

Application Number	17/00944/AS
Location	Land at Orchard Farm, Canterbury Road, Kennington,
Grid Reference	02793/44832
Parish Council	None
Ward	Kennington
Application Description	Outline application for the erection of up to 25 dwellings with associated access onto Canterbury Road. All matters reserved with the exception of the means of access onto Canterbury Road.
Applicant	Orchard Farm Kennington Ltd
Agent	Hobbs Parker Property Consultants
Site Area	1.2 hectares

- (a) 37/52R, 1S, 1+ (b) - (c) KCC Biodiversity – X, KCC PROW – X, KWT – X, CPRE – R, ABC Refuse – X, ABC EHM – X, EH - , EN – X, SW – X, KCC Arch – X, KCF – R, KCC SuDS – X, ABC – Drainage – X , KCC Education - X , KCC H&T – X, ABC OSS – X. ABC Housing – X.

Introduction

1. This application is reported to the Planning Committee because it involves the erection of more than 10 dwellings and therefore is classified as a major development that requires determination by the Planning Committee under the scheme of delegation.

Site and Surroundings

2. The site comprises an irregular shaped overgrown agricultural field of some 1.2 hectares in size. The western side of the site is bordered by dwellings and gardens, the eastern side by arable and pastoral farmland. The site contains a number of rundown and derelict redundant farm buildings. Site boundaries are marked by fencing, scattered trees and dense scrub, bramble and nettles.
3. The site is located to the southern side of Canterbury Road in Kennington, to the north eastern edge of the built up area of Ashford.
4. The site benefits from direct access from Canterbury Road from two separate accesses, one of which is an unmade track/farm lane adjacent to the northern boundary with the Croft Hotel with a second access between the residential properties of 387 and 399 Canterbury Road.
5. Public footpaths AU17, AU21 and AU20 run to the east, south and west of the site with views from the footpaths towards the site largely from the south and west with filtered views through the vegetation. These footpaths provide onward access to the Conningbrook Lakes Country Park across the railway line.
6. The topography of the site falls gradually from a height of 47 metres AOD at the proposed access point from Canterbury Road to the west to around 44 metres AOD to the south of the site. The site continues to fall across the adjoining fields towards the railway line which is approximately 500 metres away and the River Stour beyond that
7. Approximately one third of the site falls within the Stour Gap (Wilmington Farmlands) Landscape Character Area and reflects some of the key characteristic features such as large open fields gently sloping towards the Stour Valley, railway line to the east, remnant hedges, ditches and shelter belts and views towards the North Downs.
8. The site comprises the northern corner of the larger proposed site allocation set out in site policy S2 of the Ashford Local Plan 2030. This proposes a development of up to 700 dwellings on some 40 hectares of land.
9. The Kennington and Ball Lane Conservation Area is located approximately 160 metres to the west of the site on the opposite side of Canterbury Road.
10. The site is located within flood zone 1 (low probability) - a less than 1 in 1,000 annual probability of fluvial flooding.

11. A site plan is detailed below as **Figure 1** and attached as Annex 1 to this report. Site photographs – including existing buildings on the site - are shown in **Figure 2** below and **Figure 3** below is an aerial view that shows the relationship to the site to its surroundings.

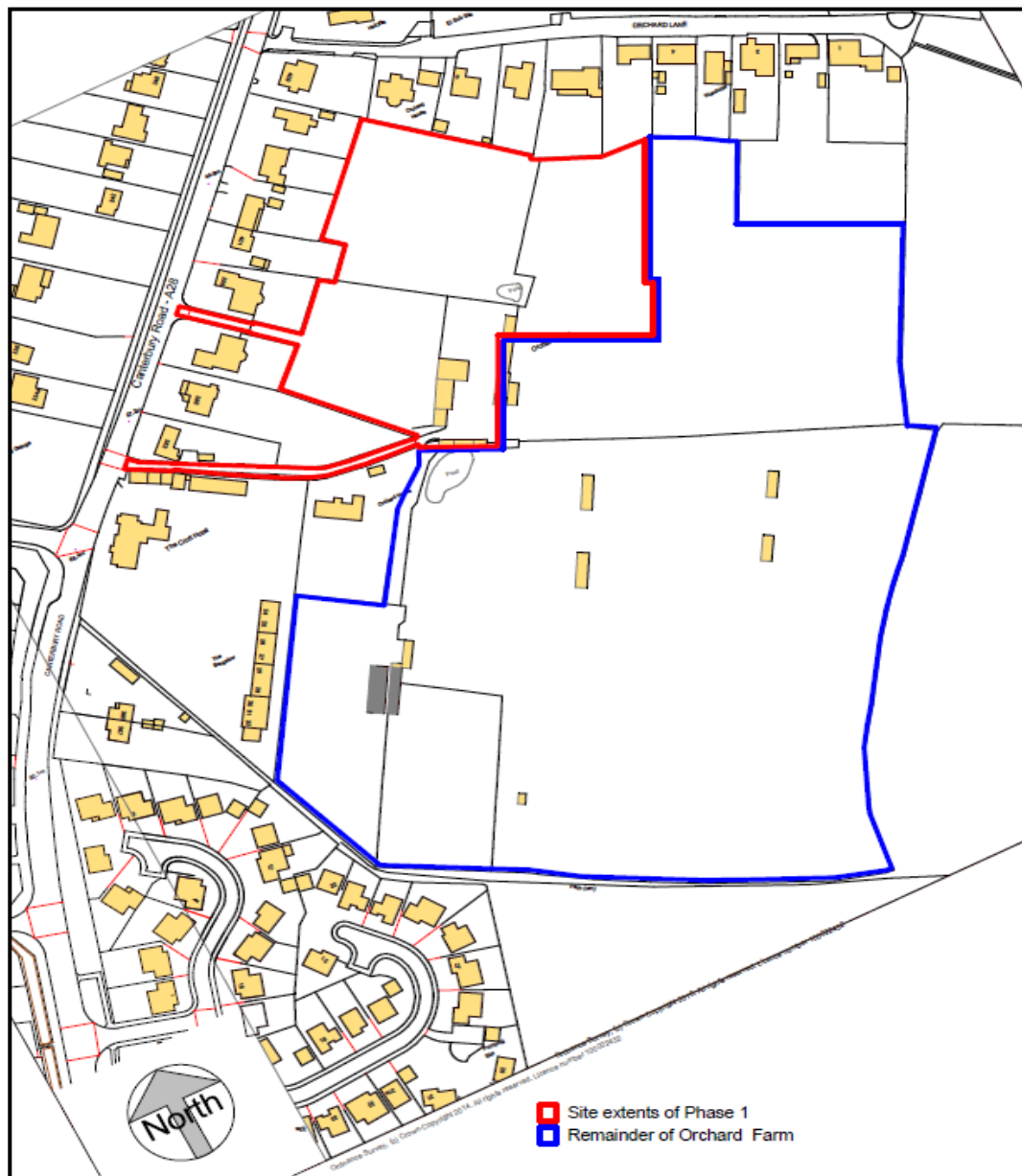


Figure 1: Site Location Plan





Figure 2: Site photographs



Figure 3: Aerial Site Location Plan

Proposal

12. Outline planning permission is sought for the demolition of the existing farm buildings and the erection of up to 25 dwellings. All matters are reserved for future consideration with the exception of the access to the site which would be located between 397 and 399 Canterbury Road.
13. The proposal includes works to the highway to improve sightlines and safety. A second access is proposed along the existing farm track that currently provides access to Orchard Farm and the farm buildings. This would provide

a shared pedestrian and cycle route into the development. Orchard House currently uses this access and would continue to do so.

14. Detailed layout and design would form part of reserved matters application(s). However, this outline planning application states that the intention is to provide a mix of flats, terraced, semi-detached and detached dwellings. These would offer 1, 2, 3, and 4 bedroom accommodation over the site area resulting in an approximate density of 20 dph. Whilst the layout is indicative and simply shows how the site could be laid out it also indicates the provision of some green infrastructure, SuDS, landscaping and enhancements to the existing public right of way to the south east.
15. The following infrastructure improvements are also proposed:
 - The proposed relocation of the existing 30 mph speed limit restriction to 180 metres further to north of the existing location (currently it is located north of the junction with The Street). As a consequence the 30mph speed restriction would be extended in length and part of Canterbury Road would be realigned in a relatively minor manner in order to improve sightlines. **Figure 4** below shows these proposed changes.

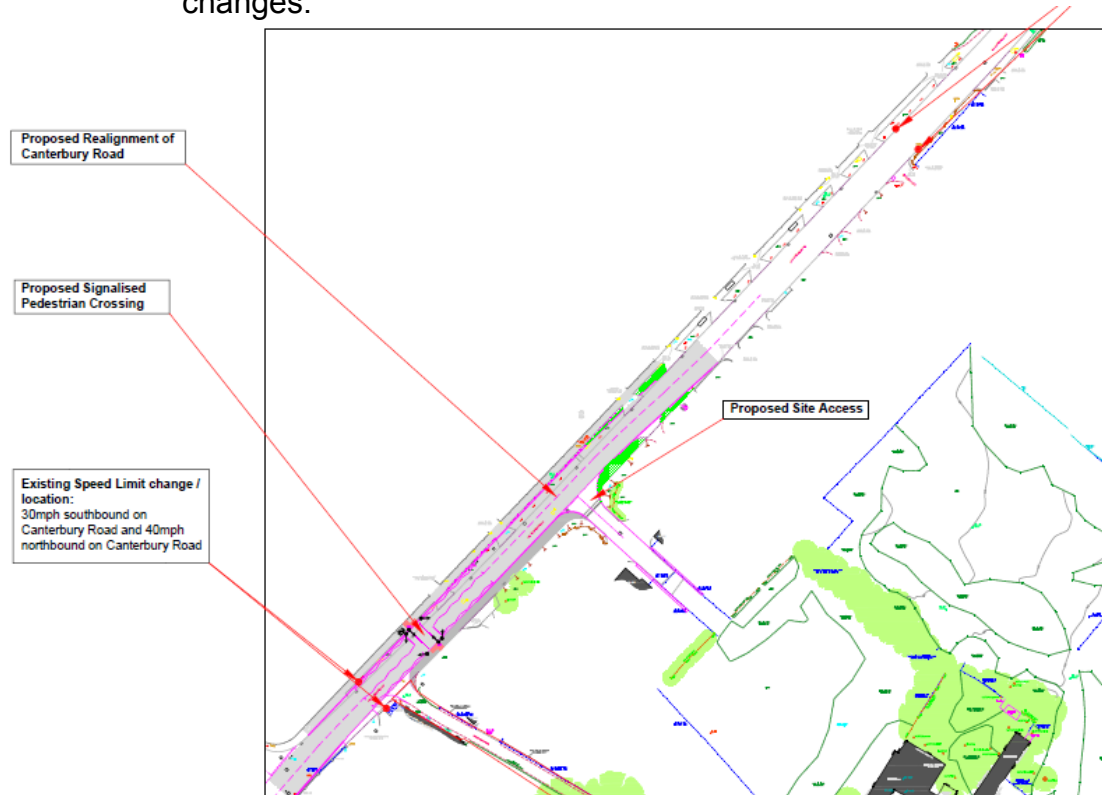


Figure 4: Proposed site access arrangement and speed limit extension

- The proposed development would also provide a new signalised pedestrian crossing approximately 50 metres south of the site access. This is intended to provide a safe crossing point for pedestrians and to create a link to the shared cycleway/footway on the western side of Canterbury Road. Access for pedestrians to the northbound bus services and The Street would therefore also be enhanced. The location of the signalised crossing is shown in **Figure 5** below.

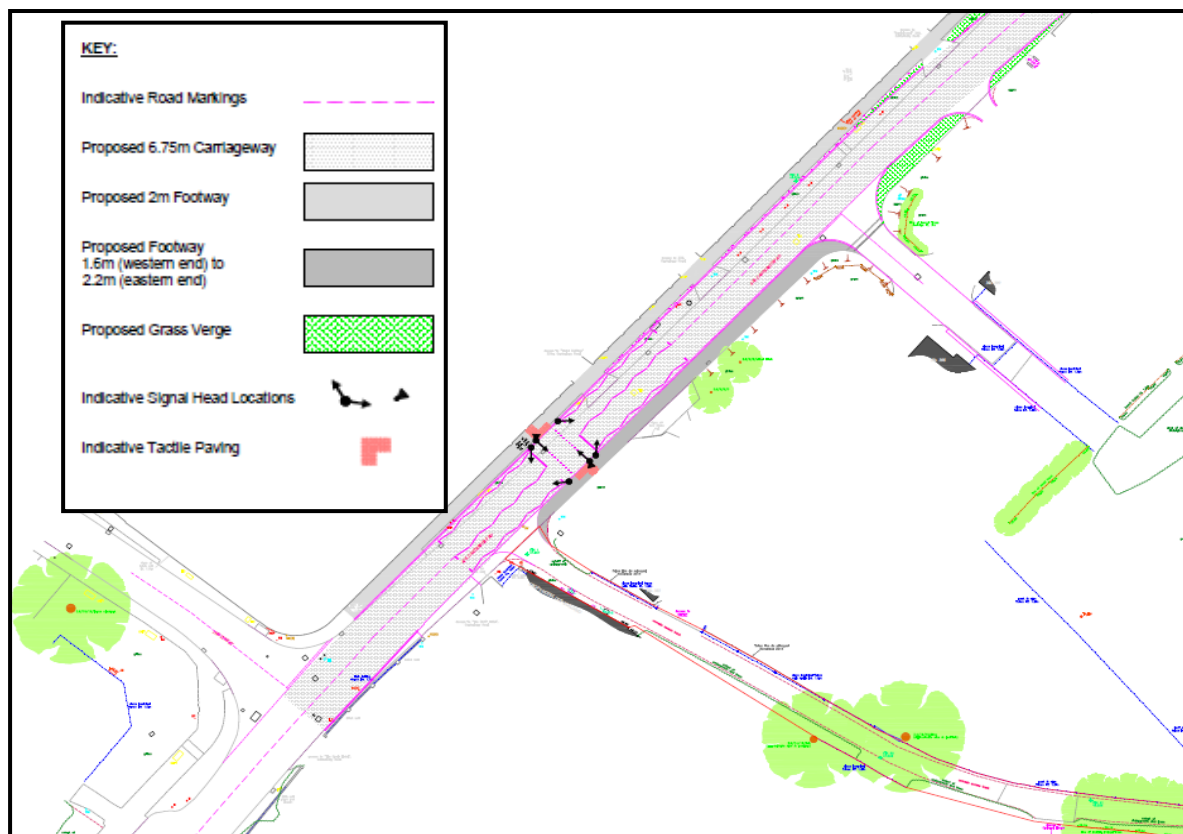


Figure 5: Proposed signalised pedestrian crossing

- The existing farm access track adjacent to the boundary with the Croft Hotel is proposed to provide a shared pedestrian and cycleway. This would also provide an emergency access into the development. **Figure 6** below shows this. The southern-most access in Figure 6 from Canterbury Road is the emergency access to the development and the northern-most access is the vehicular access that already exists to Canterbury Road and would serve up to 25 dwellings. The Figure shows the applicants indicative layout of the site.

