and Water Environment SPD 2012
Ashford Town Centre Conservation Area Appraisal and Management Plan 2016
Heritage Strategy 2017

Informal Design Guidance

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

Draft Charing Neighbourhood Plan (NP)

The Regulation 14 version of the Charing Neighbourhood Plan was consulted on in 2020. Although a material consideration, due to the stage of preparation, the Charing Neighbourhood Plan can be afforded limited weight when determining the application, as the policies in the draft Neighbourhood Plan may be subject to change following the consultation.

Government advice

National Planning Policy Framework (NPPF) Revised 2021
Planning Practice Guidance (PPG)
Technical Housing Standards – nationally described standards

Assessment

21. The key areas for consideration are as follows:

- Compliance with the outline planning permission
- Character and appearance
- Heritage
- Archaeology
- Housing mix
- Living conditions
- Highways, parking and connectivity
- Trees and Biodiversity
- Landscaping and Open Space
- Drainage and Flood risk
- Sustainable construction
- Habitats Regulations
- Planning Obligations

Compliance with the outline planning permission

22. In granting outline planning permission, the principle of the development and key parameters have been agreed upon, including the developable area, approved land use, building heights by condition, and by S.106 affordable housing and the provision of community infrastructure. The detail of the main vehicular access from Maidstone Road has also been delivered as part of the Age-Restricted housing scheme.

23. The application for market housing was made in outline form with matters relating to layout, scale, appearance, and landscaping reserved for future consideration. The current application accords with the key parameters and is therefore acceptable in principle.

Character and appearance

24. The Government attaches great importance to the design of the built environment, with national policy placing great emphasis on the importance of good design as a key aspect of sustainable development. The requirements outlined in paragraph 130 of the NPPF include the need to add to the overall quality of the area and establish or maintain a strong sense of place. While appropriate innovation and change, such as increased density, are not to be prevented or discouraged, developments must be sympathetic to local character, including the surrounding built environment.
25. Paragraph 124 of the NPPF provides national guidance on achieving appropriate densities, stating that planning decisions should make efficient use of land, taking into account: need for housing; local market conditions; availability and capacity of existing and proposed infrastructure and the scope to promote sustainable travel modes; the area's character and securing good design. Paragraph 126 states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is considered to be a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 134 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 and the way it functions.
26. The National Design Guide (2019) further supports the principles of the NPPF and seeks to illustrate 'how well-designed places that are beautiful, enduring and successful can be achieved in practice. This sets out ten characteristics of well-designed places.
27. The Council places great weight on quality placemaking and Policy SP6 (Promoting High-Quality Design) of the Local Plan is relevant and aligns with this national guidance. Also of relevance is Policy S29 which is the strategic allocation for development at the site. This also requires careful attention to be paid to design and layout and references a landscaped edge to the southeastern edge of the site.
28. Charing is a compact village characterised by a mixture of older and newer buildings of varying ages, designs, and materials. The application site lies at the edge of the village separated from the historic core by the age-restricted accommodation and Arthur Baker Playing Fields but forming an important entrance into the village along the A20. The closest residential development to the site is on the opposite side of Maidstone Road. This is characterised by a linear arrangement of terraced or semi-detached properties dating predominantly to the 20th and 21st centuries in varied designs.
29. The application seeks the approval of reserved matters comprising 59 market sale housing units to the south of the age-restricted housing scheme pursuant to hybrid planning application for age-restricted housing and market housing

granted consent in January 2018 (Reference 14/01486/AS). The quantum of 59 houses is above the 42 houses proposed shown in schematic form as part of the extant consent (Site Plan no AA4099 2001). However, Officers advised the Planning Committee at the time that the site plan was illustrative and that the application did not establish an upper limit or maximum number for the market housing units that can be accommodated on the site.

