

## Planning Committee

Wednesday the 5<sup>th</sup> July 2023 at 7.00pm



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### Update Report for the Committee

The following notes and attached papers will be referred to at the meeting and will provide updated information to the Committee to reflect changes in circumstances and officer advice since the reports on the agenda were prepared

4. Requests for Deferral/Withdrawal

None.

6. Schedule of Applications

- (a) **PA/2023/0888 - Willow Trees, Pluckley Road, Smarden, TN27 8ND** – Proposed demolition of existing porch and erection of front and side extension with dormers to form rooms in the roof.

None.

- (b) **15/00856/AS - Land at Pound Lane, Magpie Hall Road, Bond Lane and Ashford Road, Kingsnorth, Kent** – Outline application for a development comprising of up to 550 dwellings in a mix of size, type and tenure. Provision of local recycling facilities. Provision of areas of formal and informal open space. Installation of utilities, infrastructure to serve the development including flood attenuation, surface water attenuation, water supply, waste water facilities, gas supply, electricity supply (including sub-station, telecommunications infrastructure and renewable energy). Transport infrastructure including highway improvements in the vicinity of Ashford Road/Magpie Hall Road/Steeds Lane, Pound Lane and Bond Lane, plus an internal network of roads and junctions, footpaths and cycle routes. New planting and landscaping both within the proposed development and on its boundaries as well as ecological enhancement works. Associated groundworks. **\*\*SUBJECT TO AN ENVIRONMENTAL IMPACT ASSESSMENT\*\***

Errata Paragraph 15 (Proposal Update)

Incorrectly identifies changes proposed to Area 3 but this should instead be Area 4 (amendments in bold below);

15. The updated land use and connectivity parameter plans are provided in Figures 1 & 2 below.

- a. Area 1 - now includes a proposal for a waste water treatment works (WwTW) and the provision of larger and repositioned SuDS/attenuation features. This has resulted in an alteration to the northern residential built edge in this area. In addition, the possible future link to the adjacent Court Lodge development has been removed and the primary road within the site re-aligned.
- b. Area 2 – no change.
- c. **Area 3 - no change.**

**d. Area 4 - the 2018 Report identified a new area of woodland to the rear of properties fronting Stumble Lane. This has been removed.**

Additional comments from ABC Environmental Protection re paragraph 65

ABC Environmental Protection advise that, with regard to noise - the plant associated with the wastewater treatment works (WwTW) has not been specified yet. Background measurements have been made and the plant will be designed and operated to be below background levels at existing and proposed receptors. Mitigation measures have been advised in the Environment Statement and will need to be considered and calculated at all stages of the planning and design of the WwTW.

With regard to air quality/odour - the contours and estimated odour levels at the existing and proposed residential properties/sensitive receptors have been measured and they appear acceptable, although not entirely clear. No objection raised.

Additional planning condition in relation to air quality/odours

In response to the further ABC comments received above, I recommend an additional planning condition to require an updated odour assessment to be submitted with the reserved matters application for the WwTW to assess the impacts on existing and future residents once the final design of the WwTW is known and to identify any mitigation measures that may be required.

Additional planning condition – landscaping scheme for Magpie Hall Road / Ashford Road/ Steeds Lane

Magpie Hall Road/Ashford Road/Steeds Lane junction realignment - landscape scheme for the old carriageway and adjacent open space to the north, as identified on drawing number 30292\_5510\_004 Revision F, that incorporates a pedestrian and cycle access to be provided to be submitted.

Paragraph 87 (Residents / Objections)

Since the report was drafted, an objection has been received from Councillor Katrina Giles. Councillor Giles raises concerns about the impact of the development on already strained infrastructure (water supply and sewage, etc) and the impact this would have on the local community. Plus wider strains on doctor's surgeries, operational service costs, schools and lack of community assets nearby to support communities. Councillor Giles also raises concerns about the environmental impact on green issues and wildlife habitats. Councillor Giles notes that investment is highly important, but advises that if the cost is that neighbouring communities are strained on services then she cannot support the scheme.

7 further objections have been received from residents. Their comments are summarised below.

Principle of Development

- a. The Ashford Local Plan is out of date. The Covid pandemic and nutrient neutrality mean that the Local Plan should be formally reviewed.
- b. The government has dropped compulsory housing targets. Ashford is ahead of its housing targets.
- c. There are already numerous uncompleted developments in the area that would satisfy demand for housing. These developments should be completed first and new public infrastructure provided to cater for the additional population

d. Developers have a history of not paying s106 monies, development should not be permitted when there is reasonable doubt that s106 monies will not be paid.

#### Highways/PROW

e. Concerns about the traffic impacts and impacts on highway safety. The road infrastructure would not withstand the extra cars. The traffic noise, congestion and safety of the local roads will be compromised.

f. Bond Lane is to be closed in the middle. The traffic assessment has not looked at the impact on Steeds Lane or Stumble Lane. Stumble Lane has seen a large increase in traffic, it is not wide enough for two cars to safely pass, and when waste collection vehicles are using the road this causes issues with traffic.

g. Pound Lane is narrow in places, the development would cause significant traffic issues and the road would become unsafe. The road surface is already poor.

h. Public rights of way AW299A, AW299, AW298 and AW376 would be impacted and/or destroyed as part of the development.

i. There are no footpaths or areas for residents to safely walk along Steeds Lane and Stumble Lane

j. The footpath on Pound Lane and large parts of the field running parallel flood extensively during the winter months. This would impact on the proposed development and flooding that occurs would be pushed elsewhere.

