

Application Number	18/00262/AS	
Location	Land between Ransley Oast and Greenside, Ashford Road, High Halden, Kent	
Grid Reference	90255/39125	
Parish Council	High Halden	
Ward	Weald Central	
Application Description	Proposed construction of 43 residential dwellings and associated garages / parking including construction of proposed access road and other associated works.	
Applicant	Cala Homes (South Home Counties) Ltd	
Site Area	2.32 hectares	
(a) 74/10R, 4S	(b) High Halden - S	(c) KHS - X, KCC SuDS - X, SWS – X, KCCE – X, PROW – X, KCCDC – X, KAS - X, Housing – X, EH – X, ES – X, BTOD – X, CSCF – X, NHS – X, POL – X, KWT – X, WKPS – R, RA - 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 broadly pentagon shaped site is located to the north east of the village edge of High Halden, and is relatively flat with a natural dip in the land a third of the way from the boundary with properties in Greenside. The site is currently laid out as a large, grassed field, formerly in agricultural use, with two pockets of vegetation and trees around two ponds. The eastern and southern boundaries adjoin the rear gardens of terraced housing in Greenside. The northern boundary

adjoins Ashford Road (A28) with a well maintained mixed native hedgerow along the extent of this boundary. The eastern boundary is largely defined by trees and woodland with the north eastern corner defined by the garden frontage planting associated with the Ransley Oast House and Ransley Farm.

3. The site has a linear road frontage to Ashford Road, the land on the opposite side of the road comprises medium to large scale agricultural fields over a rolling topography. The fields are bound by hedgerows, with some mature hedgerow trees. There are small woodland clumps and small hamlets throughout.
4. The site is bound to the south and west by the rear gardens of the properties along Greenside and Maple Cottages. Further south are more residential dwellings, as well as the Grade I listed building, St Mary the Virgin church forming the eastern fringes of High Halden. Beyond this is an undulating agricultural landscape before the landscape rises in the distance with large areas of woodland forming the skyline from the landscape top the north.
5. The site is urban fringe in feel, overlooked from all four boundaries with traffic noise from Ashford Road felt through the landscape.
6. There are other PROW routes within the vicinity of the site such as AT137A, AT140, AT140A, AT155, AT157 and AT249.
7. The eastern edge of the High Halden Conservation Area is located approximately 40m west from the site. There are Grade II listed buildings to the west along Ashford Road and Church Hill and south around the church.
8. The site is located within the Biddenden and High Halden Farmlands, flood zone 1 and is not subject to any other landscape or environmental designations. PROW AT154 is along the eastern boundary of the site, and links to the wider footpath network including continuing north after crossing Ashford Road and south to the church and village. There is no established recreational activity associated with the site.
9. A site plan is attached as Annex 1 to this report.



Figure 1: Aerial site Location Plan

Proposal

10. Full planning permission is sought for the erection of 43 dwellings (including 40% affordable housing). The drainage system would use swales that follow the contours of the site, these would form the framework for the access roads and there would be one shared access onto Ashford Road. There would be five character areas responding to the man-made and physical context in that location. The buildings would be predominantly two storeys. The external materials would use red facing brickwork, feature timber cladding in white and stained black and red/brown roof tiles. There would be three landscaping areas with open spaces, native planting, wetland species around the ponds, structural planting for focus points and front gardens to dwellings.
11. Connectivity would be created along the PROW to the village and trees and landscape features on and adjacent to the site would be retained. The dwellings would be staggered in irregular shaped plots with road frontages.



Figure 2: Proposed site layout

12. Housing mix and tenure:

	Market	Affordable	Total
1 Bed Apartments	0	4	4
1 Bed Bungalow	2	0	2
2 Bed House	7	7	14
3 Bed House	11	6	17
4 Bed House	6	0	6
Totals	26	17	43

13. The affordable units would be distributed throughout the site and would not be distinguishable from the open market dwellings.

14. Car parking would comprise:

	Total
Allocated carport	36
Allocated open space	46
Allocated tandem space	6
Visitor parking	24
Total	112

15. Parking would be mainly to the side of dwellings in car ports with spaces in front and some spaces to the rear of buildings. Visitor spaces would be available along the access roads and in the cul-de-sacs formed.
16. An additional 0.7 hectares to the south east in an adjoining field would be used for ecological mitigation and the drainage scheme.
17. During the course of the application the following amendments were submitted:

March 2018- Site layout amended (P01A) in response to Kent County Council consultation:

- Additional parking provided closer to front doors
- Additional unallocated spaces provided, parking plan (P32) issued
- Provision for cycle storage provided
- Public footpath widened to 2m wide
- Landscaping removed from proximity to PRow.

May 2018 - Site layout amended (P01B) to relocate foul drainage pumping station from north east to south east corner of the site.

June 2018 - Site layout amended (P01C) in line with amendments made to plans and elevations to reinforce 'five character' areas. Plans and elevations amended to show variations in design, and amended Design and Access Statement issued with addendum describing in more detail the character areas.

June 2018 - Site layout amended (P01D) altering the orientation of plot 1 in response to objections raised by adjoining property owner.

18. In support of the application, a number of documents have been submitted which set out the applicant's position and have been summarised below:-

Heritage Assessment:

- The proposed development scheme would have no effect on the setting or significance of the High Halden Conservation Area or the listed buildings within it. The site lies around a sharp bend in the road from the Conservation Area and is also separated from it by modern housing around the periphery of the field to the west and south. There is therefore no clear visual, spatial or physical connection between the site and the Conservation Area. There would therefore be no harm to the significance or setting of the Conservation Area and its listed buildings. Paragraphs 194-197 of the NPPF would not be engaged.
- Ransley Farm oast house, which is of late 18th or early 19th century date lies in a detached location on the eastern outskirts of the village. It is not a listed building, and although in good condition externally, has been converted to residential use, which has heavily compromised its original architectural and historical character. The adjacent proposed development scheme would therefore not have any effect on what little heritage interest remains in the oast house.

Transport Assessment

- The Application Site is well located to local facilities and to public transport (bus) and can therefore be regarded as being accessible. There is scope for many trips to be made by foot, cycle and public transport. On-site parking can be provided in accordance with the Ashford Borough Council's parking standards.
- The potential vehicular trip generation by the development has been determined by reference to the TRICS database. Operational capacity testing of the proposed site access has confirmed that a simple priority junction will be appropriate.
- The impact of the development's peak hour traffic generation has been shown to be 1.9% or less on the adjacent highway network. This is considerably lower than typical daily variations of +/- 10% and can therefore be regarded as negligible.

Flood Risk Assessment

- The Government Flood Maps indicate that the site is located within Flood Zone 1, and therefore at a low risk of fluvial flooding.
- Flood mapping indicates that the majority of the site is at very low risk from surface water flooding, while a small area the south east corner is at low to medium risk which will be mitigated through raised Finished Floor Levels.
- Surface water run-off will be discharged to a watercourse adjacent to the site, restricted and attenuated in a manner that will reproduce the existing system, complying with the NTS and LLFA requirements.

- The proposed SuDS Management Train has been designed to convey, treat and attenuate the runoff from the development. Attenuation and treatment will be provided in the form of a detention basin, permeable paving and swales.

Noise Survey

- An environmental noise survey has been undertaken in order to establish the currently prevailing noise levels. A noise assessment has been undertaken to assess the site in accordance with current planning guidance.
- Typical worst case incident traffic noise levels have been identified for each façade. Advice for acoustic mitigation has been provided.

Archaeological Survey

- There are no known heritage assets within the proposal site or in position to be affected by its development. In addition to a small number of undated features, the study area revealed evidence for only medieval, post-medieval and modern activity, mainly in the form of listed buildings. As with much of the Weald, it remains uncertain if the lack of archaeological evidence reflects a genuine absence of past activity or the relatively low incidence of archaeological investigation in the area. The majority of the proposal site was never developed and was used agriculturally throughout the post-medieval period. Such usage would not have caused any significant ground disturbance below the topsoil level and any below-ground archaeological features and finds, should they have been present, would have survived relatively intact.
- Further information from field observation may be required to establish the archaeological potential of the proposal site. This could be achieved by an appropriately worded condition to any consent gained..

Geo-environmental desk study

- Generally, the vast majority of the site is unlikely to be uncontaminated, however, there is the potential for some localised near surface contamination within the footprint of the former site building, as well as the potential for the migration of soil gases from the off-site potentially infilled pond and cross contamination from the former farm yard.

Ecology

- The Phase 1 habitat survey identified the hedgerows and the ponds as the most important habitat features on site and recommendations are made concerning the retention and enhancement of these.

- Protected species surveys were carried out and confirmed the presence on site of great crested newts, slow worms, grass snakes, and low numbers of common bat species.
- Recommendations are made for the protected species named above as well as hedgehogs and nesting birds;
- Habitat recommendations include the preservation and enhancement of the existing ponds on site, and the enhancement of an offsite land parcel including creation of a new pond, and management of an existing pond with confirmed great crested newt presence.