30. The proposed density would be between 31-32 dwellings per hectare. Notwithstanding the increase in dwelling numbers from the previous application, the density and layout contribute to the development's capacity to sit within the locality in a positive way and provide a good quality living environment. The proposal would optimise the use of the site and there is no substantive evidence that the proposed density would harm the living conditions of future occupiers as discussed in the Living Conditions section of the report below. Moreover, there is no evidence to suggest that the development would be overly dense or its design and layout inappropriate for the site or harmful to the character and appearance of the area. The proposal therefore does not conflict with Policies SP6 and S29 as the proposal respects local distinctiveness in terms of density, design and place-making.
31. Access to the proposed scheme will be from secondary accesses created from an existing operational entrance that serves the age-restricted housing and links to the A20 and granted under planning permission 14/01486/AS. Internal streets provide access to proposed housing. These would have an informal nature comprising tree and hedge planting with dwellings orientated to front streets to ensure that from public vantage points the roads would possess an active and engaging frontage. Cul-de-sacs and private drive arrangements ensure effective use of the land, while pedestrian linkages provide good permeability through the site and linkages to the playing fields.
32. The proposed housing arrangement has been carefully considered to respond to the site's specific constraints and opportunities and is particularly successful in addressing the varied site edges. The Maidstone Road frontage defines the western edge and provides a predominantly built-up frontage arranged linearly to respond to ribbon development on the opposite side of the A20. The layout provides landscaped edges and buffers to the southeastern and northeastern corners to relate and transition to the wildlife and rural sites beyond. The proposal also incorporates an attractive edge to Arthur Baker Fields in the north. Accordingly, the site layout is considered acceptable.
33. Dwellings would be two storeys in height, with some roof accommodation which is in accordance with Condition 12 of the outline approval (14/01486/AS). This condition requires the proposed dwellings to be two storeys in height with any second-floor accommodation being contained within the roof space. The heights proposed also respect the immediate and wider built context and provide a sense of cohesiveness across the site.

34. With respect to appearance, the housing has been designed to emulate the varied context found within the area and this is found in the variety of external designs proposed. Whilst there are similarities in materials across the site, the roofs, walls and joinery offer a variety of designs, colours and proportions to give the impression of a non-uniform pattern of development. The plots have been designed to address specific locations so that, for instance, plots 17, 18 & 19 reflect a contemporary approach responsive to its urban fringe location and position relative to the contemporarily designed age-restricted accommodation, whilst more traditional forms predominate within the site and to its rural edges. This approach is considered highly responsive to the site and surrounding context.
35. The development is unified by the use of traditional Kentish materials and details that reflect the local character. Roofs would be pitched and finished in a mix of plain clay tiles and slates, with matching ridge tiles and bonnet hips. Externally buildings will be predominantly red and multi facing brick with complimentary mixed usage of hung clay tile cladding to upper storeys and weatherboarding. The brickwork will have a richness by using Flemish Bond with details such as flat gauge and segmental arches above windows and door openings, quoins and string courses. Windows are proposed to be double-glazed vertical sliding sash and casements.
36. With respect to comments by the Designing out Crime Officer, I note the applicant's confirmation that the applicant is committed to working with Kent Police to achieve Secure by Design security accreditation. This includes ensuring that walkways are overlooked in order to discourage antisocial behaviour and crime.
37. Overall, the principle of development on this site has been established and the associated alteration to the character and appearance of the area is accepted. The proposed density, layout, scale and design proposed are considered to make a positive contribution to the site and surrounding area, by both responding to the context and adhering to the parameters contained within the outline consent. The layout provides good accessibility and permeability and varied house designs would create interest and variety in the street scene, whilst maintaining a coherent design that reinforces a sense of place and character. This is considered to be in accordance with Policies SP6 and S29 of the Local Plan. Further details regarding materials and detailed finishes will be secured by condition to ensure the required design quality is successfully achieved.