#### Amenity

k. The noise and increased traffic would be a health issue for local residents.

l. Concern about the impact on residents living environment of foul odours and other emissions to atmosphere, noise, artificial lighting, traffic generation and visual intrusion from the proposed waste water treatment works.

m. The development would add pressure to existing infrastructure and services, including water supply.

n. The development would be out of character with the area and would be detrimental to the amenity of neighbouring residents.

#### Landscape & Ecology

o. The Environmental Statement (2022) misrepresents the visual landscape.

p. The developers' masterplan does not correctly show the location of trees, many are missing.

q. The developers' ecological surveys are out of date.

r. The developers' statement that the land has been used for arable grazing is incorrect.

s. Impacts on wildlife and ecology in the fields and woodland on the site.

t. The loss of green space would be hugely detrimental to the environment. There would be no space to plant trees to replace those removed. There are trees present in the fields that are decades old.

#### Drainage (Nutrient Neutrality)

u. The Legal Briefing to LPAs published by the Planning Advisory Service (PAS) in November 2022 is an important consideration in respect of nutrient neutrality. The assessment and mitigation measures proposed for the development are not backed by evidence "beyond all scientific doubt" and the requirements of Habitat Regulations 63 & 64 are not fully satisfied. The deferral of any further detailed consideration to planning conditions does not appear to accord with case law set out in the PAS Briefing.

v. Concerns about the information submitted by the applicant in respect of nutrient neutrality and the review undertaken by the Council's consultants, AECOM

- w. The WwTW plant is unproven in 'real world' operations beyond a pilot plant, has yet to have any detailed design, build and operation.
- x. The WwTW is not required, there is a new pumping station nearby and a planning application for another WwTW next to the pumping station.
- y. Concerns that there would be a proliferation of WwTW given the amount of development proposed in Ashford.
- z. Developers being required to address nutrient neutrality on a site by site basis is cumbersome and unworkable and does not consider the cumulative impacts of proposed developments.

#### Other

- aa. The plans do not show two freshwater pipes on the site.
- bb. Many residents may not be aware that a WwTW is now included in the development due to the large number of documents and changes to the application over a long period of time.
- cc. Concerns about the financial viability appraisal submitted by the applicant.
- dd. Concerns about the ability for residents to access up to date information from the ABC planning portal. The Portal is cumbersome and not user friendly. Plans are also not able to view in person which discriminates those without internet access.
- ee. Whether the allotments would be on land suitable and in the best location is raised and offer the potential for plating and maintenance of a Community Orchard.

#### Comments from ABC Cllr Ailine Hicks

Accepts that in the Local Plan this area is identified as suitable for development. Expresses concern relating to the drainage aspect of the whole area, in particular the proposed new wastewater treatment plant, and suggests that whilst it seems equitable that new estates should filter their own sewerage-waste water great care should be taken when agreeing to this solution. Raises questions in respect of;-

- 1 Whether the discharged water would be clean enough to drink?
- 2 How would this discharge make its way to Main River (Whitewater Dyke and River Stour) without flooding en route?
- 3 How would the dung be removed and to where?
- 4 Would the plant cause odours to the new residential estate as well as existing homes and those proposed for the proposed Court Lodge site?
- 5 The national record on wastewater boards is very poor (Thames Water is reported to be £3billion in debt), thus how will the ongoing maintenance be carried out long term and who would fund it?

#### Deletion

Para 110 – delete 'not' in 1<sup>st</sup> sentence before 'adversely'

#### Addition

Para 170 (The applicant's viability case) – add to end of sentence b. '**which now further includes the c.£4.4million cost of an on-site WwTW to deal with nutrient neutrality**'.

#### Amended paragraph 175 ('The applicants' viability case) for clarification

To make clearer the deferred contributions approach adopted by the Council and referred to in Policy IMP2 (deletions struck through & underlined and additions in **bold** below)

First, a deferred contributions approach which might include 'pay regardless' items but ~~typically defers any 'claw-back' to the completion of the development and the final outturn costs and sale/rental values realised compared with those costs and values as originally forecast~~ **defers other items for viability reasons. Then, as completed dwellings are sold, regular assessments are made (e.g. quarterly) of the sale/rental values realised, compared with the values originally forecast in the viability appraisal, and a share of any increases is payable to the Council.** Any deferred contributions that are captured in this manner would then be paid to the Council together with a decision being made as to how best re-allocate these funds given the competing mitigation requests originally made. **However, where (as proposed here) the only item deferred for viability reasons is affordable housing, the funds could be used for providing additional affordable housing off-site, but any additional on-site provision would depend on agreement with the developer at the time and is thus uncertain.**

Table 1 – Heads of Terms for Section 106 Agreement/Undertaking

Table 1 has been updated to provide further clarification about obligations 1a, 2, 3, 4, 6, 9, 17, 19, 20, 21, 22, 26, 27, 28 & 31. The additions are highlighted in the main text in the table in **bold** and the deletions are underlined. **The updated Table 1 is copied at the end of the Update Report.**

Recommendation

Part (i) and (ii) to be combined and consequential renumbering of the other elements.

- (c) **PA/2022/2851 - Land East of Ashford Road, Kingsnorth** – Outline application for up to 15 dwellings, a replacement Medical Centre and Pharmacy, together with all necessary infrastructure to consider access.