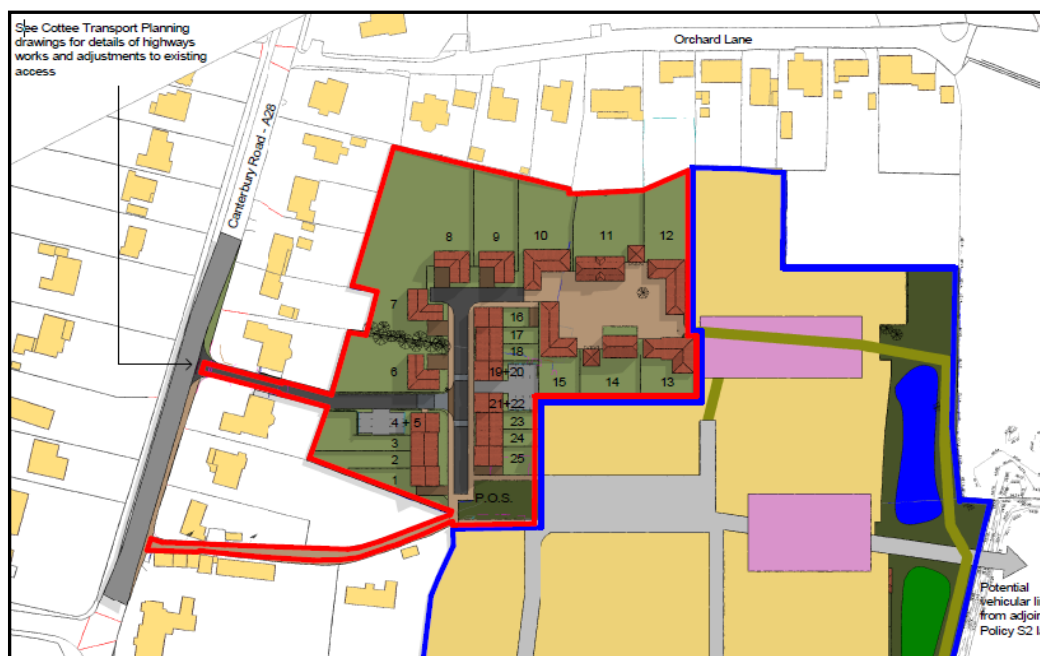


Figure 6: Proposed indicative site layout

16. In support of the application, the following information has been submitted and is summarised below:

Planning Statement

- The land is part of the wider S2 site allocation which proposes up to 700 dwellings. This application would comprise phase 1 of the Orchard Farm part of the site which in total is anticipated to provide approximately 100 dwellings of the 700 proposed within the draft policy.
- The site has good links to existing shops and services. There is a bus stop outside of the site on Canterbury Road.
- ABC cannot demonstrate a 5 year housing land supply and therefore some current development plan policies should be accorded less weight as stated within the NPPF.
- The site benefits from 2 access points.
- The development would provide a mix of housing types and sizes.
- Highways improvements would be secured through a Section 278 agreement.
- Matters of detailed design are left for consideration at the reserved matters stage.
- Ecology and biodiversity have been taken into account and the relevant surveys have been completed. Mitigation and enhancement is proposed.
- It is considered that the development would comply with adopted development plan policies.

- The site forms a smaller part of the wider S2 policy in the emerging local plan. The draft policy is criteria based and sets out a specific list of criteria to be met within the whole allocation. Not all of these criteria are relevant to this part of the site.
- Draft policy S2 requires a primary access from Willesborough Road with a second/emergency access onto Canterbury Road. Additionally new pedestrian and cycle routes are required to be provided throughout the site that would connect to existing routes.
- Proportionate contributions towards the delivery of the new primary school would be acceptable as would contributions towards sports and play facilities.
- Contributions towards the delivery of J10A would be provided however it is not considered that occupation should be restricted until these works have been completed.
- The proposal would comply with the necessary space standards.
- The application would comply with the requirements of the emerging development plan in the main.
- The requirements of the Council's residential parking SPD would be met as well as the residential space and layout SPD and the sustainable drainage SPD.
- The proposal would meet the requirements of the National Planning Policy Framework 2012.
- There is a need for the development to meet local housing targets.
- Existing trees and vegetation around the site provide varying degrees of screening. The LVIA concludes that the character of the area is indistinct with deterioration having occurred over the years resulting in an existing landscape character that is poor. This is in line with The Landscape Assessment of Kent and the Ashford Landscape Character study.
- The site is located within flood zone 1. A FRA has been submitted with the application. The report concludes that the risk of flooding from all sources is considered to be low.
- The development is proposed to connect to mains drainage and on site drainage would utilise SuDS. The development would connect to the existing main foul sewers with any necessary upgrades and improvements to the existing sewerage system funded by the development.
- The development would result in public benefits.

Design and Access Statement

- The D&A is indicative because all matters, save access are reserved for a later reserved matters application. The D&A aims to demonstrate the design principles and objectives and demonstrate how these would guide the final detailed design in the future.
- The site adjoins the edge of the built confines and is directly accessed from Canterbury Road. There are a number of bus routes running along Canterbury Road and The Street which provide a regular connection to Ashford Town Centre, the railway station, the William Harvey Hospital and Canterbury.

- Kennington provides for a range of services within easy walking distance of the site, including two primary schools, a secondary school, two public houses, two hotels, doctor and dentist surgeries, local shops, playing fields and open green space.
- The site is highly sustainable and adjoins the Ashford urban area with housing development on three sides.
- Pre application discussions have taken place with Kent County Council Highways and Transportation and as a result of this advice it is proposed to access the site between 387 and 399 Canterbury Road rather than the existing farm track access (that would be less favourable due to limited sightlines). There is also a long frontage to the public footpath running along the southwest boundary of the site, providing a further pedestrian access.
- Apart from the relatively high density development at Canon Woods Way (approx. 29 dph) to the south west of the site, in the main the housing around the site is built to a lower density of approx. 20 dph. Most of the surrounding housing comprises detached dwellings of one or two storeys, located on large plots, which is typical of this sort of edge location.
- The site adjoins residential development for 60% of its boundary with the remaining 40% fronting onto open fields to the east.
- Given the topography of the land which sees it fall from east to west, there are attractive views to the east towards the Kent Downs Area of Outstanding Natural Beauty.
- Orchard Farm has gradually reduced in size following the building of houses along Canterbury Road. It is now completely developed along the east side, and the creation of Orchard Lane which is also now completely developed on its south side adjoining the farmland.
- An application for an Environmental Impact Assessment (EIA) screening opinion has been submitted and determined. The Council's opinion was that an EIA was not required.
- Application for prior approval have also been made in respect of the conversion of the existing farm buildings to a residential use however these applications were refused because it was considered that the buildings were too derelict to be converted.
- Issues relating to SuDS are dealt with within the application and take account of the Council's adopted SuDS supplementary planning guidance. It is acknowledged that space may need to be allowed within the wider development to provide balancing ponds and bunds as part of the overall SuDS system.
- In 2013 the whole Orchard Farm site (including additional land within the applicant's ownership that does not form part of this current application) was proposed for inclusion within the emerging development plan through the SHELAA. In 2016 the land was included within the Draft Local Plan, included within site policy S2. This proposed to allocate for housing development along with another 35 hectares to the south east for up to 700 dwellings. ABC published its final version of the SHELAA the same year which concluded that the site was

sustainable in economic, social and environmental terms and that the Orchard Farm site could accommodate up to 150 dwellings.

- In 2017 amendments to the plan were published stating that Council proposed to allocate Orchard Farm along with the rest of the S2 site for 700 dwellings and a new primary school.
- It is considered the proposal would comply with the requirements of current development plan policy.
- The applicant has had pre-application discussions with the Council and KCC Highways with respect of this scheme.
- A public exhibition was held by the applicant.
- Whilst design and layout are matters reserved for future consideration, it is proposed to adopt a pattern of development that would see dwellings arranged in small clusters adopting a farmstead approach.
- The scheme would provide for up to 25 dwellings.
- Whilst the application is a stand-alone application, it has been conceived in such a way that it would not impede the potential for future development on the remainder of the proposed policy S2 site.
- Scale is proposed for up to 2.5 storey dwellings. It is considered that this reflects the domestic scale of existing housing development in the vicinity.
- The proposal would deliver significant highways improvements which would not only facilitate the delivery of this site but would also provide essential infrastructure deemed necessary for the wider S2 development.
- The proposal would meet the requirements of building regulations and with respect of renewable energy matters. In terms of sustainable construction, the proposed development would meet the requirements of the Council's SPD.

Landscape Appraisal

- The appraisal has been carried out using desk based research and site visits. The appraisal covers all of the land within the applicant's ownership (i.e. not just the land subject of the current application).
- There are no landscape or ecological designations within the site. A group TPO covers a line of mature Sycamore along the public right of way to the north of the sites western corner.
- The site comprises unmanned farmland and the remnants of an orchard in the area to the west. The site is currently very overgrown. It contains a number of derelict farm buildings and a dilapidated caravan.
- The site falls gently from a height of 47m AOD where the new access road would meet Canterbury Road to 42m AOD to the south.
- Existing dwellings along Canterbury Road can be glimpsed through vegetation. These are on notably higher ground.
- Some of the gardens of adjoining properties have been informally (without permission) extended into the site.
- There is a ditch to the south east boundary.

- Occasional breaks in the mostly dense vegetation allow views into the site from the footpaths and out of the site towards the AONB. Visibility would increase during the winter months. It is considered that the value of the views from the site is limited. Views of walkers on the footpaths would be drawn away from it towards the AONB to the east, where the Wye Crown can be seen in the distance.
- The Landscape Assessment of Kent considers the land condition to be poor with low sensitivity.
- The Ashford Landscape Character Assessment (LCA) notes that the character type has an indistinct and weak sense of place and recommends that overall development policies should seek to create landscape character here.
- The site is overlooked by only a small number of visual receptors with view mainly from upper floor windows of properties on the immediate site boundary - Canterbury Road, Canon Woods Way and Orchard Lane. Most of these views are oblique or partially screened by the boundary vegetation.
- From long distances, including from the AONB the site is difficult to identify against the backdrop of the settlement edge of Kennington.
- The development of the site would result in a change of views from a small number of visual receptors immediately surrounding the site, but these views are partial and of low landscape value. The proposed development would, after an initial period of establishment, result in a beneficial result on views.
- In terms of the wider area and views from greater distances, the development effect would be negligible.
- The poor condition of the site and its limited visibility means that a residential development here could be readily integrated into the existing settlement.

Landscape Appraisal Addendum

- The addendum focuses on a smaller portion of the applicant's landholding (the land subject of this planning application).
- The site comprises unmanaged agricultural land and contains a small number of mature trees. There is no public access.
- The north east and north west boundaries are formed by rear garden boundaries of dwellings fronting Canterbury Road and Orchard Lane. Some gardens have been informally extended into the site.
- The south east and south west boundaries are marked by barbed wire fencing and are open.
- The site falls across the site and the dwellings on Canterbury Road are notably higher.
- The poor condition and low sensitivity of the landscape (as noted within the Landscape Appraisal submitted) means that the proposed development, of acceptable size and massing, within the site would not detract from the existing landscape character and would result in a positive change to the character of the site and its setting.

- Views to the site are limited to largely windows of dwellings on Canterbury Road and Orchard Lane. Properties on Canon Woods Way would have no or very limited views of the proposed development.
- Views from the footpath to the best would be screened by intervening properties on Orchard Lane.
- From longer distances the site would not be discernible against the backdrop of the existing settlement edge.
- The site makes up less than one quarter of the larger landholding and is located in an enclosed corner of it. Proposed development of the site would result in an even smaller change to the existing conditions and consequently there would be a diminished effect on the landscape and views.