Design & Access Statement

- Open character along PROW. This would have large areas of grassland and informal tree planting, with occasional larger tree species such as Oak. Native hedgerows will be planted along the boundaries to form a transition to the adjacent existing rural character. A variety of bollards, walls and hedges to properties fronting the public right of way will form the definition between public and private realm.
- Road frontage to the North would be an open character to reflect High Halden village green. Informal tree planting allowing vistas through to Oast House, emphasising its local importance. Bollards similar to others used in High Halden help to define the space and maintain an open character. The existing pond would be retained and improved to form a feature of this village green area.
- The native open space to the west and southern edges, utilising medium sized native trees and shrubs to form ecological corridor, providing ecological connectivity through site, whilst providing a visual barrier to adjacent existing residential species to include hornbeam, hawthorn, birch and field maple. The existing silted up pond would be dredged, so that it once again becomes an ecological feature.
- Swale features are located along lower topography, running through the middle of the site, linking with the existing site ponds and offsite drainage feature. These would be planted up with waterside planting species such as Birch and reed beds to enhance a riparian character in the heart of the site.
- Housing character 1 to the north west fronting public open space. Occasionally formal landscape structure, to reflect similar formal gardens associated with larger houses in High Halden. Simple open front gardens and planting immediately adjacent properties to create an open character.
- Housing character 2 - smaller units in a denser formation located centrally within the site with cottage garden style landscape frontage. Planting to be more ornamental and 'Cottage Garden' in style.

- Housing character 3 - larger units, to the north east. This area again would attempt to replicate the large variety of garden treatments in High Halden with varied landscape treatments including formal hedges, informal shrubs, low walls and picket fences.

Landscape

- The site does not fall within any statutory designations. The site falls within the national character area 121 – Low Wealds, as defined by Natural England. The site also falls within area 13: Biddenden and High Halden Farmlands, as defined within the Ashford Landscape Character Assessment which is an Ashford Borough Council SPD.
- With regard to the dominance within the landscape of the Ashford Road transport corridor, the urban edge of High Halden the proximity and location of the Oast House and pattern of the agricultural landscape, the assessment of local character areas, on the whole are assessed as having medium sensitivity to this form of development.

Statement of community involvement

- The applicant engaged in a pre-application request with the Council in June 2017.
- Design Review by Design South East was held on 06.11.2017. The Panel's comments are attached as Annex 2 to the report.
- The applicant attended a High Halden Parish Council on 12.09.2017. A presentation was given to local residents and questions answered.
- A public consultation prior to the submission of the application comprising a posters, press advert and leaflet drop, and secondly, a link on the Cala Homes website. This commenced in November 2017.
- A second Design Review was held on 26.02.2018 The Panel's comments are attached as Annex 2 to the report.

Planning History

39. There is no planning history for this site.
40. Application 17/00952/AS has been granted for planning permission for up to 28 dwellings on land to the east of Hope House on Ashford Road. The site is a proposed allocation (S33) in the submission version of the Local Plan to 2030.
41. The application site was a site submission in 2007 and 2016 for the Ashford Local Plan, it is in the Strategic Housing and Employment Land Availability Assessment (SHELAA) 2017/18 as available and achievable, so will remain in

the survey as suitable for development in over 16 years, it is an omission site as it was not taken forward as a site allocation.

Consultations

The comments of the Design Panel are attached as Annex 2. I summarise below the key themes below from the review on 06.11.2017:-

- take cues from distinctive local characteristics such as the 'village of front gardens' and how relatively tightly packed houses surround an open public space on the village green.
- topography, public footpath, neighbouring oast house and long distance views should directly impact any proposals, informing how streets and public spaces are laid out and drained
- little hierarchy across the site and public space with a clear function
- opportunities to improve connections in the village and reduce the speed of traffic on Ashford Road
- respond to the oast house with a cluster of buildings that relate more directly to this building could form a specific character zone
- retention and enhancement of the existing ponds on the site is positive, need to be better integrated and allowing enough space for this area to be used as a recreational area
- creating viable access and visibility splays will have an impact on character of the A28
- analysis of local demand should be conducted to see if this development may be likely to attract which specific demographics
- different types of housing provision and how these relate to varying site conditions, for example, a cluster of housing more inspired by farmstead buildings could be proposed in the north of the site addressing the Oast House, while in the south, a more densely laid out cottage typology could be developed.
- distribute parking more throughout the site such as parking barns, semi-detached housing with parking between plots, and provision of parking at the edges of the site
- contextual tree species and planting layouts

The comments of the second Design Panel are attached as Annex 2. I summarise below the key themes below from the review on 26.02.2018:-

- improves the relationship between the site and Ashford Road
- the intention to create a village aesthetic is undermined by the uniform detailing
- layout makes better use of the sites contours and improves the general disposition of buildings on the site
- variation in density adds character and the improved landscape approach
- overly informed by the placement of the streets
- different areas being created through design at all scales with variation in building typology, materials and detailing
- consistent approach to materials and roof design
- canopies over front doors could be replaced by more useful side-panels

Ward Members: The ward councillors are not members of the planning committee.

High Halden Parish Council: in support and have made the following comments:

- reduce highway safety risks

[HDM&SS comment: no objections from KCC Highways and Transportation and the proposed controlled crossing would be secured by a S278 agreement]
- maintain the affordable housing provision

[HDM&SS comment: a legal agreement under a S106 planning obligation would be required]
- maintenance of open space

[HDM&SS comment: this can be managed by condition and financed by service charges]

They have requested planning contributions towards a new allotment, tennis courts, pond, tree planting and play equipment.

Kent Highways and Transportation: initially made the following comments and requested the following additional information:

- The traffic increase of between 1.5% and 1.9% in typical daily vehicle flows on the A28, which would not be a perceivable increase in traffic movements

- long refuse vehicle can safely enter and exit the site in a forward gear
- moving parking closer to entrances and relocating spaces to reduce obstructive parking
- increase visitor spaces due to tandem parking arrangements
- increase cycle parking provision
- meeting highway adoption standards

[HDM&SS comment: the roads would not be adopted, so the applicant can provide an alternative scheme]

Re-consultation: no objection following the submission of additional information and plans submitted, subject to conditions for parking, turning facilities, construction management plan, access, the pedestrian crossing improvements on Ashford Road can be achieved subject to further details at the detailed design stage.

KCC Flood & Water Management: holding objection and make the following comments:

- drainage system modelled using FeH rainfall data in any appropriate modelling or simulation software

Re-consultation: no objection, subject to conditions for a detailed drainage scheme, its implementation and maintenance and verification report, and have made the following comments:

- calculations using FeH rainfall data demonstrates that the proposed drainage design is acceptable
- apply for formal Land Drainage Consent for any outfall from the attenuation basin to the ditch
- detailed design to have further details cut-off ditches

Southern Water: no objection, subject to conditions for foul and surface water disposal, and have made the following comments:

- would increase flows into the wastewater sewerage system and as a result increase the risk of flooding in and around the existing area
- additional local infrastructure required

- long term maintenance of the SUDS facilities
- arrangements for adoption by any public authority or statutory undertaker
- adequacy of the proposals to discharge surface water to the local watercourse

KCC's Ecological Advice Service: initially made the following comments and requested the following additional information:

- good understanding of the bat, amphibian and reptile interest of the site, provided the applicants all of the open space areas can be managed appropriately for the life time of the development
- limited information has been submitted on the suitability of the site to be used by breeding birds and ground nesting birds due to the loss of the grassland field
- the ecology area (to the south of the proposed development site) is outside of the applicant's ownership and not proposed to be included within the control of the management company

[HDM&SS comment: the redline includes the ecology area and notice has been lawfully carried out so conditions for the management of this are appropriate]

Re-consultation: no objection, subject to conditions for an ecology mitigation strategy, Landscape and Ecological Mitigation Plan (LEMP), lighting and ecological enhancements and have made the following comments:

- a breeding bird survey has been carried out and no ground nesting birds were recorded

KCC Public Rights of Way and Access Service: no objection, subject to a condition for the upgrading of the surfacing to the existing public footpath and planning contribution for upgrade a number of footpath sleeper bridges in the Parish, and have made the following comments:

- 2 meters be provided for the full length within the development for public footpath AT154 which runs through the site
- increased use addressed through surface improvement of the footpath

KCC Developer Contributions: no objection subject to planning obligations for primary and secondary schools and libraries.

KCC Archaeology: no objection subject to conditions for a field evaluation and further archaeological investigation as required, and have made the following comments:

- lies in an area of potential association with post medieval and modern archaeology including possible WWII features

Housing: no objection and has made the following comments about the requirements:

- the proposed split re social rent and shared ownership properties would be acceptable
- expect the properties to meet the Nationally Prescribed Space Standards. In the case of the 2-bed properties we would expect four bed spaces to be provided and in the case of the 3-bed properties we would expect five bed spaces to be provided
- the affordable housing composition should be integrated into the development to ensure a balanced tenure, neutral mix on the development rather than being positioned as a cluster of properties on the development.

Environmental Health: no objection, subject to conditions in relation to a scheme to protect the dwellings from the road noise, electric charging points, hours of construction, lighting and noise, air quality, dust and noise mitigation during construction and have made the following comments:

- all properties and private amenity spaces are at least approximately 20m from the road
- no mention of potential noise and mitigation from a pump station and substation

Environmental and Contracts (Street Scene & Open Spaces Officer): no objection, no refuse collections can take place until a signed indemnity is in place for all unadopted roads and the scheme should comply with the Council's 'Recycling and Waste Collection Policy'. The design of this development does not allow waste collection at a front of property. Special assistance collections are also limited to a maximum pull distance of 25m hence why individual properties should be no more than 25m from where the RCV can pass. On these plans total pull distance from front of property to where the RCV can pass is anything up to 55m. This would not be acceptable.

Project Delivery Engineer (Drainage): no objection and previous comments by KCC SuDS have been noted and the latest set of calculations appear to take full consideration of the requirements to test / model designs under FEH (Or 26.25mm under FSR). Suggest conditions for a full sustainable drainage strategy is required,

Culture and the Environment (Open Space): no objections request a planning obligation for improving river access at Victoria Park and have made the following comments:

NHS Canterbury and Coastal and NHS Ashford Clinical Commissioning Groups: no objection, subject to a planning obligation for a contribution to extensions to Ivy Court GP surgery in Tenterden.