Heritage

38. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the general duties of Local Planning Authorities in regards to

the protection of conservation areas. Section 72 states “In the exercise, with respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

39. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. Paragraph 194 sets out that any harm to the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
40. Local Plan Policies ENV13 & 14 seek to preserve or enhance heritage assets including the setting of conservation areas.
41. With regard to the effect of the proposal on heritage assets, the site does not include any listed buildings and is not located in a conservation area. The site lies approximately 115m south-east from the boundary of the Charing Conservation Area and forms part of its wider setting.
42. As noted previously, the scale, form and appearance of the proposed development is considered to be appropriate to its context being two storeys in a variety of appropriate designs. Taken with the significant separation, intervening age-restricted housing, topography and tree planting, the proposal would preserve the character and appearance of the Conservation Area and cause no harm to its heritage significance. The proposals are therefore consistent with Policies ENV13 and EN14 of the Local Plan, the NPPF, and the statutory requirements set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

Archaeology

43. An Archaeological Evaluation by Swale and Thames Survey Authority was submitted and discharged for the whole site in response to condition 27 of the hybrid application (reference 14/01486/CONB/AS). This report primarily focussed on the age-restricted housing part of the site. Given this part of the application site has the potential to contain significant multi-period remains, particularly Iron Age and Roman periods, the County Archaeologist has recommended a phased programme of archaeological work to be agreed by condition before development starts. This is a reasonable and necessary approach to establish the presence or absence of archaeological remains and to agree on a suitable strategy to address archaeological features impacted by the development in accordance with Policy ENV15 (Archaeology) of the

Local Plan.

Housing mix

44. Policy HOU18 of the Local Plan requires development proposals of 10 or more dwellings to deliver a range and mix of dwelling types and sizes to meet local needs. Condition 12 of extant planning permission 14/01486/AS stipulates a minimum of 64% two and three-bed properties.
45. The proposed development is for 59 residential units, 36% of which would be 2-bed and 50.9% 3-bed properties. This means that the majority of residential units will be two or three beds above the minimum requirement contained within condition 12 and ensures that the proposal provides a range of accommodation types and sizes and meets the broad objectives of HOU18.

Unit Type	Accommodation Type	Number	% of scheme	GIA (m2) range
2 bed, 3 person	Flat	6	10.2	61.6
2 bed, 4 person	Flat	4	6.8	70.9-73.3
2 bed, 4 person	House	11	18.6	83.5-84.5
3 bed, 5 person	House	26	44.1	97.6-98.2
3 bed, 6 person	House	4	6.8	103.6
4 bed, 7 person	House	7	11.9	129-129.6
5 bed, 9 person	House	1	1.7	148.3
Total		59	100	

Figure 9: Housing mix and accommodation

Living conditions

46. The Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers. New development will be expected to offer future occupiers a sufficient standard of accommodation and to have regard to the Nationally Described Space Standards set out in Policy HOU12 and the Council's Residential Space and Layout SPD.
47. The nearest neighbouring dwellings to the site are located on the opposite side of Maidstone Road and in the age-restricted housing recently developed. Given the significant separations distances retained to existing properties

outside the site, and the scale, form and layout of the proposed development, it is not considered there would be any unacceptable impact on living conditions of neighbouring residents.

48. The proposed dwellings would be appropriately positioned within the site in relation to each other to avoid any unacceptable loss of light or overlooking impact. Where found, back-to-back distances of separation between rear elevations would commonly be approximately 20-21 metres. The layout and distances of separation between dwellings would therefore be sufficient to ensure a good standard of amenity for future occupiers of the development.
49. The dwellings proposed would exceed the nationally described internal space standards and all units would have access to policy compliant external open space in the form private gardens and communal open spaces. Appropriate refuse storage and collection points have been identified which would allow refuse to be collected effectively for all properties. Sheds or garages are provided which would allow for secure cycle storage, helping to promote active methods of travel.
50. Although the proposed development is considered to provide suitable residential use the Council's Environmental Protection Officer has requested conditions to mitigate any identified impacts in relation to noise and air quality given the size of the development and its location close to the A20. Subject to the acceptability of these conditions future residential units will not experience undue noise or air quality issues.
51. Southern Water identifies that the proposed development is located approximately 325 metres from Charing Wastewater Treatment Works (WWTW) and that odour from the site is inevitable. Given that this is a reserved matter application, with the principle of development for residential already established through an outline permission that Southern Water did not object to, the potential of odour from the WWTW cannot now be considered a constraint to residential development. This is acknowledged by Southern Water advising an odour assessment cannot be enforced at this stage.
52. Policy HOU14 requires that at least 20% of all new-build homes should be in compliance with part M(4)2 of the building regulations as a minimum standard. The scheme proposes that 12 dwellings will meet this standard, above the threshold set out in the policy.
53. Overall, the proposed development would provide a good level of amenity for future occupiers of the development, in accordance with Local Plan policies HOU12, HOU14 and HOU15.