Transport Statement

- The highways and transport proposals have taken account of pre-application discussions with KCC Highways and Transportation.
- Existing network - Canterbury Road (A28) is a principle route providing access to J9 of the M20 approx. 4km south west of the site. The road is subject to 30 and 40mph speed restrictions with the 40mph limit applying to the north eastern section to a point just north of The Street/Canterbury Road priority junction, where it changes to 30mph on the south western section. It is located west of the site, opposite the Croft Hotel. The street is traffic calmed and subject to a 30mph limit.
- Bus services operate in both directions on Canterbury Road with stops located within a very close proximity. There are 2 regular services in the vicinity of the site, providing 3 buses an hour to Ashford town centre. Ashford and Canterbury offer onward rail services.
- Canterbury Road is lit and the western side benefits from a shared cycle/footway to the south of The Street. There is also a footway to the western side of Canterbury Road. All roads in the vicinity of the site have footpaths.
- There are pedestrian and cycle routes to the local schools, which are located within a 20 minute walk of the site i.e. Upper Vicarage Road, Faversham Road and Belmont Road.
- There is an existing farm track on the sites southern boundary, terminating at Orchard House.
- Personal injury records represent a good safety record for the area. Of the accidents recorded in the vicinity of the site within the last 5 years, all were slight and no accidents occurred in the vicinity of the site access.
- Residential properties on Canterbury Road have vehicle crossovers, some of which are shared access points.
- The proposal has been designed so that the principle access and the internal layout would be a minor access way with a shared surface access. This has been agreed with KCC.
- The development would result in the relocation of the speed limit change and an extension of the area of the 30mph limit. A signalised pedestrian crossing would

- also be provided approximately 50 metres to the south of the site access. This will provide a safe crossing location, something which is not currently provided.
- The access road is 4.8 metres wide and is within the applicant's ownership.
 - Visibility has been agreed with KCC. The access that also serves 387 and 399 Canterbury Road has existing visibility splays of 2 metres x 120 metres to the north and 2 metres x 90 metres to the south. The proposed development would necessitate a realignment and narrowing of the carriageway, introducing a footway on the eastern side and increasing the extent of visibility splays to 2.4 metres x 120 metres to the north and 2.4 metres x 90 metres to the south.
 - The existing farm track would provide emergency access as well as pedestrian and cycle access.
 - Parking would be provided in accordance with the Council's parking standards. Storage for bicycles would also be provided in line with adopted guidance.
 - A Stage 1 Road Safety Audit has been carried out.
 - It is estimated that the proposed development would increase vehicle movements on Canterbury Road at the site access junction by 17 and 14 in the AM and PM peak respectively. This is an increase of 1% during the weekday AM and PM peak times. The development would not have a material impact upon Canterbury Road as a result.
 - An assessment of The Street/Canterbury Road junction suggests that vehicle movements would increase by 13 and 11 in the AM and PM peak - an increase in 1%. It is not considered that this would have a material impact upon this junction. On-site observations also indicate that this junction operates within capacity with very little delay during the peak times.
 - A PICADY assessment has been carried out and demonstrates that the site access would have the capacity to accommodate the development.
 - Refuse vehicles are proposed to access the development from Canterbury Road. A swept path analysis has been carried out and demonstrates that this can be accommodated.
 - The proposal would be in accordance with national transport policy as set out within the NPPF.
 - A draft residential travel plan has been developed as part of this application (Appendix R of the Transport Statement).

Flood Risk Assessment

- The site is a Greenfield site located within flood zone 1 and therefore assessed as having a less than 1 in 1000 annual probability of flooding in any one year. There is therefore a low probability of flooding.
- It is recognised that climate change can still impact upon flood risk in flood zone 1. These impacts are primarily linked to the surface water discharge from the site and as such potential increases in future rainfall have been taken into account.
- All potential sources of flooding have been considered including river flooding, flooding from manmade watercourses, risk from overland flow, groundwater and sewer flooding. Risks are considered to be low or no risk.

- It is recognised that future phases of development (S2) must also be considered as part of the proposed surface water drainage strategy to ensure that the drainage proposals do not prohibit the development of adjoining land, and that the surface water runoff from all phases of development can be managed sustainably.
- Rain falling on to the current site flows across the site in a south east direction. A small drainage ditch, with onward connectivity to the River Stour, is located approximately 400 metres to the south east. This currently intercepts overland flow from the site.
- Opportunities to manage surface water runoff: Infiltration - impermeable ground conditions (clay) therefore means this method has to be discounted. Discharge to watercourses - would require crossing land outside of the applicant's ownership. The applicant has confirmed that the third party landowner is open to working with the applicant to facilitate a drainage connection across this land. Discharge into the public sewer - whilst a surface water sewer is present it is not considered likely that this would be needed as a preferable solution to manage runoff is available.
- Pollution control and oil interceptors should be considered.
- It is proposed to use a permeable surface for the access road with additional permeable paving incorporated within the scheme. The outfall from the paving is proposed to be discharged to a cellular storage system.
- This phase of the development would discharge at 2.0 l/s/ha in line with the Council's SPD.
- It is suggested that a Management company would be responsible for maintaining the SuDS features for the lifetime of the development.
- It is not considered that the development would increase the risk of flooding off-site.

Extended Phase 1 Ecological Habitat Survey Report

- This reports relates to the wider landholding of Orchard Farm.
- There are no statutory designated wildlife sites within 1km of the site.
- There is one local wildlife site within 1km located 450m south east.
- The historical farming methods used on the site have limited the biodiversity through the use of pesticides and herbicides and organic fertilizers. The mature trees around the site have the highest ecological value due to their maturity and diversity in species. The site is dominated by ragwort.
- Habitats identified include; Broadleaved scattered trees, tall ruderals, dense scrub and semi-improved grassland.
- It is considered that the site has a low potential to support protected or notable flora due to the land being managed for flowers using fertilizers and pesticides.
- Records of great crested newts or amphibians have been identified within 1km of the site the closest being 40 metres from the south western boundary. The site supports a small pond which was dry at the time of the survey. A single yellow iris

was the only aquatic plant. The pond is considered poor in terms of suitability for GCNs.

- The map of the site shows a second pond to the south close to the centre of the western boundary. This was found to no longer exist.
- The site has limited potential for GCNs.
- There are records of native reptiles identified within 1km from the site.
- It is considered to have a moderate-high potential to support common reptile species around the field margins.
- Numerous bird records were identified within 1km of the site. The trees across the site have potential to support nesting birds. Therefore the site should be regarded as having a high potential to support breeding birds.
- Badger records have been identified within 1km. No signs of badger have been identified on site in the form of burrows, setts, runs, snuffle holes, dung piles, foot prints or hairs. Furthermore the site lacks wooded banks generally considered optimal for the creation of setts. Therefore the site should be considered to have a low potential to support badgers.
- Bat roost records were identified within 1km of the site. Although none on or adjacent to site.
- Trees were inspected from the ground for potential roosting features. The sites hedgerows and tree line boundaries are likely to support commuting and foraging bats.
- None of the mature trees on site support features such as wood pecker holes, cracks, rot holes or peeling bark which could support roosting bats due to their species age or form. Therefore the trees along the northern boundary should be considered to have a low potential to support roosting bats.
- All the buildings on site were inspected internally and externally for signs of bats in from of droppings, staining, feeding remains and the bats themselves with a high powered torch. No signs of bats were identified. Therefore it should be considered that the buildings have a low potential to support roosting bats.
- No records of dormice have been identified within 1km of the site. The open field which dominates is generally considered to be sub-optimal for dormice and should not be considered to be suitable for hibernating or feeding and foraging dormice. The trees and scrub bordering the site does have some potential however without good habitat connectivity to a sustainable population it is unlikely to support dormice. Therefore the site and the habitats to be affected should be considered to have a low potential to support hazel dormouse.
- No records of notable invertebrates have been identified within 1km of site. The habitats on-site support common arable wayside plants and notable weeds which are likely to support common moths and beetles although unlikely to support notable species, due to the overgrazed pasture and species poor nature of the site. Therefore it should be consider that the habitats proposed to be affected have a low potential to affect notable invertebrates.
- Report recommends biodiversity enhancements, further surveys and mitigation measures.

Bat Activity Survey Report

- Bat species using the site were typically pipistrelles which are generalist bat species
- The bats recorded were typically the same species and in similar numbers during each night recorded.
- Bat activity passes were greatest at detector 2 although not significantly. This indicates that the site supports habitats which support a good insect diversity and population density. No one area was highlighted as being more important for commuting and or foraging bats.
- The September bat activity was significantly less than during July and August which is to be expected.
- The six species recorded of the 17 native to the UK use this site for feeding and commuting. The data did not identify high bat presence on site however and therefore the site should not be considered to be important for bats locally, although boundary features such as mature trees and hedgerows along the western and eastern boundaries in particular are likely to act as commuting foraging corridors. These boundaries should be enhanced through native planting and retained with any proposed lighting to be downward facing and light spill onto the boundaries should be avoided.

Reptile Presence/Likely/Absence Survey Report/Habitat Management Plan

- The report relates to the whole Orchard Farm site.
- A good population of common lizards and slowworms was identified on site. One grass snake was also identified on site.
- The reptiles were found scattered around the pockets of scrub and along the periphery of the site.
- The site supports good habitat connectivity owing to the arable fields to the south and residential gardens to the north. Therefore it is recommended that the reptiles should be retained on site.
- The proposed plan is to leave a large area along the southern and eastern boundary for amenity and wildlife (outside of the red line of this application). This area should be enhanced for reptiles with several log piles and a hibernaculum. This would provide a suitable habitat for foraging and hibernating reptiles. The proposed mitigation area was surveyed as part of the survey. This area does support a low number of common lizards and slow worms and therefore providing enhancements are installed before translocation the current population in this area are unlikely to be displaced.
- Proposes a management plan is implemented to ensure the provision of suitable habitat going forward.

Acoustic Assessment

- The acoustic assessment was carried out in accordance with pre- application advice given by ABC's Environmental Protection Manager.
- The site is located within a residential/agricultural area.
- The acoustic environment was subjectively noted to be primarily attributable to road traffic sound from Canterbury Road (A28). Other noise sources present included, infrequent air traffic, birdsong and sirens.
- The access road is screened from the nearest and potentially most noise sensitive premises on both sides by a 1.8m close boarded fence.
- A noise survey was carried out.
- The calculations indicate that the predicted levels attributable to the use of the proposed access road are at least 10dB below the measured levels at both Location A (between 387 & 399 at the front of the premises) and Location B (between 387 & 399 at the end of the garden) and would result in no perceptible increase in noise levels.
- The calculations indicate that the predicted levels attributable to the use of the proposed access road will also be below 50dB LAeq. This is the level below which few people may be annoyed, put forward by the WHO guidelines on community noise.
- Individual vehicle passbys may be audible at the receiver locations, but it is noted that the proposed access road is not expected to be in use for more than 1.2% of a 16 hour day, or (2.4% peak hour), indicating that the proposed access road would ordinarily generate no noise for at least 15 hours, 48 minutes in any 16 hour daytime period, (and no noise for 58 minutes per hour at peak time) based on the figures provided.
- Existing boundary fences should be retained and speed limited as proposed.
- It is considered that as proposed there are no concerns on noise grounds

Utilities Statement and Foul Drainage Strategy

- Initial investigations have not highlighted any concerns or engineering difficulties with the servicing or connection of the proposed development with gas, water, electricity or telecommunication connections.
- Foul drainage matters relating to the development can be satisfactorily dealt with without any requirement for a planning condition.
- It should be noted that all utility providers have a license obligation to ensure that all connections to the system comply with all relevant regulations, legislation and engineering recommendations, so therefore do not have an adverse effect on the supply and quantity of supply to existing customers.

Statement of Community Involvement

- The applicant engaged with Council Officers at the pre-application stage (planning policy and development management)
- An EIA screening opinion was sought.
- The applicant has directly and through consultants pro-actively engaged with stakeholders including KCC highways, neighbouring residents, Kennington Community Forum, utility providers and Environmental Protection (ABC).
- Formal pre-application advice was sought from KCC Highways.
- A public exhibition was held attended by 76 local residents. Letters were sent to all neighbours of Orchard Farm.
- There is a website containing the exhibition information boards and additional information concerning the applicant's intentions in relation to the development of the site.
- The applicant attended a meeting of the Kennington Community Forum to present the scheme. This was attended by 30 residents who were given the opportunity to ask questions.
- The utilities statement and FRA show the extent of consultation with statutory service providers.
- The acoustic report outlines the extent of consultation with ABC Environmental Health Officers.

Planning History

15/0003/EIA – Application for a EIA screening opinion for the erection of circa 60 dwellings EIA not required.

15/00116/AS – Prior approval of proposed change of use of agricultural buildings to three dwelling houses and associated operational development. Prior approval refused.

15/00583/AS - Prior approval of proposed change of use of agricultural buildings to two dwelling houses and associated operational development. Prior approval refused. Dismissed at appeal.

15/00584/AS - Prior approval of proposed change of use of an agricultural building to a dwelling house and associated operational development. Prior approval refused. Dismissed at appeal.

15/00772/AS - Prior approval of proposed change of use of 3 agricultural buildings to 3 dwelling houses and associated operational development. Prior approval refused.

Consultations

Ward Members: The Ward Member, Councillor Sims is not a member of the Planning Committee. Councillor Sims objects to the application and has made the following comments:

- Requests that the application is determined by the Planning Committee.
- There is an enormous level of objections to this application.
- There is confusion and inconsistency in the advice from KCC Highways which does not accord with previous informal advice.