Table 1 – Heads of Terms for Section 106 Agreement/Undertaking

Table 1 is updated to provide further clarification about obligations 4, 15, 17, 18 & 20 as follows:-

Obligation 4 (Amenity Open Space Land) – column 4 1<sup>st</sup> para delete 'in the relevant phase'

Obligation 15 (Education Land for Primary) – column 3 after £2363.93 insert 'house' and delete 'dwelling'

Obligation 17 (Primary Schools) - column 3 before £4535.00 insert 'house' and delete 'dwelling'

Obligation 18 (Secondary Schools) - column 3 before £4687.00 insert 'house' and delete 'dwelling'

Obligation 20 (Stodmarsh Mitigation – SuDS and Greenspace) – revised 2<sup>nd</sup> column text entry as below:-

*If the Inspector, as the competent authority, is satisfied that there is no adverse effect on the integrity of the designated sites, the Council requests that the*

*mitigation measures necessary to achieve that outcome are robustly and fully secured. The following heads of terms are suggested **subject to any amendments advised by AECOM or Natural England.***

*To provide **SuDS and Greenspace** on-site that will satisfy the objectives and requirements of the Appropriate Assessment in order to secure nitrogen and phosphorous neutrality for the Development and result in an absence of significant effects of the Development upon the integrity of the Stodmarsh Designated Sites taking account of the Natural England Nutrient Neutrality Guidance.*

*To submit to the LPA for approval in writing the detailed design of the **SuDS and Greenspace**, including a monitoring, management and maintenance scheme (**SuDS and Greenspace Proposal**) **to include funding mechanism.***

*The developer to appoint an 'Appointed Professional', at the developers cost, to inspect and advise the Council as to whether the **SuDS and Greenspace** have been satisfactorily completed*

*The **SuDS and Greenspace** to be transferred to an approved body to monitor, manage and maintain in accordance with the **SuDS and Greenspace Proposal**, as long as the development remains in use.*

Revised 4<sup>th</sup> column text entry as follows;-

*To submit to **and be approved by the LPA** the **SuDS and Greenspace Proposal** to the Council for approval before the commencement of development.*

*To complete the **SuDS and Greenspace** on site before the occupation of any dwelling.*

*The **SuDS and Greenspace** to be monitored, managed and maintained in accordance with the **SuDS and Greenspace Proposal**, as long as the development remains in use.*

- (d) PA/2022/2544 - Field to West of National Grid Converter Station, Church Lane, Aldington, Kent, TN25 6AF** – The laying out of a battery storage facility, intermediate substation, water storage tank, cabling, fencing, access tracks and associated drainage infrastructure on field to west of National Grid Sellindge Converter Substation.

#### Correction

Paragraph 1 of the Report incorrectly refers to Councillor Harman calling in the application to the Planning Committee in her capacity as Ward Member. It should, instead read that Councillor Harman has referred the application t in her capacity as Planning Portfolio-Holder. Councillor Harman is also the Ward Member of the directly adjoining Saxon Shore Ward.

#### Clarification

Whilst the application site is located within the Smeeth Parish Council boundary, it should be noted for the purposes of part (b) on the 1<sup>st</sup> page of the Report that Aldington and Bonnington Parish Council is directly adjoining.

## Kent Highways & Transportation

Kent Highways and Transportation (KH&T) have provided further comments.

Firstly, KH&T confirm that they would not support proposals for the temporary closure of Church Lane in connection with this application as there is no highway land available south of the railway line (with its limited height bridge) to construct an appropriate turning to facilitate the turning of service / refuse vehicles.

Secondly, KH&T recommend that further details of measures to maximise the effectiveness of a Construction Management Plan submitted are secured by planning condition. KH&T also recommend that the condition require the applicant of this and the adjacent proposed development reported on this agenda to take a co-ordinated approach during their respective construction periods.

I recommend that any such details submitted are subject to prior consultation with Ward Members and a representative of Church Lane and that a Notes are added indicating measures that the Council would expect to be explored and also inviting the applicant to enter into pre-submission informal discussions.

### Condition 4

I recommend that suggested condition 4 be amended and an additional Note/Informative be included as below:

*Condition 4: Construction Management Plan to include details of routing of construction and delivery vehicles to / from site and measures to ensure compliance, parking and turning areas for construction and delivery vehicles and site personnel, timing of deliveries, provision of wheel washing facilities, temporary traffic management / signage, control of dust, evidence of a co-ordinated approach with adjacent development sites etc. To be subject to consultation with KCCH&T, HS1, Ward Members, a representative from Church Lane.*

### Notes to Application 4

*The details pursuant to condition 4 above (Construction Management Plan) shall include, but not be limited to:*

*Banksmen at RR/CL junction on 3rd party land or within the highway;*

*Temporary highways signage both near to and at the RR/CL junction for the duration of any works clearly identifying no access for construction vehicles / construction-related traffic*

*A requirement on the applicant to confirm in the Plan that all contractors / sub-contractors will be informed that access from RR/CL will not be acceptable*  
*Commitment to pre-construction commencement roll-out of information to contractors / sub-contractors showing the agreed access routes to and from the sites on CL via the A20 only*

*Development and use of apps that override standard Google Maps information as a way for contractors to find site via the A20*

*Potential temporary physical measures to the CL site access points so as to restrict the ability to enter into construction sites other than from travelling southwards along CL having turned into CL from the A20.*

*The applicant is invited to enter into informal discussions prior to the submission of the CMP to the Council.*

- (e) **PA/2022/2950 - Land to the west of Sellindge Substation, Sellindge, Ashford, Kent TN25 6AF** – Erection of a synchronous condenser plant with ancillary infrastructure, access, landscaping and other incidental works.

Kent Highways & Transportation

Since the publication of the Report, Kent County Council Highways and Transportation (KCCH&T) have provided further comments which expand on paragraph 38.