Highways, parking and connectivity

54. Access into the wider site is from the A20 and has been constructed as part of

the age-restricted housing under planning permission 14/01486/AS. This application seeks to agree secondary accesses, main internal circulation routes within the site and parking.

55. The application proposes secondary accesses into the market housing site from the main access that links to the A20. The access to and layout of internal streets within the site would be legible, coherent and would be an effective way to serve the development for vehicular traffic, cyclists and pedestrians. The geometry of internal roads is acceptable for a range of vehicle types as demonstrated by the track drawings which show adequate turning and manoeuvring space for delivery vehicles, refuse vehicles, and a fire tender. Pedestrian connectivity will be provided by footpaths that extend around the site and a mix of pathways and shared surfaces within the site, including a safe pedestrian route connecting to the recreation ground access point.
56. Policy TRA3(a) of the Local Plan sets out the required parking standards for new development within town centre, suburban and rural locations but also permits flexibility, for example where there is a good level of accessibility to shops and services and a good level of non-car access.
57. The allocated parking provision for all of the dwellings at 126 spaces would be in accordance with the Local Plan vehicle parking standards, with the spaces located appropriately to serve the dwellings. These would be a mix of typologies including carports, private drives, tandem and on-street parking that would be secured by condition to ensure that these spaces are retained for parking. There are sufficient turning areas to access the allocated parking spaces. As such, the allocated parking provision for the dwellings is considered to be acceptable.
58. The site is located in a sustainable location within easy walking distance of local shops and services and public transport links including bus and train routes. Nonetheless, the proposal would provide 24 unallocated visitor and tandem allowance parking that would be in accordance with the Local Plan standards. The unallocated spaces are well distributed across the site, easily accessible, integrated into the public realm to reduce the visual impact, and suitably located so as not to cause obstruction to the highway. The provision of visitor parking is therefore considered acceptable.
59. All of the dwellings will be provided with adequate cycle storage in accordance with Local Plan requirements in Policy TR6. For houses, this will generally be accommodated by the provision of sheds accessible off the rear of the carports and for the flatted developments covered cycle stands will be provided near to the buildings.
60. Sufficient refuse and recycling storage would be provided on-site. For the houses, bin storage areas would be located within the carports near the main

entrance doors. Residents will take their refuse bins from these storage areas to the edge of the public highway for collection. The flats would be served by communal refuse and recycling storage collection areas near the buildings. Tracking plans of refuse vehicle movements have been submitted to demonstrate that the layout of the development works.

61. Finally, KCC Highways and Transportation have been consulted on the proposal and have raised no objection to the development on highway or parking grounds. It is therefore considered the proposal to be in accordance with relevant planning policies including TRA3a and TRA6 and is acceptable in this regard.