Kent Police: no objection and the design helps create an accessible and safe environment while minimising crime and disorder and fear of crime.

Kent Wildlife Trust: no objection and support the comments of KCC Ecology and their suggested conditions.

Weald of Kent Protection Society: in support and have made the following comments:

- the site is suitable, effectively an infill between the Greenside housing and the Ransley Oast
- while it is not an allocated site, the Borough Council has indicated its interest in including it as such in the consultation stage of the draft Local Plan
- good design and layout
- delivery of 40% affordable housing in good mix
- well-thought out road and crossing proposals with good sight-lines

Ramblers' Association, Kent Area: no objection and make the following comments:

- no apparent adverse effect on PROW AT154. The developer is to be commended in recognising the local usefulness of the footpath and proposing to improve it
- improvements to the drainage at the kissing gate junction with road A28

[HDM&SS comment: the improvements in the surfacing would lead to enhanced drainage]

Neighbours: Neighbours: 74 neighbours were consulted. 10 representations to object were received.

The objections are summarised below:

- inadequate public infrastructure
- need supporting community facilities and employment sites
- inadequate car parking
- overdevelopment
- detailed plans of controlled pedestrian crossing

[HDM&SS comment: this would be required at the detailed design stage for the S278 agreement]

- increase traffic congestion
- risk to highway safety due to inadequate visibility splays and speeds

[HDM&SS comment: KCC Highways and Transportation are satisfied that the requirements can be met]

- no need for development
- surface water flooding
- noise from water pumping station enclosure / sewage pump station
- overlooking from plot 1

[HDM&SS comment: house has been re-orientated]

- alternative scheme preferred i.e. local needs housing, alternative design and layout
- light pollution
- planning obligation for additional parking for Greenside

[HDM&SS comment: the Council can only consider the scheme before it and not to resolve pre-existing matters]

- pedestrian crossing is not necessary
- harm to the character of the area
- loss of greenfield land

- loss of agricultural land
- lack of public consultation
- harm to non-designated heritage asset at Ransley Oast and The Barn
- landscaping would block access to PROW
- loss of hedging
- loss of a private view

[HDM&SS comment: not a material consideration]

- property devaluation

[HDM&SS comment: not a material consideration]

- alternative tree planting

4 representations in support were received.

The comments are summarised below:

- sustainable location
- complements the character of the area
- enable a village centre
- provision of bungalows
- affordable housing
- good housing mix
- no harm to ecology
- improve highway safety
- appropriate scale for village

Planning Policy

40. 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 completed its examination hearing sessions and the Council has received post-hearings advice from the Local Plan Inspectors; as a result, such its policies should now be afforded weight in accordance with para. 48 of the NPPF:-

Ashford Borough Local Plan 2000

GP12 - Protecting the countryside and Managing change

EN9 - Setting and entrances of towns and villages

EN10 - Development on the edge of existing settlement

EN12 - Private areas of open space

EN23 – Sites of Archaeological importance

EN27 - Landscape conservation

EN31 - Important habitats

EN32 – Important trees and woodland

HG3 - Design in villages

LE5 – Equipped public open space.

LE6 – Off-site provision of public open space.

LE7 – Play facilities.

LE9 – Maintenance of open space.

CF6 – Standard of construction of sewerage systems.

CF7 – Main drainage in villages.

CF21 – School requirements

Local Development Framework Core Strategy 2008

CS1- Guiding principles

CS2 - The Borough Wide Strategy

CS6 - The rural settlement hierarchy

CS8 - Infrastructure Contributions

CS9 - Design quality

CS11 - Biodiversity and Geological Conservation

CS12 – Affordable Housing

CS13 - Range of dwelling types and sizes

CS15 – Transport

CS18 - Meeting the Community's Needs

CS20 - Sustainable Drainage

Tenterden & Rural Sites DPD 2010

TRS1 - Minor residential development or infilling

TRS2 - New residential development elsewhere

TRS17 - Landscape character and design

TRS18 – Important rural features

TRS19 - Infrastructure provision to serve the needs of new developments

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

Supplementary Planning Guidance/Documents

Residential Parking and Design Guidance SPD 2010

Sustainable Drainage SPD 2010

Landscape Character SPD 2011

Residential Space and Layout SPD 2011

Dark Skies SPD 2014

Other Guidance

Informal Design Guidance Notes 1- 4 2015

Government Advice

National Planning Policy Framework 2018

Planning Policy Guidance

Technical housing standards – nationally described space standard

41. Members should note that the determination must be made in accordance with the statutory Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF effectively provides that less weight should be given to the policies above if they are inconsistent with the NPPF (para. 213). The following sections of the NPPF are relevant to this application.

Relevant sections:

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 5 – delivering a sufficient supply of homes
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 - Conserving and enhancing the natural environment
- Chapter 16 - Conserving and enhancing the historic environment

The Submission Local Plan is a material consideration and the emerging policies should be attached some weight in decision-making.

Ashford Local Plan 2030 (submission version December 2017)

SP1 - Strategic Objectives

SP2 - The Strategic Approach to Housing Delivery

SP6 - Promoting High Quality Design

SP7 - Separation of Settlements

HOU1 – Affordable Housing

HOU3a – Residential Development in the rural settlements

HOU5 - Residential windfall development in the countryside

HOU12 - Residential space standards internal

HOU13 - Homes suitable for family occupation

HOU14 - Accessibility standards

HOU15 - Private external open space

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

EMP6 – Promotion of Fibre to the Premises (FTTP)

TRA3a - Parking Standards for Residential Development

TRA5 - Planning for Pedestrians

TRA6 - Provision for Cycling

TRA7 - The Road Network and Development

ENV1 - Biodiversity

ENV3a - Landscape Character and Design

ENV4 - Light pollution and promoting dark skies

ENV5 - Protecting important rural features

ENV7 – Water Efficiency

ENV8 - Water Quality, Supply and Treatment

ENV9 - Sustainable Drainage

ENV13 - Conservation and Enhancement of Heritage Assets

ENV15 – Archaeology

COM1 - Meeting the Community's Needs

COM2 – Recreation, Sport, Play and Open Spaces

Assessment

42. The main issues for consideration are:

- (a) Five year housing land supply
- (b) Background
- (c) The principle of the development
- (d) Landscape character and visual impact
- (e) Heritage and impact upon heritage assets
- (f) Transport and highway safety
- (g) Ecology and biodiversity
- (h) Drainage and sewerage
- (i) Trees and landscaping
- (j) Affordable housing and housing mix
- (k) Residential amenity
- (l) Other matters
- (m) Whether planning obligations are necessary

(a) Five year housing land supply

43. The Local Plan Inspectors' post-hearings advice Note of the 29th June 2018 has confirmed that they consider the Council is able to demonstrate a 5 year housing land supply based on the changes to the Submission Local Plan that they are indicating are required to make the Plan sound. This means that the Council can satisfy the requirement of paragraph 59 and 67 of the NPPF and all relevant policies for the supply of housing should be considered up-to-date with full Development Plan status weight applied.

(b) Background

44. The submission Local Plan has considered and validated the essential land use planning strategy adopted by the Council, as being the right strategy to apply, namely focusing growth in and near the built-up area of Ashford, as well as in the main rural settlements in the hierarchy, based on sustainability considerations and seeking to recognise the character and important qualities of the villages and the countryside. The land use planning strategy in both the adopted and emerging plan documents is sound and justified. High Halden is not considered to be one of the higher tier settlements.
45. The submission Local Plan of December 2017 includes a site allocation in High Halden under policy S33 for up to 35 units. Full planning approval has been granted for up to 28 units on this site. The scheme would also take its access from Ashford Road and would involve highway improvement works for a new footway and reducing the speed limit from 40mph to 30mph as is now also proposed for this application.
46. Submission Local Plan site policy S33 states that development in that location should enhance open space, mitigate against the biodiversity impacts, protect the character and setting of the village and listed buildings, neighbour amenity, boundary planting, collaboration with sewerage undertaker. This would result in an approximate density of 20 dwellings per hectare (dph), which reflects the density of adjoining properties and would be suitable for a setting adjoining the countryside.
47. The inclusion of S33 in the submission Local Plan (rather than the current application site) demonstrates that the Council are of the view that the S33 site is the preferable, sustainable site for a major new housing development in High Halden. However, the application site is still considered to be suitable for housing through the Local Plan process. The cumulative impact if both sites are developed within the Plan period, would equate to approximately an additional 71 dwellings being provided within this part of the village. There is also a further application at Land rear of St Marys Church between Duxbury and Hill Side, Church Hill (17/01868/AS) for up to 31 dwellings.
48. The application site is an omission site, WC50 was assessed in the SHELAA, as part of the evidence base to accompany the Submission Local Plan. This explains, that the site was rejected although it is available, suitable, achievable, deliverable – remains in survey for housing.