Kent County Council Highways and Transportation - No objections subject to conditions. Comments as follows:

- 'It is acknowledged that the proposed development site does form part of the larger allocated site covered by Policy S2 within the emerging Local Plan for up to 700 dwellings. The policy envisages a secondary/emergency access being created onto Canterbury Road for the allocation, with the primary access being provided from Willesborough Road. Whilst the access proposed with the current application will form the primary access for this particular parcel of the development, it is appreciated that it will be restricted to serving just 25 dwellings of the entire S2 site allocation, and will in effect be the secondary access for site S2.
- The proposed access will be 4.8m wide, which the Kent Design Guide confirms is suitable for use as a shared surface route giving direct vehicle and pedestrian access for up to a maximum of 25 dwellings, as will be the case here. Further pedestrian and cycle access is proposed through the existing farm track adjacent to The Croft Hotel.
- Given the limited amount of dwellings to be served by the proposed access, it is considered that a simple priority junction is the appropriate form to be used at this location, as right turn movements will be relatively infrequent. This is as directed by the design criteria contained in the junction parameters matrix illustrated in TD 42/95 of the Design Manual for Roads & Bridges. There is therefore no requirement for a ghost island junction with right-turn lane that would have been required for a busier junction to ensure the free flow of northbound traffic along Canterbury Road. In addition, the PICADY assessment that has been undertaken to model the proposed junction suggests that it would operate at RFCs of just 0.039 and 0.034 during the AM and PM peak periods respectively. This is well below the desirable maximum RFC of 0.85, indicating that there would be plenty of reserve capacity for the junction to operate efficiently.
- Swept path analysis demonstrates that vehicle movements in and out of the proposed vehicular access can be accommodated, for the range of vehicles anticipated to use the junction on a regular basis. The width of the access is

sufficient to maintain 2-way traffic, and as stated already, the level of development would allow this to be shared use by vehicles and pedestrians.

- The design of the junction involves the realignment of Canterbury Road to achieve appropriate visibility sightlines of 2.4m by 120m to the north and 2.4m by 90m to the south. This realignment also facilitates the provision of a new footway along the eastern side of Canterbury road, linking the main shared surface access to the alternative pedestrian route through the existing farm track, and provides the staging point for pedestrians to wait safely to cross the road.
- It is proposed to install a signalised pedestrian crossing at this point, which again is considered to be the most appropriate form of crossing facility in this location. Whilst the realignment does reduce the width of the current highway verge on the western side of Canterbury Road, it is still considered that the remaining footway provision and availability of sightlines for the private access along this short section of affected highway are satisfactory and meet current design standards.
- It is proposed to extend the existing 30mph speed limit north past the site access, as the changes in road environment due to the off-site highway works are likely to reduce vehicle speeds along this stretch of Canterbury Road, and support the lower limit. It will be expected that the developer should fund the associated Traffic Regulation Order and physical works to implement the 30mph speed limit extension, and this will need to be suitably secured by condition or legal agreement.
- Although the planning application has been made in outline form, with only access to be considered at this time, I do note that an indicative site layout has been submitted, and reference is made within the Transport Statement to the parking provision within the development. As these are considerations for any subsequent Reserved Matters application, should the Local Planning Authority grant approval to the current application, then those aspects of the proposals will be assessed in full at that time. Please note that the response being provided by Kent County Council Highways and Transportation now should not be taken as any acceptance of the details submitted beyond those of Access only. When assessing those other details at the Reserved Matters stage, the development layout and details will be expected to be in accordance with the appropriate design guidance, and provide suitable pedestrian/cycle access to the adjoining future development sites.
- However, as the accesses onto Canterbury Road under Policy S2 of the emerging Local Plan are intended to provide secondary/emergency access for the wider site allocation, it will be expected that the internal layout of the current application site should accommodate allowance for emergency access associated with the remaining S2 site allocation. I would seek that the future provision of this is also secured by condition.'

Kent County Council Ecological Advice Service – No objection. Comments summarised below:

- Reptile mitigation will need to take account of SuDs schemes and pedestrian footpaths. Suggest that this is secured by a condition should the application be approved.
- The submitted ecological report identifies records within 1km of the proposed development, however it does not identify the great crested newt receptor site located approximately 400 metres to the east. As the size of the development would be around 5+ hectares, it is important to assess the impacts of any ponds within 500 metres of the total site. It is noted that there are receptor areas included within the design that may provide sufficient retained habitat for any great crested newts on site. Advises that precautionary measures are included within an updated biodiversity method statement to ensure that there will be no detrimental impacts.
- Advise that a biodiversity method statement is also included as a condition of any granted planning application that provides the detailed measures as outlined in the ecological report

[HoDM&SS comment: In line with KCC advice it is proposed to secure appropriate mitigation by planning condition as well as ecological enhancements to improve biodiversity at the site].

Kent Wildlife Trust – No objections subject to a comprehensive mitigation and conservation management plan being secured by a condition.

CPRE – Object. Comments summarised below:

- The application is premature.
- The main objections concern the access from the A28 Canterbury Road.
- There are two points of access along the Canterbury Road. One designated by the applicant as the main vehicular access is a narrow roadway between two houses that is, at present, used as their driveway. It is not wide enough to include a footpath. This would necessitate people having to walk along the new access road when entering and leaving these houses. A second access is proposed by the applicant as a footpath and cycleway. This access would be very dangerous as it comes out onto the Canterbury Road close to the junction with The Street, this very busy junction leads to Downs View Infant School, Kennington CE Academy and The Towers School and it is often used as a 'rat run' to the A20 and Junction 9 of the M20.
- There is no footpath on the Orchard Farm side of Canterbury Road. The developer wishes to realign the road, removing the verge from the opposite side to create enough room to put a footpath along the Orchard Farm side. The houses on the opposite side are set higher than the road and the driveways are steeply sloped downwards to reach the road. The gardens therefore have retaining walls up to two metres in height. Removing the verge on this side

would create a very dangerous exit for vehicles leaving these driveways. The committee is strongly opposed to the proposed realignment of the existing road.

Kent County Council Public Rights of Way and Access Service – No objections subject to the provision of S106 contributions to make improvements to the immediate public rights of way network.

Ashford Borough Council (Refuse) – No objection. Comments as follows:

- A swept path analysis will need to be provided for the roads within the development.
- Refuse collections would normally be to the front of a property. Some of the bin pull distances appear to be longer than the maximum 25 metre allowed. If this is the case, bin collection points would need to be provided.
- Are the roads within the development to be adopted? If they would remain private, an indemnity would need to be in place prior to the commencement of waste collections.

[HoDM&SS comment: Outline permission is being sought with only the access to the site being considered in detail. The layout shown in the application is indicative and shows just one way in which the applicant may propose to develop the site in the future. As such the layout is subject to change and these matters would be dealt with at a subsequent reserved matters stage].

Ashford Borough Council (Environmental Protection) – No objections. Comments summarised below:

- The presence of nearby landfill is noted and because of this conditions are requested that would deal with any potential contamination and land gas.
- The Acoustic Assessment has been reviewed and it is considered that this provides a reasonable assessment of the likely noise impacts.
- A condition relating to the disposal of Foul Sewage is also requested.

[HoDM &SS comment: Foul Drainage is covered by separate legislation and the applicant does believe any impediments exist to the dwellings being appropriately served. In the context of this small scale development it would therefore be unnecessary to secure this by condition]

Environment Agency – No comments to make on this application as it falls outside of their remit as a statutory planning consultee.

Natural England – No objections. Comments summarised below:

- Protected sites – no objection.
- Protected landscapes – The site is located close to the Kent Downs AONB. National and local polices together with the NPPF should inform the Council's decision.
- Protected species – Refer to Natural England standing advice.

- Biodiversity and landscape enhancements should be incorporated into the development.

Southern Water – No objections. States that initial investigations indicate that Southern Water could provide foul sewage disposal to service the proposed development. Additional surface water increase may not be able to be accommodated and alternatives may therefore be required. Advise that a detailed drainage scheme will be required. Requests conditions and informatives in relation to these matters.

Kent County Council Heritage (Archaeology) – No objections. Confirms that the site has some potential for prehistoric and later archaeology and a planning condition is therefore requested.

Kent County Council (Lead Local Flood Authority) (SuDS) – No objections. State that a detailed drainage design scheme will need to be drawn up. Advises that the drainage system would need to be designed taking into account subsequent phases. Request a condition requiring the provision of a detailed drainage scheme.

ABC (Drainage) – Supports KCC SuDS comments stating that a strategic SuDS approach is encouraged wherever viable and would have the benefits to not only this development, but to the wider development of this area as a whole.

Kent County Council (Education) – No objections. Requests contributions towards primary and secondary education along with library contributions.

ABC Housing – No objections subject to the provision of 30% affordable housing (social rented/shared ownership).

Kennington Community Forum – Objects to the application for the following reasons:

- The realignment of the A28 opposite the proposed access road removes the grass verge between the pedestrian footpath and the road proper which currently provides an essential visibility splay for properties numbered 334a to 340 Canterbury Road. By nature of the raised elevation of the parking spaces of these properties and the high retaining walls either side of their driveways (some 2m in height) drivers need to stop at the bottom of their drive across the current verge to see approaching vehicles before exiting on to this busy road. The Transport Statement report appended to the Planning Application fails to identify or address this vital issue.
- The access road is unnecessary and the resulting highway realignment a waste of money and the resulting traffic disruption along this busy road during its implementation avoidable as the proposed development is part of the larger S2 development and, if approved, access for all vehicles from the development will be the matter of a later planning application and public consultation. Implementation of an access road to Phase One of this development from the A28 at this time could risk its eventual adoption as a "rat-run" access route for the

700+ properties under consideration as Site S2 of the draft Local Plan.

[HoDM&SS comment: This application seeks to provide access for up to 25 dwellings only. Any later proposals would have to be considered on their own merits. Furthermore, draft policy S2 states that any access from Canterbury Road would be an emergency/secondary access only subject to a feasibility study. The main access for S2 is proposed to be from Willesborough Road and it maybe the course that an emergency/secondary access can also be created to Willesborough Road subject to acceptable junction spacing and highways safety assessment by Kent Highways.]

ABC (Street Scene and Open Spaces) – No objections. Requests contributions through S106.

Neighbour consultation responses

37 neighbours were directly consulted and the application was advertised,
52 representations have been received objecting to the application from 31 residents
Comments are summarised below:

- It is currently difficult pulling out onto the A28 from dwellings on Canterbury Road. The proposed changes would make it more difficult to exist these properties.
- The proposed new access would be dangerous in relation to highway safety.
- People do not adhere to the current speed restrictions.
- The proposed development would increase the amount of traffic at the junctions and on Canterbury Road.
- The land is grade A agricultural land and should not be used for housing.
- The site is close too the North Downs AONB and is an area well used by tourists and locals on a daily basis. These beautiful areas should be preserved.
- Brownfield sites should be built on before any greenfield sites.
- Concerns that the access road will not be large enough to accommodate the daily traffic generated by the development.
- Concerns relating to noise.
- Concerns relating to the environmental impact of the proposed development through additional traffic movements.
- The access could be dangerous in icy conditions.
- Existing residents on Canterbury Road have to put their bins out the night before collection day as the refuse vehicle arrives early in the morning. The realignment of the road will mean that residents will have to leave bins on the footpath.
- The road would not be wide enough.
- The pedestrian crossing would generate noise (beeping) that would disturb neighbours.

- The proposed layout and the size of the properties are not in keeping with the surrounding area.

[HoDM&SS comment: The layout is indicative. All other matters except access are reserved for future consideration. As such this is not a consideration at this time]

- There are a number of restrictive covenants on the land that comprises Orchard Farm. These include restrictions on any form of advertising, the running of a business and the parking of vans and other commercial vehicles.

[HoDM&SS comment: Restrictive covenants are private legal matters and are not therefore material planning considerations.

- Did not receive consultation letter (lives on Orchard Lane).

[HoDM&SS comment: The Council has fulfilled its statutory duties in relation to consultation with neighbours. All of the residential properties that are located adjacent to the site were sent formal letter of consultation. The application was also advertised].

- The use of the farm track as a pedestrian and cycleway together with retaining access for Orchard House is dangerous.
- The removal of the grass verge will reduce visibility for the existing residents along Canterbury Road.
- The Acoustic Assessment should have taken place over a greater number of days so that a true reflection of traffic could be measured.
- Additional housing is planned for the Croft Hotel and this would further increase traffic.

[HoDM&SS comment: No planning permission exists for housing development at the Croft Hotel. Should an application be submitted in the future it would need to be considered on its own merits].

- The hedging belonging to neighbouring residents and the size and shape is at their discretion.
- Noise and vibration from traffic harming residential amenity.
- The proposed highway works will cost a fortune and disrupt the daily lives of the residents of Kennington.
- There has been no direct community engagement from the applicant to discuss in detail their proposals. The applicant recently afford residents land to extend their gardens but where told in return that they could not object to the application or future proposals.
- The development should be considered as part of site S2.
- The loss of the verge will narrow the footpath and make it less safe.
- The proposed new homes will overlook other properties and be overbearing.

[HoDN&SS comment: Layout is not being considered at this stage].

- There is not enough infrastructure to support the development.
- Kennington does not require more housing.
- The housing should be built elsewhere.
- The pedestrian crossing will impede traffic.
- Has anyone considered access for emergency vehicles?
- The lack of pedestrian footpath at the access is dangerous.
- Construction traffic would cause disturbance for residents.

- It would be a shame to lose natural area by building on it.
- The development would have an adverse impact upon wildlife.
- Schools are full and doctor's surgeries and hospitals are overwhelmed.
- There would be an increase in traffic on The Street and Ulley Road which is totally unsuitable for an increase in heavy traffic.
- The site should be removed from S2 of the Local Plan.
- The proposal should be dealt with as part of the Local Plan.