Trees and Biodiversity

62. 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 including ancient woodland and local wildlife sites and should include measures to retain, conserve and enhance habitats and networks of ecological interest. 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. Policy ENV1 of the Local Plan is consistent with the guidance contained within the NPPF which seeks to conserve and enhance biodiversity through the planning process.
63. The submitted Arboriculture Report (including tree survey schedule, location and protection plans) identifies trees that would be removed to facilitate the development and allow space for re-landscaping. These are predominantly classified as category 'C' & 'U' trees which are of low quality, however, several category 'B' would be removed due to their proximity to the proposed development. The majority of these trees, other than the Poplars, are not highly visible from the surrounding area and therefore their loss will have a limited impact on the overall amenity of the site. The Poplars removal, whilst regrettable, is consistent with the plans assessed under extant permission ref: 14/01486/AS. Overall, the proposed tree removal would not constitute any long term threat to the arboricultural or landscape character of this part of Charing.
64. Moreover, the removal of trees will be mitigated by additional planting which will diversify the tree stock resulting in visual benefits and biodiversity enhancements. Indeed, new tree planting will form an integral part of the overall landscape strategy and will augment retained trees with new planting in key areas such as along rural interfaces to reinforce character and landscape, enhance ecological connectivity and provide screening. The retained trees and hedgerows would also be subject to protective measures for the duration of the works, thus preserving the greened landscape character of the site.

65. To the northeast of the site is Alderwood and Fen wildlife site and ancient woodland. The sensitivity and value of these sites are reflected by the national and local environmental designations pertaining to them. Natural England and Forestry Commission 'standing advice' for ancient woodland, ancient trees and veteran trees is that proposed development should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage. The layout of the current proposal has been altered during the course of the application process and now ensures that a 15m wide landscape buffer is provided between the ancient woodland and proposed housing so root protection areas for trees within and adjacent to the woodland would be protected. The Kent Wildlife Trust and the Council's Arboricultural Officer replied to the consultation raising no objection to this.
66. Kent Wildlife Trust also observe that the 15m buffer will be planted with thorny native scrub and trees. This will provide a physical barrier between the development footprint and the ancient woodland. Further, a fence around the perimeter of the site would reduce recreational disturbance and cat predation of the wildlife area and ancient woodland.
67. With regards Ecology, survey work was considered under outline approval (14/01486/AS). This has been augmented by information submitted and approved under conditions 37 - method statement for reptiles, breeding birds and dormice; 38 - Landscape and Ecological Management Plan (LEMP); 39 - biodiversity enhancement and 42 - herpatile fencing (application reference 14/01486/CONA/AS.). The Lloyd Bore Mitigation and Enhancement Plan submitted in support of those conditions state that prior to any works being carried out within phase 2 (market housing) surveys and mitigation strategies will need to be updated. These surveys are currently underway and KCC Ecology has confirmed that these, together with an updated LEMP, reptile mitigation strategy and external lighting strategy can be submitted by condition. Overall, the proposal is consistent with Policy ENV1 and the NPPF by conserving and enhancing biodiversity.

Landscaping and Open Space

68. The application is supported by a Hard and Soft Landscape Plan. With respect to soft landscaping, the strategy is to retain, protect and strengthen of existing planting and supplement this with generous levels of tree, shrub and grass planting across the site. The provision of street, boundary and garden trees and other soft landscaping will ensure planting would be distributed throughout the site and would make a strong contribution to the character of the scheme, softening the built form and helping to screen the development, particularly from Maidstone Road. Boundary planting with native species along the site's rural edges would reinforce its edge of settlement character and enhance ecological connectivity. Trees, shrubs and hedges would be placed in verges and between parking bays with adequate space for them to

survive and mature. As such, it would be likely that planting in these locations would be likely to be retained.