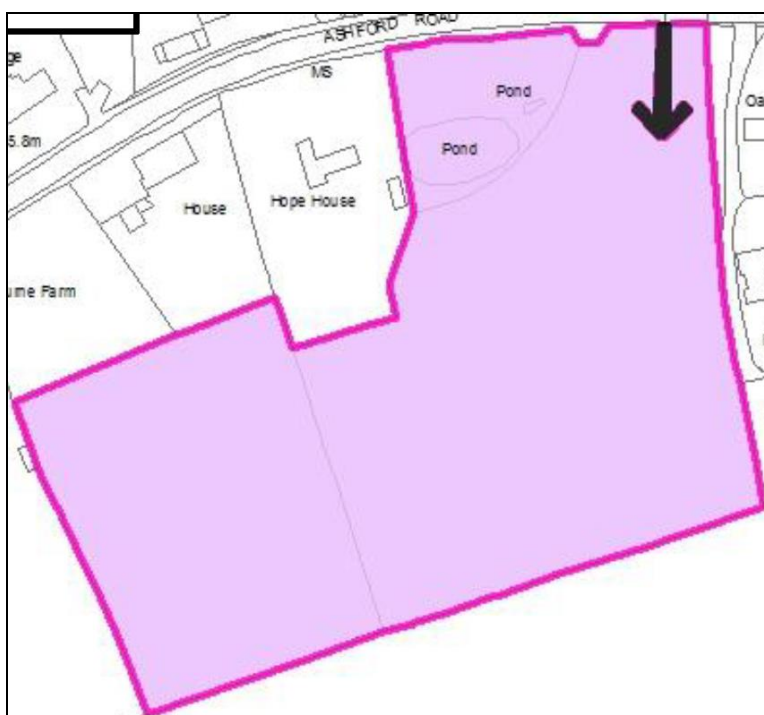


Figure 3: Proposed policy S33 Submission Local Plan

(c) Principle

49. 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 indicate otherwise. Section 70 of the Town and Country Planning Act 1990 is concerned with the determination of planning applications and provides that regard must be had to the provisions of the development plan, so far as they are material, and any other material considerations. The site is not allocated for development in the adopted Development Plan and is not proposed for allocation in the Submission Local Plan to 2030 which has undergone examination in public. It is an omission site and it is a potential windfall site in the countryside.
50. The site adjoins the built-up confines of High Halden which is identified as one of the villages where minor residential development or infilling would be acceptable. As this development would not be in the defined 'built confines' it would not comply with policy TRS1 of the Tenterden & Rural sites DPD and due to the number of units would also fail to comply with emerging policy HOU3a of the Local Plan 2030.
51. The site abuts the village to the south and east and the entire site is previously undeveloped land. Therefore, policy TRS2 would be relevant and the proposals would not meet any of the exemptions in policy TRS2, This policy is consistent in particular with paragraph 79 of the NPPF:

- a) it is an agricultural dwelling, justified under PPS7, or,
 - b) it is a re-use or adaptation of an existing rural building of architectural or historic interest, justified under policy TRS13, or
 - c) it is a replacement dwelling that is justified under policy TRS3, or,
 - d) it is a 'local needs' scheme on an exception site justified under policies TRS4 or TRS5.
52. Hence, the scheme is contrary to this policy of the adopted Development Plan. Compliance with policy HOU5 of the submission Local Plan is considered below, as it would be next to High Halden which is an identified settlement in HOU3a.
53. The Inspectors in their post hearing advice note, expressed concerns that not all the settlements in HOU3a could meet the criteria in the emerging policy HOU5. High Halden is a sustainable location and is already identified in policy TRS1, so is not an isolated settlement for NPPF purposes and therefore HOU5 can be given modest to significant weight in decision-making.
54. It is not open to the Council simply to refuse this application as a matter of principle on the basis that the site lies outside of the built-up confines of High Halden. The Council must consider if the development would result in harm or other adverse effects which would be contrary to development plan policies and the emerging policies or other policies (e.g. the NPPF) which are material considerations.
55. The Council can demonstrate a deliverable five year housing land supply in accordance with paragraphs 59 and 67 of the NPPF. Consequently, for the purpose of assessing applications for housing, the 'tilted balance' contained within paragraph 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 pursuant to paragraph 59 and 67 of the NPPF.
56. The site is previously undeveloped land which lies in the countryside beyond the existing built-up edge of the settlement of High Halden. The land is classed as grade 3 (good to moderate) value on the Agricultural Land Classification (England). The site has not been allocated within the current or the submission Local Plan for any kind of development.
57. Policy CS1 of the adopted LDF Core Strategy 2008 (LDF CS) establishes a number of key planning objectives for development to adhere to including the promotion of high quality design, the protection of the Borough's high quality built and natural environments, protection for the countryside, landscapes and villages from the adverse impacts of growth, the promotion of strong rural communities, and the conservation and enhancement of the Borough's historic environment and built heritage. The policy does not restrict housing supply. It

identifies the strategic principles which should be applied to development proposals to steer development in a sustainable way. Such an approach adopts sound planning principles and is consistent with the aims of the NPPF which seeks to deliver sustainable development. Full weight should be given to it.

58. Policy CS2 of the LDF CS sets out the Borough Wide Strategy and formally states Ashford's 'Growth Status' and the need for land to supply 16,770 new dwellings and related uses. The policy also sets out the rest of the borough's need for 1,180 new dwellings to be identified by 2021. These aspects of Policy CS2 are no longer up-to-date in light of the revised approach to setting the housing requirement in the Borough, however, they are similar to policy SP2 in the submission Local Plan. In the supporting text to policy CS2, paragraphs 2.37 and 2.38 emphasise that development should be at an appropriate scale to the role of a rural settlement. If allowed it would result in an increase in the population of the ward of Weald South to approximately 5,599 persons (assumed occupancy of 2.34 persons per unit) or an uplift of 1.8% (based upon Office for National Statistics data which estimates that the mid 2016 population of the ward of Weald South at 5,499). In conjunction with the approved scheme for up to 28 units, which would yield approximately 65.5 new residents, this could result in a cumulative uplift in population of 3.0% from both schemes, which would be appropriate to a settlement of this size. In accordance with sustainability principles, in policy CS2 which seeks only smaller scale developments in the smaller settlements, directing larger developments to more sustainable locations. The application is a smaller scale development relative to the ward and its connectivity to surrounding settlements and therefore complies with policy CS2.
59. Policy CS6 of the Core Strategy states that High Halden has a smaller local service centre role as the periphery of its surrounding area is already well served and relatively close to several other service centres, particularly Tenterden, but also Biddenden, Bethersden and Woodchurch. High Halden is identified as an identified settlement for infilling under policy TRS1.
60. The intention underlying the policies, to ensure that housing development of any significant scale is directed to land in the more sustainable locations remains valid and sound. The proposal would be a departure from current development plan policies TRS1 and TRS2 and would conflict with the land use strategy for the rural areas which is reflected in these policies. As the site is clearly located outside the built confines of the village and is therefore located within the countryside.
61. Policy HOU5 of the emerging Local Plan to 2030 on housing developments outside settlements provides a set of criteria against which proposals close to settlements identified for residential windfall development in HOU3a should be considered. This policy is consistent with the guidance in the NPPF and is a

relevant material consideration which should carry some weight at present. The policy seeks to permit development that complies with the summary below:

- a. scale of development is proportionate to the level of service provision in nearest settlement
- b. within easy walking distance of basic day-to-day services
- c. safely accessed from the local road network and traffic can be accommodated
- d. located where it is possible to maximise public transport, cycles and walking to access services
- e. conserve and enhance the natural environment and conserve heritage assets
- f. high quality design and meets particular requirements as to the landscape, the setting of the settlement, landscape buffer, local character and built form, amenity of nearby residents, and biodiversity.

- 62. The site is previously undeveloped land as defined by the NPPF and there would be a physical environmental impact from the built form. Whilst the site does not lie within any nationally-designated landscape area, this would be a large scale of development which would have to integrate with the existing settlement. In landscape character and visual terms.
- 63. The Council recognises the social and economic benefits of providing housing in terms of meeting need (especially affordable housing) and generating employment, for example, during construction. In addition, future residents would buy goods and utilise nearby services providing economic benefits to the locality. Furthermore, contributions towards infrastructure can be sought from this residential development, to support it by increasing capacity of local services and can be sought through a planning obligation and this would not lead to the loss of employment, leisure or community facilities on the land.
- 64. Core Strategy policies CS1, CS2 and CS6 and TRSDPD policies TRS1 and TRS2, and emerging policies in the Submission Local Plan SP1, SP2, HOU3a and HOU5 seek to deliver housing sustainably in rural locations that enable them to integrate into the existing settlement. High Halden has a specific physical built form and the impact on this is assessed below.
- 65. The other criteria are assessed in the remainder of the report, in light of the guidance set out in the NPPF, the Development Plan and any other material considerations.

(d) Landscape character and visual amenity

- 66. There would be a substantial landscape character impact and an urbanising effect from the construction of 43 dwellings on the setting to High Halden. This is

a historic Wealden village and the rural landscape surrounding the village, is typical of the wider countryside.

67. Policy CS1 sets out the guiding principles of development and seeks to ensure that sustainable development and high-quality design are at the centre of deciding planning applications. This then sets out a number of criteria with the criteria of primary relevance to this topic being:
- A. Development that respects the environmental limits that protect the high quality built and natural environment of the Borough, minimises flood risk, provides for adequate water supply, and protects water and air quality standards;
 - C. Protection for the countryside, landscape and villages from adverse impacts of growth and the promotion of strong rural communities;
 - D. New places - buildings and the spaces around them - that are of high quality design, contain a mixture of uses and adaptable building types, respect the site context and create a positive and distinctive character and a strong sense of place and security;
68. Policy CS9 refers specifically to design quality and requires proposals to be of a high-quality design and to demonstrate a positive response to a number of design criteria, the first being 'character, distinctiveness and sense of place'.
69. Policy TRS17 of the TRS DPD requires that development in the rural areas is designed in such a way that it protects and enhances the particular landscape character area within which it is located, and, where relevant, any adjacent landscape character area. Proposals are required to 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 an AONB Management Plan or in a Landscape Character SPD.