1 Representation has been received in support of the application. Comments are summarised below:

- It is currently too dangerous to cross Canterbury Road. The addition of a traffic light controlled crossing and moving the 30mph speed limit further north should reduce the danger, provided the footpath on the eastern side of the A28 is also installed as proposed.
- Existing access from the farm track should be retained.

[**HoDM&SS comment:** The application proposes that access to existing properties accessed from the farm track would remain unaltered.]

1 general comment has been received, stating the following:

- The 30mph speed restriction should start just before the Old Mill Public House to allow traffic more time to slow down before reaching the built up area.

Planning Policy

12. The Development Plan comprises the saved policies in the adopted Ashford Borough Local Plan 2000, the adopted LDF Core Strategy 2008, the adopted Ashford Town Centre Action Area Plan 2010, the Tenterden & Rural Sites DPD 2010, the Urban Sites and Infrastructure DPD 2012, the Chilmington Green AAP 2013, the Wye Neighbourhood Plan 2015-30 and the Pluckley Neighbourhood Plan 2016-30. The new Ashford Local Plan to 2030 has now been submitted for examination and as such its policies should now be afforded some weight.

13. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

EN9 – Setting and entrances to towns and villages.

EN10 – Development on the edge of existing settlements.

EN27 – Landscape conservation.

EN31 – Important habitats.

LE5 – Equipped public open space.

LE6 – Off-site provision of public open space.

LE 7 – Play facilities.

LE9 – Maintenance of open space.

CF6 – Standard of construction of sewerage systems.

CF21 – School requirements for new housing development.

Local Development Framework Core Strategy 2008

CS1 – Guiding principles to development

CS2 – The Borough wide strategy

CS4 – Ashford urban area

CS8 – Infrastructure contributions

CS9 – Design quality

CS10 – Sustainable Design and Construction

CS11 – Biodiversity and Geological Conservation

CS12 – Affordable Housing

CS13 – Range of dwelling types and sizes

CS15 – Transport

CS18 – Meeting the Community's Needs

CS18a – Strategic recreational open space

CS20 – Sustainable Drainage

Urban Sites and Infrastructure DPD 2012

U0 – Presumption in favour of sustainable development

U23 – Landscape character and design

U24 – Infrastructure provision to serve the needs of new development

Ashford Local Plan to 2030

SP1 – Strategic Objectives

SP2 – The Strategic Approach to Housing Delivery

SP6 – Promoting High Quality Design

S2 – Land north east of Willesborough Road Kennington

HOU1 – Affordable Housing

HOU5 – Residential windfall development in the countryside

ENV1 – Biodiversity

ENV3a – 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

ENV15 - Archaeology

COM1 – Meeting the Community's Needs

COM2 – Recreation, Sport, Play and Open Space

IMP1 – Infrastructure provision

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

The Kent Minerals and Waste Local Plan 2013-30

Supplementary Planning Guidance/Documents

Affordable Housing SPD 2009

Residential Parking and Design Guidance SPD 2010

Sustainable Drainage SPD 2010

Landscape Character SPD 2011

Residential Space and Layout SPD 2011 – External Space Standards Only

Public Green Spaces & Water Environment SPD 2012

Dark Skies SPD 2014

Informal Design Guidance

Informal Design Guidance Notes 1- 4 (2015)

Government Advice

National Planning Policy Framework (NPPF) 2012

15. 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:-

16. Paragraph 216 states in relation to the stages of preparing a Local Plan that:

“From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”
17. The following taken from the NPPF are relevant to this application:-
18. Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It should also take account of the different roles and character of different areas...recognising the intrinsic character and beauty of the countryside and supporting rural communities within it. Planning should contribute to conserving and enhancing the natural environment. Land allocations should prefer land that is of a lesser environmental value. The NPPF seeks to ensure that authorities provide the supply of housing required to meet the needs of present and future generations. Every effort should be made objectively to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Authorities should seek to boost significantly the supply of housing, and to deliver a wide choice of high quality homes. To promote sustainable development. Isolated new houses in the countryside should be avoided.
19. Paragraph 49 states that housing applications should be considered in the context of the ‘presumption in favour of sustainable development’.
20. Section 4 indicates a Transport Statement should support developments that generate significant amounts of traffic movement.

Draft Revised National Planning Policy Framework (published March 2018)

21. The draft revised National Planning Policy Framework incorporates policy proposals previously consulted on in the Housing White Paper and the Planning for the right homes in the right places consultation. The consultation closed on the 10th May 2018. The Government has announced its intention to publish a final Framework before the summer.

Assessment

22. The main issues for consideration are as follows:

- . 5 Year housing land supply and status of the emerging development plan
- . Principle of the development
- . Sustainability
- . Impact on visual amenity, the surrounding countryside and the setting of the North Downs AONB
- . Impact on residential amenity
- . Access arrangements, impact on the highway and pedestrian safety
- . Ecology and biodiversity
- . Drainage, SuDS and flooding
- . Housing mix and affordable housing
- . Minerals
- . Whether planning obligations are necessary

5 Year Housing Land Supply and status of the emerging development Plan

23. At the time of submission of this application, the Council recognised that it was unable to demonstrate a 5 year supply of housing.
24. The Council now considers it can demonstrate a deliverable five year housing land supply in accordance with paragraph 47 of the NPPF. This is based on a robust assessment of the realistic prospects of housing delivery on a range of sites in the adopted Development Plan, the Submission Local Plan to 2030 and other unallocated sites taking account of recent case law, the respective deliverability tests in Footnote 11 to para. 47 of the NPPF and the associated national Planning Practice Guidance and the detailed evidence base that supports the Submission Local Plan. Consequently, for the purpose of assessing applications for housing, the 'tilted balance' contained within para.14 of the NPPF (where schemes should be granted permission unless the disadvantages of doing so significantly and demonstrably outweigh the benefits) need not be applied.
25. The Local Plan 2030 sets out the vision and framework for future development of the whole of the Ashford Borough to 2030. This includes addressing local housing need, the economy, environmental considerations, community infrastructure as well as strategic infrastructure needs. The plan

makes site specific allocations to meet identified need, and provides detailed topic policies to guide future planning applications.

26. The site that is the subject of this planning application was promoted as a new housing site by the applicant at the early stages of the Council's emerging Local Plan to 2030. The site was subsequently included in the Draft Local Plan as part of the wider site S2.
27. The Local Plan was submitted for examination in December 2017 and at the time of writing this report the plan is in the process of being examined in public.
28. The hearing stage of the Local Plan examination is due to be complete on the 13 June 2018. If the Plan is found to be 'sound', the Council may adopt the Plan as soon as practicable following receipt of the Inspector's report unless the Secretary of State intervenes. Once adopted, the Local Plan 2030 will form the main part of the statutory development plan for the borough. This is expected in the summer 2018.
29. The emerging Local Plan policies should now be afforded some weight in the planning balance.

Principle of the development

30. Section 38 (6) of the Planning & Compulsory Purchase Act 2004 states that applications should be determined in accordance with the adopted Development Plan unless material considerations suggest otherwise. Section 70 of the Town and Country Planning Act 1990 is concerned with the determination of planning applications with regard to the provisions of the development plan, so far as they are material and any other material considerations.
31. The application proposes a development of up to 25 residential units on a greenfield site that adjoins the edge of the Ashford urban area.
32. Policy CS1 of the Core Strategy sets out the guiding principles for development in the Borough. Sustainable development and high quality design are at the centre of the Council's approach to plan making and deciding planning applications. Policy CS1(f) states, as an objective, the following:

'The best use of previously developed land and buildings to help regenerate urban areas and the carefully phased release of green field land to make the best use of a finite resource.'

33. Policy CS2 of the Core Strategy sets out the Borough Wide Strategy. Amongst other things, the policy identifies that large scale proposals will be located in the Ashford Growth Area in line with a compact growth model consisting of significant development within an expanded Ashford town centre; the use of appropriate brownfield sites within the Ashford urban area; allocated greenfield sites on the edge of Ashford.
34. Policy CS4 relates to the Ashford urban area outside the town centre, and also to proposed smaller extensions to the urban area. It does not relate to the proposed major urban extensions at Cheeseman's Green/Waterbrook and Chilmington Green which are covered by Policy CS5.
35. The Core Strategy makes it clear that after the town centre, the focus of development should be on the rest of the existing urban area of Ashford stating that, national planning policy is increasingly encouraging urban intensification and the better use of brownfield land and, as a result, more urban sites are becoming the focus for development.
36. The Council's objective as set out within the Core Strategy is therefore to maximise the potential for improvement and regeneration within the urban area whilst ensuring that redevelopment is of an appropriate use, scale and density and provides a high quality living environment.
37. Although initial development proposals should be focused on the existing urban area, the Council recognises that it also needs to provide a range of opportunities to enable the market to respond to the growth targets. In practical terms, this means providing for different types of development in a variety of locations. Therefore, the Core Strategy also sets out that some limited greenfield development should also come forward in a phased approach.
38. Likewise the Urban Sites and Infrastructure DPD 2012 is also of relevance and is concerned with providing clear guidance on where appropriate development should take place in and adjoining the urban area of Ashford. It recognises that the area immediately surrounding the Ashford urban area is particularly important in that it sets the visual context for the existing built development as well as being an important recreational and amenity value in its own right stating that the urban fringe and its future treatment and use is a critical consideration in the assessment of all development proposals on the edge of the urban area.
39. The Urban Sites and Infrastructure DPD therefore does not discount development located on, or visible from, the edge of the urban area as a matter of principle.
40. The emerging Local Plan 2030 continues to pursue a hierarchical approach towards the distribution of housing development across the Borough in a plan

led and sustainable way. It also includes new allocations that are part of the next phase of edge of settlement development.

41. Policy SP1 sets out the strategic objectives for the Borough forming the basis for the policy framework of the new Local Plan. Criteria (a) states that it is important to:

‘..focus development at accessible and sustainable locations which utilise existing infrastructure, facilities and services wherever possible and makes the best use of suitable brownfield opportunities’.

42. Specifically, the application site is proposed as a part of one of the strategic housing allocations in the submission Local Plan and, as such, is considered to be appropriate for housing development in line with the strategy for the distribution of housing. The proposed allocation is set out within policy S2 – Land north east of Willesborough Road, Kennington.
43. The allocation proposes an indicative capacity of 700 dwellings together with a two form entry primary school. The application site is located within the northern corner of S2. **Figure 7** below shows the extent of the S2 allocation which covers some 40 hectares and is therefore significantly larger than the application site which comprises a very small portion of the overall site. The development of the S2 site together with the development that is permitted and proposed at Conningbrook would fill in a wedge of land between residential developments on three of its sides.

Land North-East of Willesborough Road, Kennington

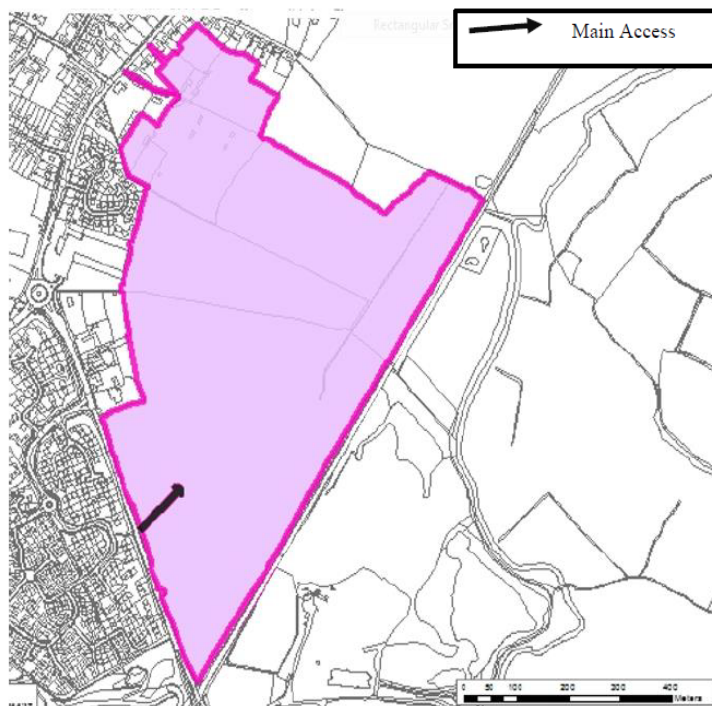


Figure 7: Site S2 Site Location Plan

44. The draft allocation evidences the fact that the Council considers the principle of residential development on this site to be acceptable and also sustainable in accordance with the principle discussed above. Policy S2 states the following:

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

- a) *The topography of the site and residential amenity of neighbouring occupiers of the site;*
- b) *A full flood risk assessment that has been prepared in consultation with the Environment Agency;*
- c) *Primary access to the site shall be provided from Willesborough Road, with the location of a secondary/emergency access to be determined following further investigation into the feasibility of access onto the Canterbury Road, in liaison with the Local Highways Authority;*
- d) *New pedestrian and cycle routes are to be provided throughout the development with connections to existing routes. The PRowS running through the site should be maintained and incorporated within the development, where possible. Proposals must investigate, and deliver, if feasible, a pedestrian and cycle bridge crossing over the railway line to replace the existing at-grade pedestrian crossings, and maintain the PRow and provide access into the country park;*
- e) *The existing trees and hedgerows along the boundaries to Willesborough Road, the railway line, and the northern countryside shall be retained and enhanced, except to provide suitable access;*
- f) *Proposals for ecological mitigation and enhancement measures are to be provided on the site informed by a habitat survey;*
- g) *The location of the primary school site shall be determined following liaison with Kent County Council, and the site should be made available in the initial stage of developing the wider site;*
- h) *Provision of an extension to the Green Corridor, allotments and areas of informal open space to meet the needs of the development;*
- i) *The need to minimise the impact of noise and vibration from the railway line on the amenity of future occupiers of the development, informed by a noise and vibration assessment;*
- j) *Consider the impact upon views from the Kent Downs AONB, informed by a landscape and visual impact assessment, to determine appropriate structural and internal landscaping and building heights.*

In addition, the development shall:

- i. Make improvements to the local road network, where necessary and achievable informed by a Transport Assessment carried out in liaison with KCC Highways and Transportation.*
- ii. Provide a proportionate financial contribution to the delivery of Highway England's scheme for a new M20 Junction 10a.*
- iii. Provide a financial contribution to the extension of existing bus services in the area to serve the development.*
- iv. Provide a proportionate contribution towards primary education to contribute towards the delivery of the primary school on site.*
- v. Ensure that any land contamination issues are satisfactorily resolved or mitigated.*
- vi. Provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider; and provide future access to the existing sewerage infrastructure for maintenance and upsizing purposes'.*

No occupation of the residential element of the development shall take place until the proposed M20 Junction 10a is complete, in accordance with Policy TRA1.