KH&T confirm they would not support any proposals for the temporary closure of Church Lane in connection with this application as there is no highway land available south of the railway line to construct an appropriate turning facility for the turning of service / refuse vehicles.

KH&T recommend that further details of measures to maximise the effectiveness of the Construction Traffic Management Plan submitted are secured by condition. KCC Highways and Transportation recommend that the condition would require the applicants of the proposed development and the adjacent development (being considered under PA/2022/2544 reported on this agenda) to undertake a co-ordinated approach during their respective construction periods.

I recommend that such details are subject to consultation with Ward Members and a representative of Church Lane.

I recommend that suggested condition 8 be amended and an additional Note be included as below.

Condition 8:

*Construction Management Plan to include details of routing of construction and delivery vehicles to / from site and measures to ensure compliance, and evidence of a co-ordinated approach with adjacent development sites. To be subject to consultation with KCCH&T, Ward Members and a representative from Church Lane.*

Notes

*The details pursuant to condition 8 (Construction Management Plan) shall include, but not be limited to:*

*Banksmen at RR/CL junction on 3rd party land or within the highway;  
Temporary highways signage both near to and at the RR/CL junction for the duration of any works clearly identifying no access for construction vehicles / construction-related traffic*

*A requirement on the applicant to confirm in the Plan that all contractors / sub-contractors will be informed that access from RR/CL will not be acceptable  
Commitment to pre-construction commencement roll-out of information to contractors / sub-contractors showing the agreed access routes to and from the sites on CL via the A20 only*

*Development and use of apps that override standard Google Maps information as a way for contractors to find site via the A20*

*Potential temporary physical measures to the CL site access points so as to restrict the ability to enter into construction sites other than from travelling southwards along CL having turned into CL from the A20.*



*The applicant is invited to enter into informal discussions prior to the submission of the CMP to the Council.*

- (f) 21/1890/AS - Garages south west of 1, Harper Road, Ashford, Kent –** Erection of 3 dwellings including associated parking and landscaping and the demolition of existing garages.

Three further letters of objection received since the report was published however, no new concerns have been raised. I have nothing further to add.

- (g) PA/2023/0218 - 15 Warwick Road, Kennington, Ashford, Kent, TN24 9EH –** Proposed conversion of a 3-bedroomed house to No.2 self-contained 1-bedroomed flats

Natural England have now submitted their comments dated 27.6.2023. The comments make reference to the fact that without appropriate mitigation the development would have an adverse effect on the designated sites and would damage or destroy the interest features for which Stodmarsh Site of Special Scientific Interest (SSSI) has been notified. Therefore, in order to mitigate these effects and make the development acceptable in drainage terms, they consider that a reduced single occupancy condition should be imposed on the permission.

Following this, the Assistant Director of Planning & Development, in his capacity as Competent Authority, has considered the Natural England consultation comments and has signed off the Appropriate Assessment. Therefore subject to the inclusion of the single occupancy condition, the development proposal achieves nutrient neutrality and it is concluded that the development would not result in an adverse effect on the integrity of the Stodmarsh Lakes.

In light of this, the recommendation of the report is now updated to permit subject to the conditions outlined within the main report.

- (h) PA/2023/0714 - Court Wurtin, Beaver Lane, Ashford, Kent, TN23 5NH –** Provision of 1 no. residential/commercial waste and storage compounds; refurbishment of the stairwell to include new roof structure, render, and cladding, provided gated residential area. Proposed works to residential properties 24-30 to include PV panels, rendering, and changes to fenestration

None.

## Updated Table 1 for application 15/00856/AS

**Table 1 - Heads of Terms for Section 106 Agreement/Undertaking**

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

Obligation No.	Planning Obligation Detail	Amounts (s)	Trigger Points (s)
<b>Ashford Borough Council Planning Obligations</b>			
1	<p><b><u>Affordable Housing</u></b></p> <p>Provide not less than 10% of the residential units on site as affordable housing, comprising 40% <u>affordable / social</u> rent and 60% shared ownership.</p> <p>An Affordable Housing Scheme for each phase to be submitted to and approved in writing by the Council prior to the submission of a reserved matters application for the relevant phase.</p> <p>The affordable housing shall be managed by a registered provider of social housing approved by the Council, which has a nomination agreement with the Council.</p> <p>Shared ownership units <u>to</u> be leased in the terms specified.</p> <p>Affordable rented units <u>to</u> be let at no more than 80% market rent and in accordance with the registered provider's nomination agreement.</p>	<p>Not fewer than 10% dwellings in each phase, comprising:</p> <p>40% dwellings for <u>affordable / social</u> rent</p> <p>60% dwellings for shared ownership</p>	<p>An affordable housing scheme for each phase <u>to</u> be submitted to and approved in writing by the Council <u>before</u> commencement of development of the relevant phase</p> <p>Affordable housing <u>to</u> be constructed and transferred to <u>Registered Provider</u> <u>before</u> <u>occupation</u> of 50% of the general market units in each phase] and in accordance with the approved Affordable Housing Scheme</p>
1a	<p><b><u>Financial Viability Review Mechanism</u></b></p> <p>An updated viability appraisal to be submitted with each reserved matters application to determine whether the development can deliver an increased level of affordable housing, up to the policy complaint level of 30%.</p> <p>An updated viability appraisal to be submitted during the course of construction and occupation of <b>each reserved matters parcel</b> (trigger point to be agreed) to determine whether the development can deliver an increased level of affordable housing, up to the policy complaint 30%.</p>	<p>Up to 30% affordable housing provision.</p>	<p>To be delivered on site if the circumstances prevail.</p>
2	<p><b><u>Accessible and Adaptable Dwellings</u></b></p> <p>Amount to be secured in accordance with Policy HOU14:</p> <p>At least 20% [total of 110 dwellings] of all homes shall be built in compliance with building regulations M4(2) as a minimum standard.</p> <p><b>Wheelchair accessible housing [totalling 7.5% of dwellings] built in compliance with building regulations M4(3b) standards shall be provided within the affordable rented element of the scheme.</b></p>	<p>20% M4(2) across the whole site.</p> <p><b>Not fewer than 7.5% M4(3b) of the affordable rented dwellings in each phase</b></p>	<p>All accessible and adaptable homes to be constructed before the occupation of any dwellings.</p>
3	<p><b><u>Allotments</u></b></p> <p>Project detail (on site):</p> <p>To provide the Allotment Facilities on site within Area 3 in accordance with the relevant reserved matters approval.</p>	<p>On site:</p> <p>A minimum of 0.26 hectares. + £66.00 per dwelling for maintenance.</p>	<p>The Allotment Facilities to be provided and transferred to the Stewardship Body before the occupation of 75% of the dwellings in Area 3.</p> <p>The maintenance contribution to be paid to the</p>