70. Saved Policy GP12 of the Ashford Borough Local Plan 2000 (ABLP) applies to the Borough's villages and rural areas. It is a guiding policy to protect the countryside for its landscape and scenic value (it is no longer consistent with national policy to protect the countryside for its own sake). Policy EN27 seeks to protect important landscape features from development and support enhancement measures. This is consistent with section 15 of the NPPF. Policy TRS18 of the TRSDPD is concerned with the protection and where possible the enhancement of rural features, this would be consistent with para. 109 and is accorded a significant level of weight.
71. Protecting the landscape and scenic value of the countryside is consistent with the NPPF, including in particular the environmental considerations as specified in the NPPF (and section 15 - Conserving and Enhancing the Natural Environment).
72. Development of the application site at the scale proposed would not protect the countryside, landscape character or visual amenity (as is considered further below) and as a substantial development would represent a significant departure from the adopted development plan including Policy CS1 at A, C and D. The proposal would conflict with Policy CS1 of the Core Strategy overall.
73. Policy CS1(C) of the LDF CS aims to protect the character of the countryside, landscape and villages from the adverse impacts of growth. This is further endorsed by emerging plan policy SP1 of the submission Local Plan which sets out similar core planning principles for development within the Borough.
74. Policy TRS17 also states that existing features that are important to the local landscape character shall be retained and incorporated into the proposed development. Policy ENV3a of the submission Local Plan is not significantly different in its approach to landscape character and design.
75. The site does not fall within the AONB. It is within the Biddenden and High Halden Farmlands Landscape Character Area. Landscape analysis set out within the Council's adopted Landscape Character SPD (2011) states the key characteristics are:
 - Undulating landscape
 - Mixed farmland with agricultural intensification providing loss of hedgerows and small scale field pattern
 - Equestrian land use
 - Frequent field ponds, narrow streams and sedges
 - Busy A roads with ribbon development provide an urbanising effect

- Historic settlements of Biddenden and High Halden situated around distinctive churches
 - Frequent scattered farms and manors
76. The Ashford Landscape Character Assessment (2009) states that the sensitivity of the landscape is moderate, that the landscape is in a moderate condition, and seeks to ensure that development conserves and improves the landscape character.
77. The applicant's submitted Landscape and Visual Appraisal concludes that local character areas, on the whole are assessed as having medium sensitivity to this form of development and the assessment of landscape effect is not classified as 'significant'. This is because the main landscape features would be retained, only the minor loss of a section of hedgerow to Ashford Road and whilst the built form may be prominent this may not be considered to be uncharacteristic when set within the attributes of the receiving landscape.
78. As a standalone development as would be expected within and directly adjacent to the site there would be significant visual effects with very minimal boundary vegetation to the northern, eastern and southern boundaries. There are additional visual impacts from the nearby agricultural landscape to the east. These are not considered significant and mitigation planting would reduce the residual effects.
79. The careful design of the layout allowing for desire lines across the site would mitigate for the impacts on the Oast House in both the views and the setting. Given that there would a large magnitude of change to the view in and out of the village from Ashford Road at the Oast House by motor vehicle and to the existing skyline, obscuring the church spire from Ashford Road and the Oast House from Greenside. However, the scale of the proposed buildings would commensurate with the existing residential built form which is a part of the landscape character. The Oast House is a focal point and as the proposed buildings would follow the vernacular of existing development in the village the landscape effects would be minor as the development is integrate with the existing built form.



Figure 4: View towards Ransley Oast

80. The site carries no landscape designations. However, the site does reflect elements of local landscape character that are important to the rural village edge setting of High Halden. The development would form a natural extension to the existing village, as the development would integrate with existing development on the opposite side of the road and Greenside.
81. Paragraph 170 of the NPPF has regard to conserving and enhancing the natural environment stating that:-
- “The planning system should contribute to and enhance the natural and local environment by:
- *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils”*
82. The Courts have found that the consideration of whether a site is a valued landscape with should include consideration of whether it has demonstrable physical attributes to warrant such a description.
83. The site reflects the key characteristics of the Landscape Character Area; principally the pond and the trees and hedgerows along the boundaries. In the light of this, this is in good rather than moderate condition as asserted by the applicants and is a landscape of ‘medium value’ using the Guidelines for Landscape and Visual Impact Assessment (GLVIA) criteria. It comprises a valued landscape for the purposes of paragraph 170 of the NPPF, given the characteristics of the site within its landscape context.
84. The proposed development would integrate with the existing settlement edge and would be of a scale which would significantly increase the size of the rural village. It would form a natural extension to the existing settlement in built environment terms. The development would not significantly alter the settlement pattern and the nature of the existing village edge.
85. However, from the proposed access road which would cater for two way traffic movements and footways either side the site would be significantly more visible and the urbanising effect would encroach into the street scene.
86. This would lead to the loss of the existing hedgerow for the access, however, a majority of the tree and hedge coverage would be retained and enhanced. Furthermore, with the use of open space and low bollards, reflective of the village green, this would reflect features of the village.
87. A development of this scale would represent a substantial extension of built development into open countryside in the context of the village. Increased vehicle movements associated with the development would also impact on rural

character. The quantum and layout of development would be appropriate in this rural settlement edge location, where there would be an acceptable incursion into the countryside.

88. In light of the above, the development would protect the character of the valued landscape within which it would be located and would not result in a visually harmful form of development.
89. The properties would all be two-storeys in height, be fully pitched and comprise a mix of one terrace row, semi-detached and detached units each with dedicated parking and a private garden. Most would have a road frontage other than those at the end of the cul-de-sacs and nearly all would have a front garden or a small set back there would be a landscaping strip along the main access roads north-south and east-west which would be integrated with the proposed swales, to soften the appearance of the development.
90. There would be a flatted block to the west along the east-west access road, consisting of four, one bedroom units. This has been designed to appear as a house with one entrance. This would sit well within the development.
91. The design of the dwellings would be a modern interpretation of rural buildings in the village, the steeply pitched roofs would enable the use of plain clay roof tiles and the use of gables, hipped roofs, chimneys and projecting bays would ensure variation to the roofscape. The use of chimneys on some of the buildings would add interest as a traditional architectural feature. The use of entrance porches, bay windows, windows that align, feature cladding/tile hanging and windows and brick courses over windows would add architectural detailing that enhances the appearance of the buildings.
92. To ensure that the high quality and design of these buildings is maintained permitted development rights for roof enlargements and extensions are recommended to be removed.
93. The palette of external materials, proportions and scale of the building would follow the existing context of development and would not contrast significantly, so that the proposal would complement surrounding residential schemes.
94. The application site is on the boundary of the existing settlement so the development needs to provide a transition from the built up settlement to the countryside beyond. The development would have five character areas to create variation in the built form, design and layout that exists in the village:
 - Area 1 Ransley Oast: darker external materials, irregular roofs, longer linked structures

- Area 2 Northern Courtyard: design cues from Area 1 with different fenestration detailing and facing brickwork
 - Area 3 Southern Courtyard: variation in roof finishes and boarding, longer windows
 - Area 4 Central Street: buildings that turn the corner, similar to eastern side of the site, brick header courses, others more traditional with red tiles and brickwork
 - Area 5 Open Space Edge: corner feature building, similar to eastern side of the site, others with different traditional red tiles and brickwork, different porches and pitches over some first floor windows
95. The car ports would be either adjacent to the main dwelling or to its rear these ensures that there is a legible private realm. These would all have pitched roofs and would be large enough for a vehicle. These would be set back from the road and would not appear dominant. Some parking spaces would not be adjacent to dwelling entrances. This is to ensure that there would be soft landscaping along the road frontage, therefore the parking layout is acceptable.



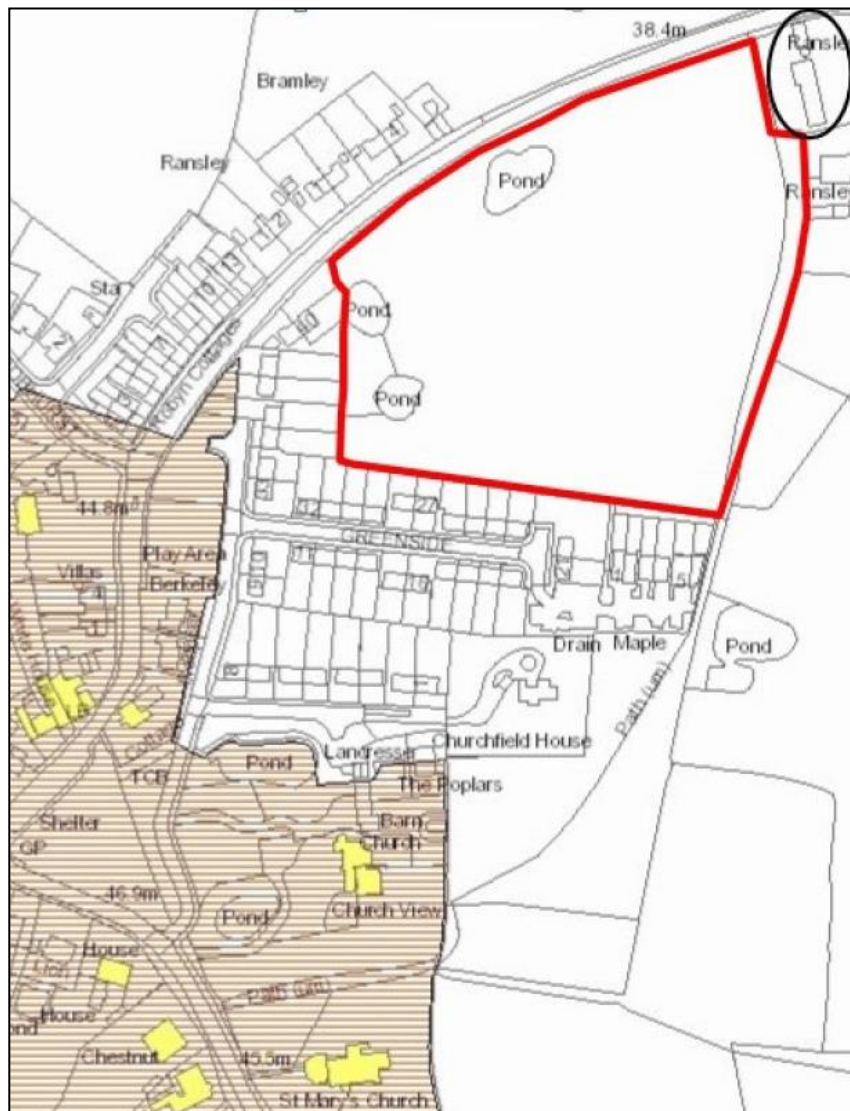
Figure 5: Streetscenes

96. The environmental harm generated by the proposed scheme would not be so significant and any harm would be outweighed by the social and economic benefits. Therefore, in the context of the three dimensions of sustainable development in the NPPF, this would not constitute sustainable development.