45. The draft policy is criteria based setting out a specific list of criteria to be satisfied within the site allocation area as a whole. It is therefore accepted that there are certain criteria that may not be relevant and should not be a reason to prevent this relatively small development from coming forward as a smaller phase of development. At the recent Local Plan hearing session focused on site S2, the Planning Inspector saw no reason why the land subject of the current application could not come forward as a separate application particularly as access would not be required across the remainder of S2. It was also agreed with all parties that it would be appropriate to implement the rest of the S2 site in accordance with an approved masterplan but that it was not necessary to wait and include the current application site as part of a future masterplan as this 'phase 1' could be appropriately dealt with now as a small separate parcel. It was the Local Plan Inspectors wish that policy S2 was to be amended in due course to reflect the exclusion of the site subject of this application from the masterplan requirement.
46. Having considered these matters and taking into account the weight that should be attached to policy S2, I am satisfied that the proposed development can, at this outline stage meet the relevant criteria set out within policy S2. I am also satisfied that the proposed development would not physically prevent or prejudice the remainder of the site allocation from coming forward. For this reason, policy S2 is considered to be a significant material consideration in favour of the scheme. To ensure that the site coming forward does not jeopardise the overall strategy for S2 as a whole, it would subsequently be necessary to impose a condition that the reserved matters that come forward shall make provision for connections through the site for pedestrian/cycle and emergency access.

47. Also a material consideration and worthy of note, is the fact that other emerging site allocations such as sites S27 (Biddenden, North Street), S33 (Land at Hope House, High Halden), S36 (Land at the Kings Head Shadoxhurst), S37 (Land adj. to the village hall, Smarden) have recently been approved or have resolutions to approve subject to S106 agreements. In addition, emerging site allocation H4 of the Bethersden Neighbourhood Plan has also been approved by the Planning Committee.
48. This demonstrates that the Council has been and remains, willing to support schemes that meet the requirements of the allocations in the emerging Local Plan in advance of the adoption of the plan and to provide greater flexibility and choice for growth.
49. The Core Strategy, the Urban Sites and Infrastructure DPD and the submission Local Plan all confirm that Ashford is the Borough's principal settlement and represents the most sustainable location within it, and, as a result, should be the location where most development is located. The land use planning strategy in both the adopted and emerging plan documents is sound and justified. The site has been identified as part of a strategic housing allocation in the emerging Local Plan and could be well integrated with the existing built up area which must be given some weight. In addition, it is not considered that the proposal would prevent the wider delivery of site S2. I am therefore satisfied that the principle of development is acceptable.

Sustainability

50. The NPPF seeks to direct housing development away from isolated locations.
51. Kennington is part of the wider Ashford area and Ashford represents the most sustainable location with the borough. The urban area is home to approximately half of the boroughs population and it is where a large proportion of local jobs are located. It is also the area that future economic growth will be concentrated.
52. It is also recognised that there are a wide and full range of local services available within the town centre and the various neighborhood's that make up the wider urban area and the town caters for its own residents needs and those living in the rural hinterland.
53. The site is not considered to be an isolated location given that it is adjacent to the established settlement. The site is with easy walking distance of the centre of Kennington where there are a number of local services and facilities including a foodstore, schools, a public house, doctor's surgery, post office etc.
54. There are bus stops located within walking distance of the site which offer regular services. From here, there are services to Ashford and Canterbury

(where there are onward rail connections including High Speed services from South Eastern, Southern Trains and Eurostar), as well as a service to the William Harvey Hospital. Furthermore school buses stop nearby providing access to a number of local schools. As such, in terms of access to public transport the site is well served.

55. All roads in the vicinity of the site have footways and have street lighting. There is also a good network of well-established cycle routes in the wider area and a shared use cycle/pedestrian footway on Canterbury Road. The proposed development would also be accessed from Canterbury Road (A28) and the site is located in close proximity to the M20.
56. The site is therefore not considered to be physically out-of-the-way or isolated from services. For these reasons the site is considered to be sustainably located which is a material consideration which weighs in favour of the proposal.

Impact on visual amenity, the surrounding countryside and the setting of the North Downs AONB

57. Policy CS1 of the Core Strategy seeks to ensure that development respects the environmental limits that protect the high quality built and natural environment of the borough.
58. Policy U23 of the Urban Sites and Infrastructure DPD is also of relevant to this application. The policy which deals with landscape character and design states the following:

Development which is on, or visible from, the edge on the urban area shall be designed in a way which complements and enhances the particular landscape character area within which it is located, and, where relevant, any adjacent landscape character area. Proposals shall have particular regard to the following:

- a) Landform, topography and natural patterns of drainage;*
- b) The pattern and composition of trees and woodlands;*
- c) The type and composition of wildlife habitats;*
- d) The pattern and composition of field boundaries;*
- e) The pattern and distribution of settlements, roads and footpaths;*
- f) The presence and pattern of historic landscape features;*
- g) The setting, scale, layout, design and detailing of vernacular buildings and other traditional man made features;*
- h) Any relevant guidance given in the Landscape Character SPD.*

Existing features that are important to the local landscape character shall be retained and incorporated into the proposed development

59. Policies CS1 and CS9 of the Core Strategy require good design. These policies are consistent with the NPPF which attaches great importance to the

design of the built environment and states that developments should respond to local character and history and reflect the identity of local surroundings and materials. Paras. 62, 63 and 64 seek to ensure high standards of design and help raise the standard of design more generally, and that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area..

60. The site is currently unmanaged farmland, last used for the purposes of agriculture. It is located on the edge of the existing urban area. A small section of the site falls within the Stour Gap Landscape Character Area. Analysis of the LCA confirms that the character of the landscape is indistinct and poor and has deteriorated over the years.
61. Whilst some illustrative drawings have been submitted suggesting a future design strategy related to Kentish settlement patterns and vernacular buildings, this is not for consideration at this stage as appearance, as well as, layout, scale and appearance would all be determined at the reserved matters application stage. Notwithstanding this, I consider that it would be possible to deliver dwellings of the scale suggested on this site taking account of the site's topography and its relationship to the surrounding built development. Furthermore, given the opportunities for enhancing the landscaping around the boundaries of S2 in general and the distance of this part of the site from the AONB I am satisfied that the setting of the AONB would be protected.
62. A density of 20dph is proposed and this reflects the lower density pattern of development on the southern side of Canterbury Road which would be appropriate.
63. In light of the above, whilst the proposals would result in a significant visual change from an open field to a developed housing scheme, I consider that, the visual impacts associated with this would be relatively localised and contained by the existing and enhanced landscaping to the boundaries. For these reasons and the reasons set out above, I therefore conclude that the development of the site to accommodate up to 25 units would not cause significant and demonstrable harm to the wider landscape character or visual amenity.
64. I am satisfied that the proposals would comply with development plan policies which I have referred to which seek to protect landscape character. In addition, the proposals are considered to broadly reflect the landscape objectives set out in policy S2 of the Local Plan, which, amongst other matters, requires development proposals for this site to consider the wider landscape impact and the retention of existing trees and hedgerows along the site boundaries.

Impact upon residential amenity

65. Paragraph 17 of the NPPF identifies a set of core land use planning principles that should underpin decision making. One of these principles is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
66. Whilst layout is reserved for future consideration, the indicative layout plan suggests that satisfactory distances can be maintained between the proposed and adjacent dwellings. Coupled with robust landscaping, I am satisfied that the re-development of the site can be achieved without causing demonstrable harm to neighbours amenity or to each other through loss of light, immediate outlook or by having an overbearing presence. Conditions can be used to maintain privacy at reserved matters stage, should it be considered necessary.
67. I note the representations of neighbours raising concerns about the access road and the impact that this would have on neighbours in terms of noise and disturbance. The Council's Environmental Health Officer has been consulted and has raised no objections in relation to this.
68. The indicative layout plan suggests that gardens can be provided to a size which complies with the Council's Residential Space and Layout SPD.
69. The reserved matters application should ensure that the internal accommodation proposed complies with the National Space Standards. This can be secured by condition.
70. Given the above, I am satisfied that the development would not result in harm to the residential amenity of neighbouring or future occupiers and can comply with the requirements of part (a) of emerging policy S2 which requires the development to be designed in a way that takes account of the residential amenity of the neighbouring occupiers.

Access arrangements, impact on the highway and pedestrian safety

71. It is acknowledged that the proposed development site does form part of the larger allocated site covered by Policy S2 within the emerging Local Plan for up to 700 dwellings. The policy envisages a secondary/emergency access being created onto Canterbury Road to serve the allocation, with the primary access being provided from Willesborough Road.
72. Whilst the access currently proposed would form the primary access for this particular parcel of the overall development, it is appreciated that it will be restricted to serving just 25 dwellings of the entire S2 site allocation, and so

would, in effect, only be the secondary/emergency access for the wider site S2.

73. The proposed access would be 4.8m wide, which would be in accordance with the Kent Design Guide. This guidance confirms this would be suitable for use as a shared surface route giving direct vehicle and pedestrian access for up to a maximum of 25 dwellings, as would be the case here. Further pedestrian and cycle access is proposed through the existing farm track giving reasonable further movement options.
74. Given the limited amount of dwellings to be served by the new access, it has been agreed by KCC Highways and Transportation that a simple priority junction would be appropriate, as right turn movements would be relatively infrequent. KCC Highways have also confirmed that there would be no requirement for a ghost island junction with right-turn lane that would have been required for a busier junction to ensure the free flow of northbound traffic along Canterbury Road. In addition, KCC Highways are satisfied with the evidence that there would be plenty of reserve capacity for the junction to operate efficiently.
75. Swept path analysis demonstrates that vehicle movements in and out of the proposed vehicular access can be accommodated, for the range of vehicles anticipated to use the junction on a regular basis. The width of the access is also considered to be sufficient to maintain 2-way traffic, and, the relatively low level of development would allow access to be shared use by vehicles and pedestrians.
76. The proposed development would see a very small percentage of the overall dwellings proposed at S2 being able to be accessed from Canterbury Road.
77. The design of the junction would involve the realignment of Canterbury Road to achieve appropriate visibility and also providing a new footway along the eastern side of Canterbury Road, linking the main shared surface access to the alternative pedestrian route through the existing farm track, and would provide the staging point for pedestrians to wait safely to cross the road.
78. The proposed signalised pedestrian crossing is considered to be a positive benefit and is considered to meet current design standards.
79. The proposed extension to the extent of the existing 30mph speed limit north past the site access would likely reduce vehicle speeds along this part of Canterbury Road. It will be expected that the developer should fund the associated Traffic Regulation Order and physical works to implement the 30mph speed limit extension, and this can be suitably secured by condition.
80. In light of the above, and taking into account the position of KCC Highways, I am satisfied that the proposed access arrangements would be appropriate to serve this limited number of dwellings. Should the reserved matters detail

come forward that would suggest a layout giving connection to a proposed vehicular access street proposed on the wider S2 site (and thus be capable, as a layout, of operating as a through vehicular route) then a requirement for lockable barriers or bollards could be dealt with by planning condition at that time in order to prevent vehicle movements in excess of those serving 25 dwellings. Similarly, if it is considered desirable in the future for emergency access through route capability then lockable barriers or bollards would be similarly appropriate. Further, it would be appropriate at this stage to impose a condition that the reserved matters that come forward shall make provision for connections through the site for pedestrian, cycle and emergency access in order to ensure that the overall strategy for site S2 would not be threatened.

81. The development would improve sightlines and introduce a new safe crossing point for residents living in the vicinity. Analysis of the proposal has also demonstrated that the proposed development would not generate significant additional levels of vehicular movements, and that the existing network does not have capacity issues and, as a result, it is considered that the development would not result in significant traffic delays or materially increase the risk of accidents.
82. The proposed improvements to the existing infrastructure, comprising an extension to the 30 mph limit and the provision of a signalised pedestrian crossing on Canterbury Road would also be acceptable.
83. For the reasons set out above, the proposed development is not considered to be harmful to highway safety.

Ecology and Biodiversity

84. The proposed development offers ecological enhancements and the retention of the existing boundary treatments. Further, additional landscaping would help to provide enhanced habitats and wildlife corridors throughout the site.
85. Following consultation with KCC Ecology and Biodiversity, it is considered that ecological and biodiversity issues can be subsequently mitigated through planning conditions.

Drainage/SuDS and flooding

86. The site is located within flood zone 1 which is the lowest possible flood risk zone. The submitted site specific flood risk assessment demonstrates that there is no significant risk of fluvial flooding. In addition the risk from surface water runoff, sewer flooding, and groundwater flooding is also considered to be low.