69. Due to the close proximity of the site to the recreation ground, the majority of public open space as required by the size of this development will be provided off-site. Appropriate per dwelling contributions for open space including provision for allotments, children's and young people's play space contribution, informal natural green space, and outdoor sports pitches were agreed upon and secured through the S106 legal agreement under the extant planning approval (14/01486/AS). Nonetheless, the proposed development would include pockets of open space and landscaping which provide a balance of built form and open areas that would create a pleasant and interesting place. These are small areas of informal space, as opposed to being specific areas for recreation, such as that proposed around the SuDs feature. These provide a break in built form, assist with the establishment of a sense of identity for the development and respond positively to the open spaces within the wider area.
70. The hard surfacing proposed will be a variety of materials to add visual interest including a mix of tarmac at the street entrance to the site with permeable block and resin-bound paving to streets, footpaths, courtyards and garden patios. Boundary treatments will be carefully considered to respond positively to the edges of the site through a mix of low estate railings, traditional timber post and rail agricultural fences, and reinforced native hedgerows and trees. These together serve to visually connect with the playing fields, reinforce rural character and landscape, enhance ecological connectivity and provide screening from Maidstone Road.
71. Overall, the proposed landscaping and open space will integrate with the built form proposed and compliment the site context. It would add visual interest and biodiversity benefits in accordance with relevant planning policy and guidance. This element of the proposal would therefore complement the character and appearance of the area and help establish an identity for the development.

Surface water and drainage

72. Policy ENV9 of the Local Plan and the adopted Sustainable Drainage SPD state that all development should include appropriate SuDs for the disposal of water in order to avoid any increase in flood risk or adverse impact on water quality.
73. A Flood Risk Assessment and Drainage Strategy has been submitted in support of the application. It sets out the development site is located within Flood Zone 1, which is the area at lowest risk of flooding.

74. The submitted strategy sets out that in the interests of providing adequate drainage of the site, and to ensure no increase in flood risk, the surface water discharge rate will be restricted via a series of SUDs features then discharged into the existing ditch network. Storage will be achieved through the use of cellular storage crates, an on-site attenuation basin and through sub-base storage within the proposed permeable paving to the parking areas. The strategy is for a peak rate of surface water discharge from the site to be 3.9l/s in line with the hybrid planning application and in accordance with the Council's Sustainable Drainage SPD. KCC, as the Lead Local Flood Authority, raise no objection to the proposed drainage scheme. As such, the proposal is in accordance with policy ENV9.

Sustainable construction

75. The applicant has advised that they are in the process of conducting a renewable (low or zero-carbon) energy assessment. The assessment will examine the energy needs of each dwelling as a whole and make recommendations on energy-efficiency measures and compatibility of different renewable technologies.
76. Whilst the proposal, at this stage, does not commit to the use of any traditional renewable or zero-carbon technologies, the Local Plan notes the demise of Eco-Homes and Code for Sustainable Homes with the updated Building Regulations effectively superseding these initiatives aimed at securing more sustainable methods of design and construction. A condition is recommended to allow the final details of the proposed energy assessment to be submitted and approved prior to the commencement of the development. This position is supported by the Parish Council.
77. The applicant has advised that there will be a 7.5kw EV charging point for each unit, plus 2 x rapid charging points located in the visitors' parking spaces. This will promote more sustainable methods of transport.
78. In summary, Officers are satisfied that the proposed development, subject to conditions, will be designed to address and mitigate the risks of climate change, including through the implementation of a low carbon energy strategy and the construction of a building designed to minimise energy consumption. In this regard, the proposals are consistent with national and local planning policy and guidance.

Habitats Regulations

79. 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. This relates to an increased level of nitrates and phosphates

within the protected sites which is adversely affecting the integrity of the habitat of the lakes.

80. 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 2017 (as amended) 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.
81. 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.
82. Nutrient Neutrality Calculations were submitted in support of the application. These concluded that the development would not be nutrient neutral and that mitigation will be required. It is likely that an off-site package of mitigation measures will be required in order for the development proposal to achieve 'nutrient neutral' status. 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.
83. However, work commissioned by the Council has commenced on the 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.
84. Therefore, on the basis that this proposal is considered to be otherwise acceptable in planning terms (subject to planning conditions), I recommend that a resolution to approve the reserved matters should also 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 (by achieving nutrient neutrality), and to secure any necessary additional obligation(s) pursuant to a Deed of Variation and/or planning conditions that are necessary in order to reach that Assessment and ensure that at the time of occupancy the necessary mitigation is in place.