97. As a result the development would comply with policies GP12, EN9, EN10, EN12, EN27, CS1, CS9, TRS17 and TRS18, and it would comply with the guidance contained within the Council's adopted Landscape Character Assessment SPD. The development would comply with emerging policies SP1, HOU5, ENV3a and ENV5. The development would conserve the natural environment and a valued landscape which complies with paragraph 170.

(e) Heritage and impact upon heritage assets

98. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'
99. It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework at para 190 sets out that the local planning authority should identify and assess the particular significance of any heritage asset and take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
100. The setting of a heritage asset is defined in Annex 2 of the NPPF as:
- "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."*
101. A "heritage asset" is defined in Annex 2 of the NPPF as:
- "A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)."*
102. Para 192 set out the framework for decision making in planning applications relating to heritage assets and this assessment takes account of the relevant considerations in these paragraphs.
103. Para. 193 of the NPPF, states that great weight should be given to the conservation of designated heritage assets and that significance can be harmed or lost through development within the setting of a heritage asset.



107. There are no designated heritage assets within the site. Ashford Road is the main road running through High Halden with the conservation area covering the historic core of the settlement, which is arranged around the triangular village green, and extends west and east from there along Ashford Road and south along Church Hill. There is a mix of listed buildings within the Conservation Area, including a late medieval public house (The Chequers), a church, a 19th century school, several cottages and houses (dating from the 16th to early 19th centuries), and a 19th century oast house on Church Hill. These are built from typical Kent/Sussex materials, namely red brick, flared header bricks, clay hung tiles, and weatherboard; shingle and slate are also common building materials. All of the listed building in the Conservation Area have Grade II status, apart from St Mary's Church which is Grade I listed; this is the standout building in High Halden, with its distinctive, and very, rare oak-built 13th century timber tower and spire.
108. There are plainer modern buildings (mainly residential) interspersed with buildings of heritage interest, particularly along Ashford Road heading west out of the village.
109. Due to the curvature of Ashford Road as it leaves the eastern end of the village, there is very little inter-visibility between the proposed development site and the conservation area. The only listed building which is visible from the site is the spire of St Mary's Church.
110. Ransley Farm oast house is a single round kiln oast house and a non-designated heritage asset, which is located adjacent to the eastern boundary of the proposed development site. It was in place by 1837 including the complex of other buildings, further barns are shown on the 1896 OS map. The buildings have been converted to residential use including the Oast House.
111. The conservation area boundary is approximately 40m from the site and due to the curvature of the road the application site does not share much inter-visibility with the conservation area, there are modern buildings interspersed with the traditional buildings particularly the houses in Greenside. The visual disassociation and presence of modern housing diminishes the significance and setting of the conservation area in this regard. The views of the church spire are possible from Ashford Road from a distance, however, this is a distant view and the new buildings in the foreground would not harm the setting of the church as experienced from the approach on Ashford Road travelling from east to west.
112. Therefore, no material harm to the designated heritage asset has been identified and having due regard to Sections 66 and 72 of the Planning (Listed Building and Conservation Area) Act 1990.

113. No harm has been identified to the designated heritage assets, so the development would comply with policies CS1, CS9, and TRS17. The development would also comply with emerging policies HOU5 and ENV13. Due regard has been given to the provisions of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.
114. In accordance with Paragraph 197 of the NPPF the effect of the development on the significance of a non-designated heritage asset should be taken into account. The Oast House is a historic landscape feature, due to its importance to local heritage and hop crops in Kent. Plot 1-4 have a frontage to Ashford Road, these have been set back so the that the oast remains the dominant feature and a character area using black weatherboarding and dark red tiles would ensure that the context of the adjoining site is respected. Therefore, there would be no material harm to the non-designated heritage asset. The exterior of the building has traditional features however, the conversion works would have led to the loss of evidential value which means that the buildings may be unsuitable for statutory listing.

(f) Transport and highway safety

Highway works

115. Policy CS15 of the Core Strategy states that development that would generate significant traffic movements must be well related to the primary and secondary road network, and this should have adequate capacity to accommodate the development. It states that new accesses onto the road network will not be permitted if a materially increased risk in accidents or traffic delays would be likely to result. The NPPF also states that development should ensure that a safe and suitable access can be achieved for all people.
116. It is proposed to create a vehicular access onto Ashford Road by way of a new standard T, give way junction. This would be 5.5m wide, a 6m junction radii for large vehicles such as refuse freighters and footways either side including tactile paving. The road has a 30mph speed limit and the required visibility splays for this can be achieved.
117. The proposed site layout illustrates a 5.5m wide access for the for 10 metres thereafter a 4.8m wide access road is proposed with 2m footways and 2m footpaths. The majority of the dwellings are served by shared surface roads typically 4.2m wide connecting with the 4.8m access road.
118. No personal injury crashes have been recorded along this section of the Ashford Road in the last 5 years so there is no crash history to address at present. However, the applicants are proposing to provide a new signalised crossing to create a safe pedestrian link along the Ashford Road and provide a highway

improvement for the local area. The size of this development would not usually require provision of a controlled crossing facility, although the applicants have proposed this highway improvement in response to enquiries during the public consultation. This would be secured by a S278 agreement for the final design and implementation. Therefore, it is not necessary to have the final design at this stage.

119. The applicants have carried out a Trip Rate Information Computer System (TRICS) assessment for the site which shows that the development would generate approximately 23 additional vehicle movements during the AM peak hour (8:00-9:00) and 21 additional movements in the PM peak hour (17:00-18:00), this equates to less than one additional vehicle on the Ashford Road (A28) per minute. KCC Highways and Transportation have also carried out a TRICS assessment which gave similar results. The traffic generated by this proposal would lead to an increase of between 1.5% and 1.9% in typical daily vehicle flows on the A28, which would not be a perceivable increase in traffic movements.

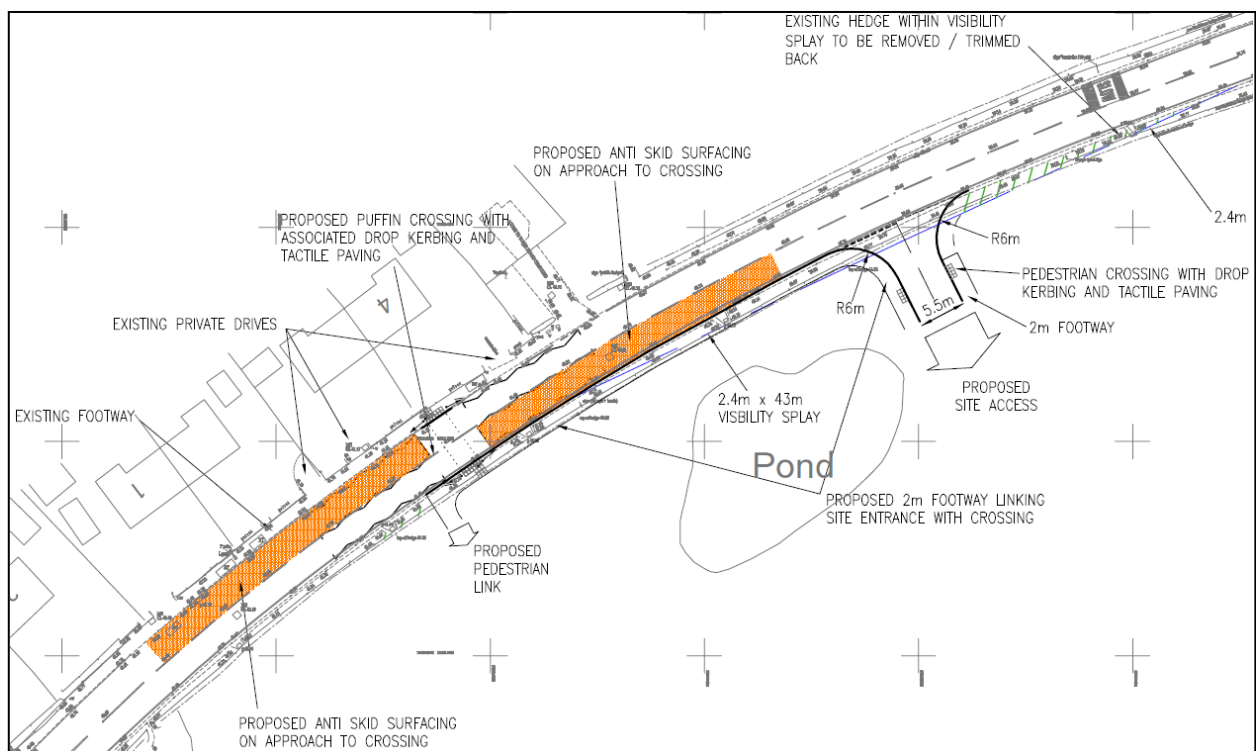


Figure 7: Highway works

120. The proposed development would comply with the requirements of the development plan policies CS1 and CS15 and the NPPF and emerging policies SP1, HOU3a, HOU5 and TRA7 in terms of highway safety and capacity issues and would have satisfactory provision for car and cycle parking subject to appropriate conditions.