	<p>The developer to ensure the Allotment Facilities land is free from contamination, pollution and protected species that would prevent or limit the intended use.</p> <p>The Stewardship Body to appoint an 'Appointed Professional', at the developers cost, to inspect and advise the Stewardship Body as to whether the Allotment Facilities have been satisfactorily completed.</p> <p>The Allotment Facilities to be transferred to the Stewardship Body to manage and maintain.</p> <p>The developer to repair any defects which occur within 12 months of the Allotment Facilities being transferred to the Stewardship Body</p>	<p>Indexation: BCIS General Building Cost index 2012</p>	<p>Council before the occupation of 75% of the dwellings in Area 3 (or upon completion of the allotment facilities, if earlier).</p> <p>The Council to transfer the maintenance contribution to the Stewardship Body.</p>
4	<p><b><u>Amenity Open Space Land</u></b> Project detail:</p> <p>To provide the Amenity Open Space Land in each phase in accordance with the relevant reserved matters approval.</p> <p>The developer to ensure the Amenity Open Space Land is free from contamination, pollution and protected species that would prevent or limit the intended use.</p> <p>The Stewardship Body to appoint an 'Appointed Professional', at the developers cost, to inspect and advise the Stewardship Body as to whether the Amenity Open Space Land has been satisfactorily completed.</p> <p>The Amenity Open Space Land to be transferred to the Stewardship Body to manage.</p> <p>The developer to repair any defects which occur within 12 months of the Amenity Open Space Land being transferred to the Stewardship Body</p>	<p>On site:</p> <p>all those parts of the site comprising verges and all areas (not privately owned) in and around dwellings excluding public open space/play space</p>	<p>The Amenity Open Space Land to be provided and transferred to the Stewardship Body before the occupation of 75% of the dwellings in the relevant phase.</p>

5	<p><b><u>Art and Creative Industries</u></b> Project detail:</p> <p>Contribution towards the provision of public art or the delivery/enhancement of a facility on or off site within the Kingsnorth Parish.</p>	<p>£338.40 per dwelling for capital costs</p> <p>Indexation: BCIS General Building Cost index 2019</p>	<p>Before the occupation of 75% of the dwellings.</p>
6	<p><b><u>Children and Young People's Play Space</u></b> Project detail (on site):</p> <p>To provide the Children's and Young People's Play Space Facilities on site (Policy S4 site) in accordance with the relevant reserved matters approval.</p> <p>The developer to ensure the Children's and Young People's Play Space Facilities land is free from contamination, pollution and protected species that would prevent or limit the intended use.</p> <p>The Stewardship Body to appoint an 'Appointed Professional', at the developers cost, to inspect and advise the Stewardship Body as to whether the Children's and Young People's Play Space Facilities have been satisfactorily completed.</p> <p>The Children's and Young People's Play Space Facilities to be transferred to the Stewardship Body to manage.</p> <p>The developer to repair any defects which occur within 12 months of the Children's and Young People's Play Space Facilities being transferred to the Stewardship Body</p>	<p>On site:</p> <p>a minimum of 0.46 hectares + £663.00 per dwelling for maintenance.</p> <p>Indexation: BCIS General Building Cost index 2012</p> <p>Off site:</p> <p>£649 per dwelling for capital costs £663 per dwelling for maintenance</p>	<p>On site:</p> <p>The play facilities to be provided and transferred to the Stewardship Body before the occupation of 75% of the dwellings in Area (TBC).</p> <p>The maintenance contribution to be paid to the Council before the occupation of 75% of the dwellings in Area (TBC) (or upon completion of the facilities in the relevant phase, if earlier). The Council to transfer the maintenance contribution to the Stewardship Body.</p> <p>Off site:</p>

	<p>Project detail (<b>off site</b>):</p> <p>Contribution towards new play provision (Policy S5 site) within the Parish of Kingsnorth.</p>	<p>Indexation: BCIS General Building Cost index 2012</p>	<p>Payment of the total amount (Capital and Maintenance) to the Council before occupation of 75% of the dwellings in Area 1</p>
7	<p><b>Community Building</b></p> <p>Project detail (<b>off site</b>):</p> <p>Contribution towards an existing facility in the Parish of Kingsnorth</p>	<p>Off site:</p> <p>£1870.83 per dwelling for capital costs</p> <p>£528.33 per dwelling for maintenance</p> <p>Indexation: Indexation applied from the date of resolution to grant permission.</p>	<p>50% of the total amount due will be payable before the occupation of 50% of the dwellings, with the remainder being payable upon occupation of 75% of the dwellings</p>
8	<p><b>Indoor Sports Provision</b></p> <p>Project detail (<b>off site</b>):</p> <p><i>Schemes in the Ashford Urban Area:</i></p> <p>Contribution towards outdoor sports pitch provision at Ashford to be targeted towards quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.</p>	<p>Off site:</p> <p>£83,08 per dwelling for capital costs (3G pitches)</p> <p>£527.32 per dwelling for capital costs (sports hall)</p>	<p>50% of the total amount due will be payable before the occupation of 50% of the dwellings, with the remainder being payable upon occupation of 75% of the dwellings</p>