87. The development would incorporate measures to deal with storm and surface water drainage which are in accordance with all current national and local guidance. It is noted that a discharge rate of 2l/s/ha is proposed in order to comply with the requirements of the SUDs SPD which would be appropriate.
88. The proposed surface water management strategy recognises that this site is part of a much larger development proposal but it is not considered that the drainage proposals would prohibit the development of the adjoining land or the wider S2 site. It is considered that it would be possible to ensure that the surface water runoff from all potential phases of the wider development site could be managed sustainably.
89. The proposed system has been subject to consultation with KCC Flood and Water Management and the Council's Project Delivery Engineer neither of whom have raised any objection to the proposals. Whilst a detailed drainage strategy has not been provided at this outline application stage it is considered that appropriate mitigation and SuDs would be able to be achieved (including an integrated approach to future phases of S2 should they come forward). Subject to this mitigation being secured through conditions, I consider that the proposals would meet the requirements of policies CS20, ENV6 and ENV9 as well as the requirements of the NPPF and its Planning Practice guidance and would therefore be acceptable in terms of flood risk.

Housing mix and affordable housing

90. Policies CS13 of the Core Strategy and HOU18 of the draft Local Plan require development proposals to deliver an appropriate range and mix of dwelling types and sizes in order to meet local needs. Whilst the applicant has indicated a mixture of 1, 2 3 and 4 bed properties could be provided, this would be a matter considered as part of any reserved matters applications.
91. Affordable housing is proposed at a rate of 30% in accordance with Policy CS12 of the Core Strategy. Emerging local plan policy HOU1 also seeks 30% affordable housing on sites located within the Ashford Hinterland. On this basis the proposed provision would be in accordance with both the existing and proposed policies in relation to affordable housing. The proposal is therefore acceptable in relation to this.
92. Should planning permission be granted for the development I propose that the provision of affordable housing be secured through a legal agreement under S106. Tenure would be secured in line with policy CS12 of the Core Strategy.
93. Whilst not for consideration at this time, in terms of future reserved matters applications, it would be important to ensure that the affordable dwellings are

tenure blind in terms of design and quality and are located throughout the whole development rather than being concentrated in one location.

Minerals

94. The site is located within a minerals safeguarding zone as identified in the Kent Minerals and Waste Local Plan 2013-30. Kent County Council have made representations in relation to the Local Plan and a Statement of Common Ground has been received. The Statement of Common Ground notes that in relation to site S2, the mineral resource is Sandstone (Folkestone Formation). It also acknowledges that deep extraction would be required here (up to 40 metres) and this is not considered to be practicable. It is agreed that this would also likely cause a significant delay in the ability to bring the site forward for residential. For these reasons Kent County do not object to the allocation of Site S2.

Other matters

95. The proposed development is likely to generate an increase in the use of PROW's AU20 and AU21. The applicant acknowledges this within the submitted Design and Access Statement stating that the PROW located to the south western boundary of the site should be enhanced as part of the wider permeable network of pedestrian and cycle routes. Following consultation with KCC Public Rights of Way and Access Service it is proposed to seek financial contributions through S106 to make improvements to the existing immediate PROW network. These improvements would comprise an upgrade to the surface of AU20 and the supply and installation of two wooden kit bridges on path AU21.

Planning Obligations

96. 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
97. 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

Table 1

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
1.	<p><u>Affordable Housing</u></p> <p>Provide not less than 30% of the units as affordable housing, comprising 60% affordable rent units and 40% shared ownership units in the locations and with the floorspace, wheelchair access (if any), number of bedrooms and size of bedrooms as specified.</p> <p>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>30% of units as affordable housing with</p> <p>60% affordable rent units</p> <p>40% shared ownership units</p>	<p>Affordable units to be constructed and transferred to a registered provider upon occupation of 75% of the open market dwellings</p>	<p>Necessary as would provide housing for those who are not able to rent or buy on the open market pursuant to Core Strategy policy CS12, policy HOU1 of the draft Local Plan, the Affordable Housing SPD and guidance in the NPPF.</p> <p>Directly related as the affordable housing would be provided on-site in conjunction with open market housing.</p> <p>Fairly and reasonably related in scale and kind as based on a proportion of the total number of housing units to be provided.</p>

Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)
2.	<p><u>Children's and Young People's Play</u></p> <p>Contribution towards improvements to safer surfacing at Spearpoint Recreation Ground play area</p>	<p>£649 per dwelling for capital costs</p> <p>£663 per dwelling for maintenance</p>	<p>Before completion of 75% of the dwellings</p>
			<p>Necessary as children's and young people's play 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 Core Strategy policies CS1, CS2 and CS18, Ashford Local Plan 2030 Submission Version policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use children's and young people's play space and the play space to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				maintenance period is limited to 10 years.
3	<p><u>Informal/Natural Space</u></p> <p>Improvements to Spearpoint Recreation Ground, to provide additional site furniture such as bins, benches and signs.</p>	<p>£434 per dwelling for capital costs</p> <p>£325 per dwelling for maintenance</p>	<p>Before completion of 75% of the dwellings</p>	<p>Necessary 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 Core Strategy policies CS1, CS2 and CS18, Ashford Local Plan 2030 Submission Version policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF</p> <p>Directly related as occupiers will use informal/natural green space and the space to be provided would be available to them.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.
4	<p><u>Outdoor Sports</u></p> <p>Contribution towards the provision of a secure boat park/storage area for water sports at Conningbrook County Park</p>	<p>£1,589 per dwelling for capital costs</p> <p>£326 per dwelling for maintenance</p>	<p>Before completion of 75% of the dwellings</p>	<p>Necessary as outdoor sports provision is required to meet the additional demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2 and CS18, Ashford Local Plan 2030 Submission Version policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF</p>

Planning Obligation				Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>Directly related as occupiers will use sports pitches and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
5	<p><u>Strategic Parks</u></p> <p>Contribution towards a bespoke picnic bench with surfacing; to include design fee at Conningbrook Country Park.</p>	<p>£146 per dwelling for capital costs</p> <p>£47 per dwelling for maintenance</p>	<p>Before completion of 75% of the dwellings</p>	<p>Necessary as strategic parks are required to meet the demand that would be generated by the development and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2, CS18 and CS18a, Ashford Local Plan 2030 Submission Version policies COM1, COM2 and IMP1, Public Green Spaces</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use strategic parks and the facilities to be provided would be available to them</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of dwellings and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
6	<p>Allotments</p> <p>Improvements to access and security at allotments within the Kennington and Bybrook area</p>	<p>£258 per dwelling for capital costs</p> <p>£66 per dwelling for future maintenance</p>	<p>Before completion of 75% of the dwellings</p>	<p>Necessary as allotments are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2 and CS18, Ashford Local Plan</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>2030 Submission Version policies COM1, COM2 and IMP1, Urban Sites and Infrastructure DPD policy U24 (if applicable), Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use allotments and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
7	<p>Primary Schools</p> <p>Creation of primary school reception class at Willesborough Primary School</p>	<p>£ 3,324.00 Per applicable dwelling</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p>Necessary to increase capacity at the local primary school within the vicinity to meet the demand generated and pursuant to Core Strategy policies CS1, CS2 and CS18, saved Local Plan policy CF21, Ashford Local Plan 2030 submission version policies COM1 and IMP1, Developer Contributions/Planning Obligations SPG, Education Contributions Arising from Affordable Housing SPG (if applicable), KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as children of occupiers will attend primary school and the facilities to be funded would be available to them.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of primary school pupils and is based on the number of dwellings.
8	<p>Secondary Schools</p> <p>Project: Norton Knatchbull Dining Hall expansion</p>	£4,115.00 per applicable dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings	<p>Necessary to increase capacity at the local secondary school within the vicinity to meet the demand generated and pursuant to Core Strategy policies CS1, CS2 and CS18, saved Local Plan policy CF21, Ashford Local Plan 2030 submission version policies COM1 and IMP1, Developer Contributions/Planning Obligations SPG, Education Contributions Arising from Affordable Housing SPG (if applicable), KCC Guide to</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as children of occupiers will attend secondary school and the facilities to be funded would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of secondary school pupils and is based on the number of dwellings and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
9	<p>Libraries</p> <p>Contribution towards the additional bookstock</p>	£48.02 per dwelling	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings	<p>Necessary as additional bookstock is required to meet the demand generated and pursuant to Core Strategy policies CS8 and CS18, Ashford Local Plan 2030 submission version policies COM1 and IMP1, Ashford KCC Guide to Development Contributions</p> <p>Directly related as occupiers will use library books and the books to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because amount calculated based on the number of dwellings.</p>
10	Upgrade of the Footpath	£18,860.00	on occupation of 50% of the dwellings	Necessary as the proposed development would generate an increase in use of the adjacent Public

Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)
	<p>Upgrade to the surface of 150m of AU20 The supply & installation of two 5.5m wooden kit bridges on path AU21.</p>		
			<p>Rights of Way, specifically footpaths AU20 & AU21. Public footpaths must be maintained in order to continue to meet demand pursuant to Core Strategy policies CS1, CS2 and CS18, Ashford Local Plan 2030 submission version policies COM1 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use the public right of way.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers.</p>
11	<u>Health Care Provision</u>	£504 for each 1-bed dwelling	<p>Half the contribution upon occupation of 25% of the dwellings and</p> <p>Necessary to support the registrations and delivery of health services to the new population in order to continue to meet demand pursuant to Core</p>

Planning Obligation			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
Contribution towards the extension, refurbishment and/or upgrade of local practice Project to be confirmed	£720 for each 2-bed dwelling £1008 for each 3-bed dwelling £1260 for each 4-bed dwelling £1728 for each 5-bed dwelling or larger	balance on occupation of 50% of the dwellings	Strategy policies CS1, CS2 and CS18, Ashford Local Plan 2030 Submission Version policies COM1 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF. Directly related as occupiers will increase demand on local primary and community health service and the local services would be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.

Planning Obligation				Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
12	<p><u>Monitoring Fee</u></p> <p>Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking.</p>	£1000 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years.	<p>Necessary in order to ensure the planning obligations are complied with.</p> <p>Directly related as only costs arising in connection with the monitoring of the development and these planning obligations are covered.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the obligations to be monitored.</p>
<p>Notices will have to be served on the Council at the time of the various trigger points in order to aid monitoring. All contributions to be index linked as set out on the council web site in order to ensure the value is not reduced over time. The costs and disbursements of the Council's Legal Department incurred in connection with the negotiation, preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs.</p> <p>If an acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused.</p>				

Human Rights Issues

98. 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

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

Conclusion

100. The site is not allocated for development in the adopted development plan.
101. Policy U0 of the Urban Sites and Infrastructure DPD supports a positive approach that reflects the presumption in favour of sustainable development in line with the NPPF. The Core Strategy also sets out that some limited Greenfield development should also come forward in a phased approach in locations at the edge of the urban areas.
102. The site is allocated for development in the emerging Local Plan 2030 under policy S2. The emerging plan has been submitted for examination and as such policy S2 is a significant material consideration, and the fact the proposed development complies with the relevant criteria contained in the site specific policy, and other relevant policies in the current plan weighs in favour of granting planning permission.
103. Other material considerations include the benefits associated with the scheme which include its ability to help to boost significantly the supply of housing in accordance with paragraph 47 of the NPPF and its sustainable location. Other recognised social and economic benefits include generating jobs opportunities, for example, during the construction process, and in particular the provision of specific tenures of affordable housing which will contribute to meeting identified housing needs and can be secured by a S106 obligation. Future residents would also buy goods and utilise services and facilities in the local area providing economic benefits to the immediate and wider locality.

104. Matters relating to layout, scale, appearance and landscaping are reserved for future consideration. However, based on the information available and indicative drawing submitted I am confident that a scheme can be designed which will represent an appropriate form of development that sits comfortably within its contextual setting in accordance with policies CS1 and CS9 of the Core Strategy, policy U23 of the Urban Sites DPD and emerging policy S2 of the Local Plan.
105. There would be no material harm to neighbouring or future occupier's amenity, highway safety or ecology. In terms of flooding I am satisfied that subject to conditions, the site can be drained in an acceptable way. I am therefore satisfied that the proposal accords with policies EN31 and EN32 of the Local Plan, CS11, CS15 and CS20 of the Core Strategy.
106. My assessment of the various issues above indicate that minimal harm would arise as a consequence of residential development here. When balanced alongside the potentially positive social and economic impacts arising from the proposal, in my view the proposal would represent sustainable development. Sustainable development is at the heart of the NPPF and should be seen as the golden thread running through decision taking.
107. In conclusion, I recommend that planning permission should be granted.

Recommendation

- (A) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations as detailed in table 1, in terms agreeable the Head of Development Management and Strategic Sites or the Joint Development Control Managers in consultation with the Director of Law and Governance, with delegated authority to either the Head of Development Management and Strategic Sites or the Joint Development Control Managers to make or approve minor changes to the planning obligations and planning conditions (for the avoidance of doubt including adding additional planning conditions or deleting conditions) as she sees fit.**
- (B) Grant Outline Planning Permission**
- Subject to the following conditions and notes:
1. Approval of the details of the layout, scale, landscaping internal access arrangements and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

Reason: To comply with the provisions of Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.

The development hereby permitted shall be begun no later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

Reason: To comply with the provisions of Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development shall be carried out in accordance with the plans listed in the section of this decision notice headed Plans/Documents Approved by this decision, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.

4. Before the first occupation of each dwelling the following works shall be completed as follows:

- (a) Footways and/or footpaths serving that dwelling shall be completed, with the exception of the wearing course;

- (b) Carriageways serving that dwelling completed, with the exception of the wearing course, including the provision of any turning heads,

- (c) highway drainage serving that dwelling, including off-site works,

- (d) junction visibility splays applicable to the carriageways serving that dwelling,

- (e) Street lighting, street nameplates and highway structures serving that dwelling if any.