Public right of way

121. There would also be a number of pedestrian links to the PROW which provides connectivity to Church Hill and the primary school. The surfacing of the PROW would be required to be upgraded by condition given the increase in use from the development.

Sustainable location

122. Within High Halden there is an hourly bus service between 06:54 to 21:05, Monday to Saturday to Ashford, Tenterden, Rolvenden and Hastings with a bus stop 300m from the site around a 5 minute walk. Occupants would be able to gain access to facilities such as the primary school, village hall, public house, church, recreation ground, play area, convenience shop, post office, hairdresser/barber, sports and social clubs.
123. There is not a continuous footway route from the application site along Ashford Road to the shops and services in the village, and this would be improved by the pedestrian crossing as well as improve access to public transport. Therefore, the site has accessibility to some services. Other services, employment, comparison shopping and secondary schools would require the use of a private motor car or the school bus services.
124. Hence this proposal complies with the planning strategy to “exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport).” in line with para. 98 of the NPPF.

(g) Ecology and biodiversity

125. Guiding Principles set out within policy CS1 seek to ensure the protection of the natural environment and the integration of green elements enhancing biodiversity as part of high quality design. Against these overarching objectives, Policy CS11 specifically requires development proposals to avoid harm to biodiversity and seeks to maintain and, where practicable, enhance and expand biodiversity. This is also included within emerging policy ENV1. Policy CS9 and emerging policy SP6 seek to ensure that natural features of interest are incorporated to celebrate local distinctiveness as well as respond to landscape character and help to minimise the ecological footprint of Ashford’s growth over time. These policies pre-date, but are aligned with, the section 7 of the NPPF on the importance of good design and section 15 which relates to conserving and enhancing the natural environment.

126. The site comprised approximately 2.3 hectares of included improved grassland, hedgerows, dense scrub, standing water and a large number of trees and hedgerows along the site boundaries. Field margins are largely absent, however there are pockets of tall ruderal and scrub along parts of the boundaries. Four waterbodies were present on-site with an additional 26 waterbodies located within 250m of the boundary.
127. KCC Ecology have carried out a phase 1 habitat survey on 27.04.2016, bat emergence and ground bird nesting surveys the findings are as follows:
- no badger setts
 - moderate potential for hedgehogs
 - presence on site of great crested newts (GCNs), slow worms and grass snakes
 - hedgerows and scattered scrub, moderate potential to provide terrestrial habitat for amphibians
 - dense improved grassland was assessed as having low potential for amphibians
 - 9 ponds within 500m of the site
 - ponds were found to provide suitable basking and foraging habitat for reptiles
 - high potential for nesting birds
 - numbers of common bat species
 - hedgerows, scrub and ponds on site, potential foraging and commuting habitat for bats
 - habitats on site were assessed as being of generally low - moderate botanical value
 - no ground nesting birds were recorded
128. Recommendation include the preservation and enhancement of the existing hedgerows, ponds on site, and the enhancement of an offsite land parcel including creation of a new pond, and management of an existing pond with confirmed GCN presence.
129. The survey work was carried out in April 2016, therefore, further surveys would be required prior to works commencing to ensure that the situation is unchanged, which can be ensured by condition.
130. All the other trees and a large proportion of the hedgerows would be retained for corridors, foraging and nesting habitats for wildlife. In addition the land to the south east in the proposals would have opportunities to provide ecological

enhancements from the ponds and native landscaping. KCC Ecology recommend conditions for a mitigation strategy, landscape and ecological mitigation plan, external lighting, ecological enhancements which would be taken into consideration within the design of the application as part of the conditions.

131. The development would not be harmful to protected species and their habitats and ecology and biodiversity can be enhanced through the appropriate use of conditions. The proposed development would comply with the requirements related to ecology and habitats of the development plan policies GP12, EN31, CS1, CS9, CS11, TRS17 and the NPPF and emerging policies SP1, SP6, ENV1 and ENV5.

(h) Flooding, drainage and sewerage

Flooding

132. Policy CS20 states all development should include appropriate sustainable drainage systems (SUDS) for the disposal of surface water, in order to avoid any increase in flood risk or adverse impact on water quality. Emerging Policy ENV9 also seeks this and requires compliance with the adopted Sustainable Drainage SPD.
133. The site is in Flood Zone 1 and at low risk from flooding due to watercourses. There parts of the site with medium to low risk of surface water flooding which includes the road frontage to Ashford Road and the south eastern portion.

Surface water

134. The land would be developed with hardstanding areas and roofs, this would increase surface water run-off compared to the existing greenfield situation.
135. The applicant has submitted a drainage strategy. The SuDS measures include:
- drainage ditch along eastern boundary
 - attenuation/detention basin
 - swales
 - permeable paving
136. The calculated runoff rates take consideration the requirements to test / model designs under the Flood Estimation Handbook (FEH) (Or 26.25mm under Flood Studies Report (FSR)) and would be reviewed at the detailed design stage. A discharge rate to comply with the requirements of the SuDS SPD would be necessary.

137. Open access to any ordinary watercourse should be retained and there should be no modifications to the ordinary watercourse, or existing headwall structures without permission from Kent County Council in their capacity as Lead Local Flood Authority. It is requested that a minimum 8m easement / access strip for maintenance of the ordinary watercourse structures should be retained, this shall be secured by condition for maintenance to reduce the risk of blockages, which could increase flood risk on this (and surrounding) site/s.
138. Surface water run-off will be discharged to a watercourse adjacent to the site, this would be restricted and attenuated by the detention basin, permeable paving and swales to achieve run off rates of 2.9 litres per second (l/s).

Sewerage

139. There is a public sewer network on Ashford Road. A foul drainage system would be constructed and connected to the existing public foul sewer network using gravity there would also be an underground pumping station along the eastern boundary adjacent to the attenuation pond.
140. Foul drainage would be discharged into the existing foul sewer. A connection to the mains sewer would be required and Southern Water have confirmed that they would need to provide further capacity for the development. A condition to ensure this is in place before occupation is suitable.
141. The development would not be harmful to flood risk, drainage and foul water through the use of appropriate conditions. The proposed development would comply with the requirements of the development plan policies CF6, CF7, CS20, and the NPPF and emerging policies HOU5, ENV8 and ENV9.

(i) Trees and landscaping

142. There are a large number of trees of differing ages around the peripheries and surrounding ponds, the trees includes Ash, Oak, field maple, Hornbeam and Hawthorn. The native hedgerow along the road frontage to Ashford Road is mixed with mainly native species.
143. A section of hedgerow, H22 at the front of the site would be removed to facilitate the new access, highway visibility splays and footpath. There is scope within the landscape scheme to plant new hedging behind this line to mitigate the loss. Also a small group of low quality closely spaced Ash trees (G32) growing within the site for ecology mitigation and the attenuation pond would be felled. They are set well within the site and are not visually prominent from any public viewpoints. The retention of larger specimen trees and a majority of the frontage hedgerow would ensure that the former field boundaries would be respected.

144. There category B Oak tree (T27) on the eastern boundary with to the rear of Ransley Barn and a group of field maples (G39) in the south eastern corner. Would experience encroachment into the root protection area (RPA) from the re-surfacing of the PROW, therefore a no-dig specification is proposed which would be appropriate to reduce any risk to the trees.
145. T16 a multi-stemmed and T17 an Ash would be adjacent to the side boundary of plot 25. As the Ash tree has evidence of die back and the hornbeam has been previously coppiced, suitable management of these trees would ensure that they could be retained and there would not be a pressure for excessive pruning or felling. Given that there would only be a minor incursion of their canopies into the garden, there would not be excessive shading, leaf litter nuisance and sap.
146. The landscaping for the site would involve:
- structural street tree planting
 - bollards, native trees and wildflower meadow on the open space in the north western corner
 - grassland planting in the ecological corridor along the eastern boundary
 - tarmac and paving for vehicular surfaces
 - native hedges, low walls, picket fence and post and chain boundary treatments to front gardens
 - new aquatic species in the retained ponds
 - infill gaps in the hedgerow to the south and west
 - wetland tolerant wildflower grass land in the swales
147. Tree species and positions have been selected based on their ecological value, species that would establish in clay soil, impact of tree roots on Ransley Oast and Barn and Greenside, maintaining attractive views, inter-visibility through the site, spread of trees next to buildings, use of native Wealden trees and diversity of trees near the ponds. This would ensure that there would be satisfactory landscaping throughout the site to break up the built form, roads and parking.
148. The development would be acceptable in terms of the direct impact on the trees and hedges on the site through the use of appropriate conditions. The proposed development would comply in this particular respect with the requirements of the development plan policies GP12, EN10, EN32, CS1, CS9 and TRS17 and the NPPF and emerging policies SP1, SP6, HOU5, and ENV5. Consideration must also be given to the landscape character and visual amenity effects from the adverse changes in relation to existing trees and hedges.