		<p>(capital only – contributions are derived from the latest Sport England Calculator).</p> <p>Indexation: BCIS General Building Cost index 2019</p>	
9	<p><b>Informal Natural Green Space</b></p> <p>Project detail (<b>on site</b>):</p> <p>To provide the Informal Natural Green Space and habitat buffers in accordance with the relevant reserved matters approval</p> <p>The developer to ensure the Informal Natural Green Space and habitat buffers is free from contamination, pollution and protected species that would prevent or limit the intended use.</p> <p>The Stewardship Body to appoint an 'Appointed Professional', at the developers cost, to inspect and advise the Stewardship Body as to whether the Informal Natural Green Space and habitat buffers has been satisfactorily completed.</p> <p>The Informal Natural Green Space and habitat buffers to be transferred to the Stewardship Body to manage.</p> <p>The developer to repair any defects which occur within 12 months of the Informal Natural Green Space and habitat buffers being transferred to the Stewardship Body</p>	<p>On site:</p> <p>2.65 hectares to be provided on site</p> <p>+ £325.00 per dwelling for maintenance</p> <p>Indexation: BCIS General Building Cost index 2012</p>	<p>The Informal Natural Green Space to be provided and transferred to the <b>Stewardship Body</b> before the occupation of 50% of the dwellings in Area 1, 2, 3 &amp; 4.</p> <p>The maintenance contribution to be paid to the Council before the occupation of 50% of the dwellings in Areas 1, 2, 3 and 4 (or upon completion of the informal natural greenspace and habitat buffers (if earlier). The Council to transfer the maintenance contribution to the Stewardship Body.</p>

10	<p><b><u>Outdoor Sports Provision</u></b></p> <p>Project detail (off site):</p> <p>Contribution towards outdoor sports pitch provision at Ashford to be targeted towards quantitative and qualitative improvements at the 'Hubs' identified in the Local Plan 2030.</p>	<p>Off site:</p> <p>£404.70 per dwelling for capital costs (pitches)</p> <p>£582.47 per dwelling for maintenance (pitches)</p> <p>£570.28 per dwelling for</p> <p>(For capital contributions - calculations are derived from the latest Sports England Calculator)</p> <p>Indexation: BCIS General Building Cost index 2019</p>	<p>Before the occupation of 75% of the dwellings.</p>
11	<p><b><u>Quality Monitoring</u></b></p> <p>Contribution towards monitoring, to ensure that the approach to design quality is delivered on site in accordance with the details approved as part of the planning permission, including any subsequent details approved pursuant to any conditions related to the planning permission.</p>	<p>One off payment of the following:</p> <p>£90.00 per dwelling</p> <p>£45.00 per flat</p>	<p>25% of the total amount due will be payable on commencement of the development, with the remainder being payable before the occupation of 50% of the total number of dwellings.</p>

		<p>Total amount capped at £350,000 in relation to development provided for by any single outline/full planning permission.</p> <p>Indexation: Indexation applied from the date of the resolution to grant permission.</p>	
12	<p><b><u>Self/Custom Build Housing</u></b></p> <p>Amount to be secured in accordance with Policy HOU6:</p> <p>Up to 28 serviced plots for use by custom/self-builders to be made available and marketed.</p> <p>Full details of the serviced custom / self-build plots, a Design Brief and marketing strategy to be submitted to and approved in writing by the Council prior to submission of the first reserved matters application.</p> <p>If, following a marketing period of no less than 12 calendar months, it is demonstrated that there is no interest from a Self-Build / Custom House Builder, the plots can be developed as open market housing.</p>	<p>Up to 28 serviced plots (5% of total dwellings). To be provided across the site.</p>	<p>Each reserved matters application to be accompanied by a Self/Custom Build Housing proposal.</p>
13	<p><b><u>Strategic Parks</u></b></p> <p>Project detail:</p>	<p>£146 per dwelling for capital costs</p>	<p>50% of the total amount due will be payable before the occupation of 50% of the</p>

	Contribution to be targeted towards quantitative and qualitative improvements at the strategic parks within the 'Hubs' identified in the Local Plan 2030.	£47 per dwelling for maintenance Indexation: BCIS General Building Cost index 2012	dwelling, with the remainder being payable upon occupation of 75% of the dwellings
14	<b><u>Voluntary Sector</u></b> Project detail:  Project: off-site provision with the Kingsnorth Parish	£87 per dwelling Indexation: BCIS General Building Cost index 2019	Before the occupation of 75% of the dwellings.