Planning Obligations

85. Whilst the applicant entered into an s.106 agreement as part of the grant of hybrid planning permission (Ref: 14/01486/AS) it is likely to be necessary to enter into a Section 106 obligation or Deed of Variation to secure the mitigation required to address the Habitats Regulations as discussed above and when the development might be able to be occupied according to the successful delivery of the required off-site mitigation.

Human Rights Issues

86. Human rights issues relevant to this application have been taken in account. 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

87. 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

88. The submitted Reserved Matters details relating to layout, scale, appearance and landscaping demonstrate that the proposals comprise a high quality well designed residential development as envisaged by the outline planning permission for the site considered under hybrid application reference 14/01486. In relation to layout, scale and appearance the proposals would be responsive to the site context and would appear integrated with its surroundings. The sensitive development of the site would sit comfortably at this location and preserve the setting of the Charing Conservation Area. The proposed landscaping and open space would integrate with the built form proposed and compliment the site context adding visual interest and biodiversity benefits in accordance with policy and guidance.
89. The proposals would offer a range of dwelling types and sizes that would provide a choice of high standard living accommodation and external amenity space for future occupiers. Externally, the proposals incorporate acceptable car and cycle parking in accordance with adopted policies in the Local Plan but would also be in close proximity to village facilities and public transport

routes.

90. The proposals would have no adverse impacts on the amenities of any adjoining residents. Also, the drainage strategy sets out adequate drainage of the site to ensure no increase in flood risk.
91. 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 below 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 secure any necessary additional obligation(s) and/or planning conditions to that end.
92. Recommendation (A) below deals with the necessity for the applicant to enter into a deed of variation s.106 agreement and includes delegation to officers to deal with any necessary deletions, amendments and additions that might be necessary to mitigate against impacts of development on the integrity of Stodmarsh SAC, SPA and Ramsar site.
93. As discussed within the main body of the report it is recommended that a number of conditions will be necessary. Recommendation (B) below deals with delegation to add/amend/remove planning conditions as appropriate.

Recommendation

A. Subject to the applicant first submitting information to enable an Appropriate Assessment under the Habitats Regulations 2017 (as amended) to be adopted by the Head of Planning and Development which identifies suitable mitigation proposals such that, in his view, having consulted the Solicitor to the Council and Natural England, the proposal would not have a significant adverse effect on the integrity of the Stodmarsh SAC, SPA and Ramsar Site alone or in combination with other plans or projects; and with delegated authority to the Development Management Manager or the Strategic Development and Delivery Manager, in consultation with the Solicitor to the Council, to enter into a section 106 deed of variation agreement/undertaking to add, amend or remove planning obligations and/or planning conditions as they see fit to secure the required mitigation and any associated issues relating thereto,

B. Resolve to;-

APPROVE the details of the reserved matters subject to the further planning conditions and notes, including those dealing with the subject matters identified below (but not limited to that list) and any necessary to take forward

stakeholder representations, with wordings and triggers revised as appropriate and with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018.

Conditions:

1. Phased programme of archaeological work, site investigation, and post-investigation assessment
2. External materials
3. Provision and retention of parking spaces
4. Prevent surface water discharging onto highway
5. Electric charging points
6. Construction Management Plan
7. Sustainable Urban Drainage System
8. Infiltration testing
9. Hard and Soft Landscaping
10. Walls, fences and railings
11. Flues, vents, stacks, extractor fans or meter boxes
12. Fibre to the premises
13. Energy assessment
14. Protected species mitigation strategy
15. Landscape and Ecological Management Plan
16. External lighting strategy
17. Air Quality Assessment and mitigation
18. Noise mitigation
19. Accessibility standards condition

Notes

- Expect applicant to liaise with Kent Police to further review how Secured By Design principles can be included in fine detail etc.
- Environment Health, KCC Highways and Kent Fire and Rescue informatives
- Bird Nesting Season

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council website (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 21/02219/AS)

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