- (f) Wearing courses shall be completed for footways and carriageways serving any dwelling within one year of the completion of the development.

5. No flues, vents, stacks, extractor fans or meter boxes shall be located on the front elevation of any of the units.

Reason: In the interest of visual amenity.

6. Prior to the commencement of development a Code of Construction Practice shall be submitted to and approved in writing by the Local Planning Authority. The construction of that Phase of development shall then be carried out in accordance with the approved Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites and the Control of dust from construction sites (BRE DTi Feb 2003) unless previously agreed in writing by the Local Planning Authority. The code shall include:

- An indicative programme for carrying out the works including details of the hours of work and deliveries to the site.
- Routing of construction and delivery vehicles to/from site.
- Temporary traffic management/signage.
- Measures to minimise the production of dust on the site.
- Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s).
- Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site(s).
- Design and provision of site hoardings.
- Provision of off road parking and turning for construction and delivery vehicles and site personnel.
- Measures to prevent the transfer of mud and extraneous material onto the public highway.
- Measures to manage the production of waste and to maximise the re-use of materials.
- Measures to minimise the potential for pollution of groundwater and surface water.
- The location of temporary vehicle access points to the site and any haul roads during the construction works.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in the interest of the amenity of local residents.

7. The details submitted in pursuance of Condition 1 shall show adequate land, reserved for parking and/or garaging to meet the needs of the development and in accordance with the Council's adopted Residential Parking and Design guidance SPD or any adopted guidance or policy which may have superseded it. The approved area shall be provided, surfaced and drained in accordance

with the approved details before the buildings are occupied and shall be retained for the use of the occupiers of, and visitors to, the premises.

Thereafter, no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on the land so shown as to preclude vehicular access to this reserved parking area.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to parking inconvenience to other road users, be detrimental to amenity and in order to compensate for the loss of existing on-road parking.

8. No dwelling shall be occupied until the vehicular access and associated visibility splays together with the 30mph speed limit extension and pedestrian crossing identified on drawing numbers 14115/17, 14115/14 and 14115/15 (set out within the Transport Statement dated May 2017) and, hereby approved have been provided in accordance with these plans. The access and visibility splays shall thereafter be retained in accordance with those details.

Reason: In the interest of highway safety.

9. The details submitted in pursuance of condition 1 (layout) shall show provisions through the site for pedestrian/cycle connections and emergency access to site S2 of the draft Ashford Local Plan 2030.

Reason: To ensure compliance with site S2 of the draft Ashford Local Plan 2030.

10. No dwelling shall be occupied until details of bicycle storage facilities for that dwelling showing covered and secure spaces have been submitted to and approved in writing by the Local Planning Authority. The approved bicycle storage shall be completed prior to occupation of each dwelling and shall thereafter be retained and maintained in perpetuity.

Reason: to ensure adequate provision for the storage of bicycles to encourage sustainable travel.

11. All applications for the approval of Reserved Matters (layout) pursuant to condition 01 shall include a detailed sustainable surface water drainage scheme for the site. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and discharged from the site at an agreed controlled discharge rate not exceeding 2l/s. Formal written confirmation of permission for any third-party land-crossings shall be provided. The drainage

scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

12. Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where it has been demonstrated to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

13. Prior to the occupation of any dwelling, full details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - a) a timetable for its implementation, and

- b) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 103 of the NPPF and its associated Non-Statutory Technical Standards.

14. The development hereby permitted shall not be begun until a scheme to deal with contamination of land and/or groundwater has been submitted and approved by the Local Planning Authority and until the measures approved in that scheme have been implemented. The investigation report shall be conducted and presented in accordance with the guidance in CLR11 "Model

Procedures for the Management of contaminated land” published by the Environment Agency. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

1. A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The requirements of the Local Planning Authority shall be fully established before the desk-top study is commenced and it shall conform to any such requirement. Two full copies of the desk-top study and a non-technical summary shall be submitted to the Local Planning Authority without delay upon completion.
2. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:
 - i) A desk-top study has been completed, satisfying the requirements of paragraph (1) above.
 - ii) The requirements of the Local Planning Authority for site investigations have been fully established, and
 - iii) The extent and methodology have been agreed in writing with the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to the Local Planning Authority without delay upon completion.
3. A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. Two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works shall be submitted to the Local Planning Authority.

Reason: To control pollution of land or water in the interests of the environment and public safety.

Note: For further information and technical guidance regarding the requirements of this condition applicants should contact the Borough Council’s Environmental Protection Team (01233 331111).

15. If unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2.

Following completion of the remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. (LDF Core Strategy Policy CS1 and CS4)

16. Full details of facilities to accommodate the storage of refuse and material for recycling for each dwelling and its collection by refuse vehicles shall be submitted at the same time as details required to be submitted pursuant to Condition 1 and approved by the Local Planning Authority in writing. The approved details shall be implemented before the occupancy of dwellings to which they relate. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any other Order or any subsequent Order revoking or re-enacting that Order, such approved facilities and access thereto shall be retained and maintained in perpetuity.

Reason: To ensure satisfactory arrangements are put in place and retained in perpetuity for the collection and storage of refuse and recycling.

17. A landscaping scheme for the site (which may include entirely new planting, retention of existing planting or a combination of both) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Thereafter, the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

Reason: In order to protect and enhance the amenity of the area.

18. No development shall take place (including any ground works, site or vegetation clearance) until a method statement for ecological mitigation has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:
- a) Purpose and objectives for the proposed works;
 - b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives including an updated reptile mitigation statement and precautionary measures for great crested newts;
 - c) Extent and location of proposed works, including the identification of a suitable receptor site, shown on appropriate scale maps and plans;
 - d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction and not in conflict with the proposed SUDS or footpaths;
 - e) Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works;
 - f) Use of protective fences, exclusion barriers and warning signs;
 - g) Initial aftercare and long-term maintenance (where relevant);
 - h) Disposal of any wastes for implementing work.

The works shall be carried out in accordance with the approved and shall be retained in that manner thereafter.

Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction.

19. No development shall take place until an Ecological Design Strategy (EDS) addressing ecological enhancement of the site has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:
- a) Purpose and conservation objectives for the proposed works;
 - b) Review of site potential and constraints;
 - c) Detailed design(s) and/or working method(s) to achieve stated objectives including provision of bat and bird nesting boxes, log piles, native planting and other species specific enhancements;
 - d) Extent and location/area of proposed works on appropriate scale maps and plans;
 - e) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
 - f) Persons responsible for implementing the works;
 - g) Details of initial aftercare and long term maintenance;

h) Details for monitoring and remedial measures;

The Ecological Design Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To enhance biodiversity

20. No development shall take place until a “lighting design strategy for biodiversity” for the site has been submitted to and approved in writing by the local planning authority. The lighting strategy shall:

a) Identify those areas/features on site that are particularly sensitive for badgers and bats that are likely to suffer disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory.

b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy and these shall be maintained thereafter in accordance with the approved strategy. No other external lighting shall be installed without the prior written consent of the Local Planning Authority.

Reason: In the interests of biodiversity and in line with the Dark Skies SPD.

21. The proposed acoustic protection measures set out within the submitted Acoustic Assessment shall be in place prior to the first use of the new vehicular access. The approved protection measures shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the residential amenity.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any other Order or any subsequent Order revoking or re-enacting that Order, the dwellings hereby approved shall only be occupied as single dwelling houses as described by Use Class C3 of the Town and Country Planning Use Classes Order 1987 as amended.

Reason: In the interest of amenity

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within Schedule 2, Part 1 and Class A of that Order (or any Order revoking and re-enacting that Order), without the prior written approval of the Local Planning Authority.

Reason: In the interests of visual amenity

24. Before development commences details shall be submitted (or as part of reserved matters) for the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (minimal internal speed of 100mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure shall be laid out in accordance with the approved details and at the same time as other services during the construction.

Reason: In the interests of providing good broadband connections

25. Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:
- a) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
 - b) further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: To ensure that features of archaeological interest are properly examined and recorded.

26. The details submitted in pursuance of condition 1 shall show accommodation that complies with the Nationally Described Space Standards and external private space that complies with the Council's Residential Space and Layout SPD.

Reason: In the interest of the amenity of future occupiers.

Note to Applicant

1. Working with the Applicant

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

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

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- the application was acceptable as submitted and no further assistance was required.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

2. Public Rights of Way

- No furniture may be erected on or across Public Rights of Way without the express consent of the Highway Authority;
- There must be no disturbance of the surface of the right of way, or obstruction of its use, either during or following any approved development;
- No hedging or shrubs should be planted within 1.5 metres of the edge of the Public Path;
- The granting of planning permission confers on the developer no other permission or consent or right to close or divert any Public Right of Way at any time without the express permission of the Highway Authority.

3. Southern Water

- A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water,

Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW
(Tel: 0330 303 0119) or www.southernwater.co.uk".

4. Highways

- It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.
- Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>.
- The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.
- The applicant will need to submit an Application for a Traffic Regulation Order to extend the existing 30mph speed restriction as shown on drawing 14115/17.

5. SUD's

- Any feature capable of conveying water can be considered to fall under the definition of an 'ordinary watercourse' and the applicant is urged to contact KCC prior to undertaking any works that may affect any watercourse/ditch/stream or any other feature which has a drainage or water conveyance function. Any works that have the potential to affect the watercourse or ditch's ability to convey water will require KCC's formal flood defense consent (including culvert removal, access culverts and outfall structures).
- Contact flood@kent.gov.uk for further information.

6. S106

- This development is also the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 17/00944/AS.

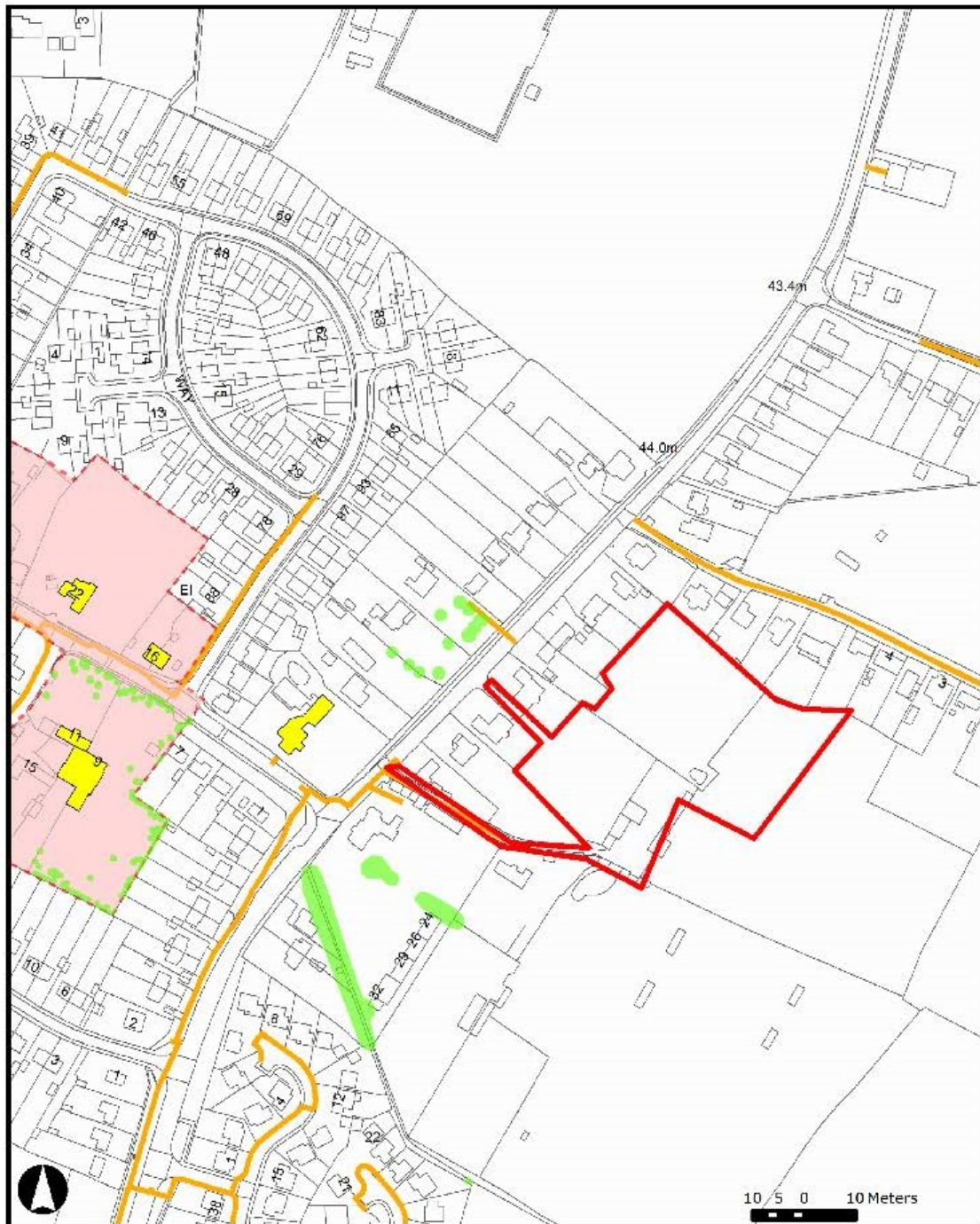
Contact Officer: Alex Stafford **Telephone:** (01233) 330248

Email: alex.stafford@ashford.gov.uk

Annex 1



Ashford Borough Council



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