#### **Kent County Council Planning Obligations**

15	<b><u>Adult Social Care</u></b> Project detail:  Specialist Housing Provision in the District, adaptation of community facilities, technology to promote independence, multi-sensory facilities and changing place facilities in the vicinity of the development	£146.88 per dwelling Indexation: BCIS General Building Cost Index from Oct 2016	Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings
16	<b><u>Community Learning</u></b> Project detail:  Contributions towards additional equipment and resources for Adult Education Centres locally	£16.42 per dwelling Indexation: BCIS General Building Cost Index from Oct 2016	Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings
17	<b><u>Education Land for Primary</u></b>	£590.95 per flat	

	Project detail:  Contribution towards the delivery of the new 2FE Primary School at the Court Lodge site (Local Plan Policy S3 site).	£2363.93 per house dwelling £0 for any 1-bed dwelling with less than 56 m <sup>2</sup> gross internal area. Indexation: BCIS General Building Cost Index from Oct 2016	Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings.
18	<b><u>Libraries</u></b> Project detail:  Contribution towards additional Library equipment, stock, services including digital infrastructure, shelving and resources for the new borrowers at Libraries in the Ashford Urban Area	£55.45 per dwelling Indexation: BCIS General Building Cost Index from Oct 2016	Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings.
19	<b><u>Primary Schools</u></b> Project detail:  Contribution towards the delivery of the new 2FE Primary School at the Court Lodge site (Local Plan Policy S3 site).	Per Flat £1134.00 (New Build) Per House Dwelling £4535.00 (New Build) £0 for any 1-bed dwelling with less than 56 m <sup>2</sup> gross internal area.	Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings

		Indexation: BCIS General Building Cost Index from Oct 2016	
20	<p><b><u>Public Rights of Way (PROW)</u></b> Project detail:</p> <p>Project 'A' Financial contribution towards creation of a cycle link to Church Hill</p> <p>Project 'B' Financial contribution towards surfacing bridleway AW384, AW385 and AW207 which forms higher rights connectivity East to West across Kingsnorth. .</p> <p><b>Permit KCC and its staff and contractors upon request to have access to site and reasonable facilities for prospecting preparing carrying out and maintaining the works"</b></p>	<p>Project 'A' £26,000.00 total financial contribution</p> <p>Project 'B' £10,000 total financial contribution</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Project 'A' The total amount payable before the occupation of 100 dwellings</p> <p>Project 'B' The total amount payable before the occupation of 200 dwellings.</p>
21	<p><b><u>Secondary Schools</u></b> Project detail:</p> <p>Contribution towards new school provision at the Chilmington Green Secondary school or alternative new provision in the planning group</p>	<p>Per Flat £1172.00 (New Build)</p> <p>Per House Dwelling £4687.00 (New Build)</p> <p>£0 for any 1-bed dwelling with less than 56 m<sup>2</sup> gross internal area.</p>	<p>Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings</p>

		Indexation: BCIS General Building Cost Index from Oct 2016	
22	<p><b><u>Travel Plan Monitoring Fee</u></b> Project details:</p> <p>Contribution towards the cost of monitoring compliance with the Travel Plan.</p>	<p>£1000 per annum <del>for a period of 5 years post completion of the development</del> from commencement until 5 years after completion of the development.</p> <p>Indexation: Indexation applied from the date of the resolution to grant permission.</p>	<p>First payment before the first occupation of the development and on the anniversary thereof in subsequent years.</p>
23	<p><b><u>Youth Services</u></b> Project detail:</p> <p>Contribution towards additional resources for the Ashford Youth Service to enable outreach work in the vicinity of the development</p>	<p>£65.50 per dwelling</p> <p>Indexation: BCIS General Building Cost Index from Oct 2016</p>	<p>Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings.</p>
<b>Other Obligations</b>			
24	<b><u>Health Care (NHS)</u></b>		

	Project detail:  To develop capacity within the Ashford Stour Primary Care Network (PCN) either via new development, extension of current sites or land for new building	£769.10 per dwelling.  Indexation: Indexation applied from the date of the resolution to grant permission.	Half the contribution before the occupation of 25% of the dwellings and balance before the occupation of 50% of the dwellings.
25	<b><u>Strategic Highways</u></b>  <b>Project 'A'</b> Junction 10A* - Financial contribution towards construction of junction 10A of the M20  And  Road network improvements comprising:  <b>'Project 'B'</b> The 'Flanders' Roundabout (A2042 Avenue Jacques Fauchaux, A2042 Bad Munstereifel Road, Malcolm Sargent Road junction) - Financial contribution towards junction capacity improvements.	<b>Project 'A'</b> £191,791.60  Indexation: ROADcon date TBC  And  <b>Project 'B'</b> £1,871,229.00  Indexation: BCIS General Building Cost Index from October 2016	50% on commencement of construction, 25% before the occupation of ½ of the dwellings and 25% before the occupation of ¾ of the dwellings.
26	<b><u>Sustainable Travel</u></b>  A financial contribution towards improvements to bus services between the site and Ashford Town Centre  <b>Permit bus services procured by KCC to have access to unadopted roads onsite where reasonably required by KCC</b>	£400,000.00 Indexation: BCIS General Building Cost Index from October 2016.	£120,000 in year 1  £100,000.00 in year 2  £80,000.00 in year 3  £60,000.00 in year 4

			£40,000.00 in year 5
27	<b><u>Stodmarsh Mitigation - SuDS</u></b>  If the Inspector, as the competent authority, is satisfied that there is no adverse effect on the integrity of the designated sites, the Council requests that the mitigation measures necessary to achieve that outcome are robustly and fully secured. The following heads of terms are suggested <b>subject to any amendments advised by AECOM or Natural England.</b>  To provide SuDS on-site that will satisfy the objectives and requirements of the Appropriate Assessment in order to secure nitrogen and phosphorous neutrality for the Development and result in an absence of significant effects of the Development upon the integrity of the Stodmarsh Designated Sites taking account of the Natural England Nutrient Neutrality Guidance.  To submit to the LPA for approval in writing the detailed design of the SuDS, including a monitoring, management and maintenance scheme (SuDS Proposal) to include funding mechanism.  The developer to appoint an 'Appointed Professional', at the developers cost, to inspect and advise the Council as to whether the SuDS have been satisfactorily completed  The SuDS to be transferred to an approved body to monitor, manage and maintain in accordance with the SuDS Proposal, as long as the development remains in use.		To submit to <b>and be approved in writing by the LPA</b> the SuDS Proposal <del>to the Council for approval</del> before the commencement of development.  To complete <b>and transfer to the approved body</b> the SuDS on site before the occupation of any dwelling.  The SuDS to be monitored, managed and maintained in accordance with the SuDS Proposal, as long as the development remains in use.
28	<b><u>Stodmarsh Mitigation – Waste Water Treatment Works</u></b>	The WwTW to be delivered on site in	To obtain the relevant environmental permits from



	<p>If the Inspector, as the competent authority, is satisfied that there is no adverse effect on the integrity of the designated sites, the Council requests that the mitigation measures necessary to achieve that outcome are robustly and fully secured. The following heads of terms are suggested <b>subject to any amendments advised by AECOM or Natural England.</b></p> <p>To provide a waste water treatment works (WwTW) on site that will satisfy the objectives and requirements of the Appropriate Assessment in order to secure nutrient neutrality for the Development and result in an absence of significant effects of the Development upon the integrity of the Stodmarsh Designated Sites taking account of the Natural England Nutrient Neutrality Guidance.</p> <p>To obtain the relevant environmental permits from the Environment Agency to allow the discharge of treated waste water from the on-site WwTW within the Whitewater Dyke water body prior to commencement development</p> <p>To transfer the WwTW to an appropriately regulated waste water operator who will manage and maintain the WwTW in perpetuity.</p>	accordance with the reserved matters approval	<p>the Environment Agency before the commencement of development.</p> <p>To complete <b>and transfer to the approved body</b> and bring into operation the WwTW on site before the occupation of any dwelling (or temporary arrangements to bridge the gap are in place before the occupation of the first dwelling whilst the WWTW is coming on-line, the temporary arrangements to be agreed with the LPA before the commencement of the development).</p>
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<b>Site Specific Obligations</b>			
29	<p><b><u>Archaeology</u></b></p> <p>Financial contribution to provide heritage interpretation measures and funding for a part time community archaeologist for two years</p>	<p>£60,000 for heritage interpretation measures</p> <p>£40,000 for a part time community archaeologist</p>	The triggers for the payments to be agreed with KCC.
30	<p><b><u>Closure of Bond Lane</u></b></p>	Bond Lane to be closed in the location shown on	Section 278 agreement to be completed before the

	Bond Lane to be closed in accordance with the Transport Assessment via a S278 Highway Agreement with Kent County Council	plan (to be provided)	<p>grant of the first reserved matters)</p> <p>Timing of the road closure to be agreed with KCC</p>
31	<p><b><u>Link between Kingsnorth Green and Court Lodge sites</u></b></p> <p>To safeguard land 'without ransom strips' and facilitate the delivery of (if agreement is reached with neighbouring land owner(s) vehicle /cycle/pedestrian links between the application site and neighbouring allocated development sites - Local Plan Policy S3 area (Court Lodge) and Local Plan Policy S5 Area (Land South of Pound Lane) to ensure the land is not used for any other purpose</p> <p>To safeguard land 'without ransom strips' and facilitate the delivery of (if agreement is reached with neighbouring land owner(s) vehicle /cycle/pedestrian links between the application site and neighbouring allocated development sites - Local Plan Policy S3 area (Court Lodge) and Local Plan Policy S4 Area (Land North of Steeds Lane and Magpie Hall Road) to ensure the land is not used for any other purpose</p> <p>To enter into S.278 Agreements and construct the links on the application site, and to open them in conjunction with the opening of the connecting links on the adjoining sites.</p>	In accordance with reserved matters approvals	<p>The reserved matters application for Areas 1 &amp; 2 shall identify land and provide a detailed design for safeguarding, up to the site's boundary, and the delivery of a vehicle / cycle / pedestrian connection to Local Plan Policy S3 area</p> <p>The site to be laid out in accordance with the relevant reserved matters approval upon occupation of 75% of the dwellings in Areas 1 &amp; 2 and to be maintained as such for as long as the development exists</p>
32	<p><b><u>Community Stewardship Body</u></b></p> <p>A Community Stewardship model of governance to be established to manage and maintain the Allotments; Amenity Open Space Land; Children's and Young People's Play Space; and Informal Natural Green Space. To be taken forward by either:</p> <p>Option 'A' : the Chilmington CMO, or</p>	If Option A is taken forward then a Start-up contribution to be paid to the Council and transferred to the CMO - amount	Prior to submission of the first reserved matters, a decision to be agreed between the Council, developer and CMO as to whether to proceed with Option 'A' or Option 'B'.

<b>Monitoring</b>			
33	<p><b>Monitoring Fee</b> Contribution towards the Council's costs of monitoring and reporting.</p>	<p>£500 per annum until development is completed</p> <p>Indexation: Indexation applied from the date of the resolution to grant permission.</p>	<p>First payment before the commencement of development and on the anniversary thereof in subsequent years.</p>

Notices must be given to the Council at various stages in order to aid monitoring. All contributions are index linked in order to maintain their value. The Council's and Kent County Council's legal costs in connection with the deed must be paid.

**PLEASE NOTE:**

- Depending upon the time it takes to complete an acceptable deed the amounts specified above may be subject to change