(j) Residential amenity

Ransley Oast and Barn

149. The shared boundary has a PROW and the dwelling on plot 1 would be 13.8m from the shared boundary and plot 8 would be 19.0m away. The separation distance would ensure that there would be no harmful overbearing impact. Plot 1 and Plot 8 would have no side facing windows above the ground floor facing the adjoining land so there would be no loss of privacy.

Buildings fronting Greenside

150. The proposed buildings would be set perpendicular to the shared boundary and there would also be an ecology corridor. The gap of between 8.2m and 10.6m to the flank wall of the proposed main dwellings on plots 28, 26 and 34 would ensure that there would be no materially harmful overbearing impact. There would also be no first floors side facing windows at the first floor level. There may be some oblique angle views of from the front and rear facing windows, however, there is already a degree of mutual overlooking of gardens in Greenside from the existing buildings and the proposal would not have a materially greater impact given their juxtaposition.

Buildings fronting Ashford Road

151. The intervening road and retained ponds, would ensure that the buildings would be set back from the northern and eastern site boundaries. There would be enhanced boundary landscaping to ensure that there would continue to be some screening effect.
152. The proposed pedestrian crossing would be the subject of detailed design details and at this stage the impact on adjoining properties would be assessed by KCC Highways and Transportation.
153. Noise and disturbance from construction is an inevitable consequence of all development and would only be for a temporary period. However, to safeguard the amenity of adjoining residential development a condition to restrict hours of construction would be appropriate.

Occupiers

154. The proposal would meet the technical housing standards as the room sizes and internal floor areas would meet the required standards.
155. The plot shapes would be irregular as a result the rear gardens vary in length and shape. As a result garden widths and depths would be inconsistent across

the site, however, in most instances there would be land to the side to the rear of car ports to provide additional outdoor amenity space the occupants would also have access to the open space provided on site. To maintain this provision of outdoor amenity space, it is proposed that extensions allowed under permitted development are removed for all plots.

156. The dwellings facing the main spine road running north-south would all be set back from the edge of the road, and with the footway and swale on the western side there would also be an additional buffer. This would ensure that noise and disturbance from passing vehicles would not be materially harmful to the occupants.
157. Most of the side facing windows would be to non-habitable rooms so there would be no loss of privacy. The staggering of buildings and their arrangement to each other would ensure that there would be no direct overlooking would result in a harm to amenity.
158. The road layout would mean that the refuse freighter would have to reverse into the cul-de-sacs to the front of the site where there would not be turning heads. There would be collection points 25m within in accordance with the Manual for Streets, this would be acceptable and ensure that there is satisfactory servicing.

(k) Affordable housing and housing mix

159. The site is in excess of 15 units and in excess of 0.5ha and therefore the scheme should provide 35% affordable housing under the adopted development plan policy CS12 of the Core Strategy. However, emerging policy HOU1 requires 40% and as the Submission Local Plan carries some weight in decision making this requirement shall be requested for this development, so 17 units. The mix of affordable housing requires a split between social rented (10%) and other forms of affordable housing (30% including a minimum 20% shared ownership). This matter would be addressed in the legal agreement.
160. The units would comprise 17, 1 and 3 bedroom houses and flats to the south of the site, to the east of the main spine road and a pair of dwelling facing the ponds. The SPD advises that affordable housing should be distributed in clusters of up to 12 units in a scheme for less than 100 units. In this case, the largest cluster would be for 9 which would comply with the requirements.
161. The tenure mix would be:
 - 4 x 1 Bedroom flats (plots 28-31) Affordable Rent
 - 2 x 2 Bedroom houses (plot 12-13) Affordable Rent
 - 2 x 3 Bedroom house (plots 21-22) Affordable Rent
 - 5 x 2 Bedroom houses (plots 23/24/25/33/34) Shared Ownership
 - 4 x 3 Bedroom houses (plots 11/14/40/41) Shared Ownership

162. The design of the units is of the same quality and appearance as the market housing and would integrate into the development.

(l) Other matters

Socio/Economic benefits

163. The proposed development would create an economic benefit from construction, with employment to contractors, local tradespeople, their spending in the local area and in the supply chain. Whilst for a temporary period this would have some benefit.
164. The increase in the local residential population would increase expenditure in the local economy as this would comprise people who have moved from elsewhere. However, no evidence has been submitted to suggest that local shops are struggling through a lack of custom. Other development has been granted planning permission which would deliver these benefits. The lack of need for new residents to support local services and facilities affects the weight which is to be given to these benefits. These local economic factors would apply to any larger scale development site in the area and is not an overriding factor.

Noise

165. The buildings fronting Ashford Road would be at least 21.8m from the vehicular roadway. Whilst Building Regulations would have standards on thermal and noise insulation to avoid meet internal noise level criteria. To ensure that there would be satisfactory thermal comfort, details of alternative ventilation shall be required by condition.
166. There would be a substation in the north western corner and an underground pumping station adjacent to the PROW. Due to their location and the noise impact is not envisaged to have an adverse impact however, the expected noise levels of the equipment shall be required to ensure that this would be suitable.

(m) Whether planning obligations are necessary

167. 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

168. The planning obligations in Table 1 are 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.
169. At a proposal for 43 dwellings the development would trigger a requirement to provide 40% affordable housing.
170. KCC have requested a contribution towards projects at a primary and secondary school and additional book stock.
171. The Council have identified projects for offsite contributions in accordance with the Public Green Spaces and Water Environment SPD included the a MUGA on a sports field, play equipment, outdoor gym, drainage works to a sports field, allotments, wildflower meadow and facilities at Victoria Park. These have been identified by High Halden Parish Council and the Council.
172. The NHS Canterbury and Coastal and NHS Ashford Clinical Commissioning Groups have identified Ivy Court Surgery in Tenterden as a surgery that requires extension as it is already at capacity with space pressure and the proposal would increase patient numbers. They NHS have identified partial funding to facilitate this and would allow the surgery to provide a greater clinical provision, multi-disciplinary functions. The surgery is 5.8km from the site and as it is one of the closest GP practices it would be reasonable that new occupants would join this surgery.
173. None of the projects identified have pooled more than 5 developments.

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 40% 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>40% of units as affordable:</p> <p>8x affordable rent (4x 1 bed flat, 2x 2 bed house, 2x 3 bed house)</p> <p>9x shared ownership (5x 2 bed house, 4x 3 bed house)</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, the Affordable Housing SPD and guidance in the NPPF and emerging policy HOU1</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>Children's and Young People's Play</p> <p>Contribution towards the modular play system for the children's play area at Hopes Grove</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, Tenterden and Rural Sites DPD policy TRS19, 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 maintenance period is limited to 10 years.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
3.	<p><u>Informal/Natural Space</u></p> <p>Contribution towards 6x picnic benches and purchase of 1.8 acres of land off Church Hill near to St Mary's Church and Churchfield House for retention and maintenance as a wildflower meadow</p>	<p>£434 per dwelling for capital costs</p> <p>£325 per dwelling for maintenance</p>	Before completion of 75% of the dwellings	<p>Necessary as improvements to the 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, Tenterden and Rural Sites DPD policy TRS19, 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> <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)	
4.	<p><u>Outdoor Sports</u></p> <p>Contribution towards the provision of MUGA on the sports field at Hopes Grove, outdoor gym for Hookstead Green and drainage works to the sports fields at Hopes Grove.</p>	<p>£1,589 per dwelling for capital costs</p> <p>£326 per dwelling for maintenance</p>	Before completion of 75% of the dwellings	<p>Necessary as outdoor sports pitches are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2 and CS18, Tenterden and Rural Sites DPD policy TRS19, Public Green Spaces & Water Environment SPD and guidance in the NPPF.</p> <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>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
5.	<p>Strategic Parks</p> <p>Contribution to new timber dipping platform at Victoria 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 and must be maintained in order to continue to meet that demand pursuant to Core Strategy policies CS1, CS2, CS18 and CS18a, Tenterden and Rural Sites DPD policy TRS19, Public Green Spaces 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 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)	
6.	<p>Allotments</p> <p>Contribution towards a project to identify and acquire land within the Parish of High Halden for allotments and start up costs.</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, 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.	Public Right of Way Upgrade footway sleeper bridges in Parish of High Halden	£1,000	Upon occupation of 75% of the dwellings	<p>Necessary in order to achieve an acceptable design quality pursuant to Core Strategy policies CS1 and CS9 and guidance in the NPPF, and the Kent Design Guide.</p> <p>Directly related as would improve the design quality of the development and provide connectivity to the village for sustainable travel</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and additional pedestrian movements</p>
8.	Secondary Schools Towards Homewood Phase 2 expansion for 2 mobile structures	£4,115 per house £1,029 per 2 bed flat	Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of	<p>Necessary The development would give rise to up to 8 additional secondary school pupils. Pursuant to Core Strategy policies CS1, CS2 and CS18, Tenterden and Rural Sites DPD policy TRS19, saved Local Plan policy CF21,</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
			the dwellings To be index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment (Oct-16 Index 328.3)	<p>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 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>Primary Schools</p> <p>Project: Towards the expansion of Woodchurch Primary School for a new building for small break out groups, SEN interventions and extra-curricular use</p>	<p>£3,324 per house.</p> <p>£831.00 per applicable 2 bed flat</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p>Necessary The development would give rise to up to 11 additional primary school pupils. Pursuant to Core Strategy policies CS1, CS2 and CS18, Tenterden and Rural Sites DPD policy TRS19, saved Local Plan policy CF21, 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> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of primary school pupils and is based on the number of dwellings and</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.
10.	Libraries Contribution for additional bookstock for the mobile library service attending in High Halden	£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 more books required to meet the demand generated and pursuant to Core Strategy policies CS8 and CS18, Tenterden and Rural Sites DPD policy TRS19, KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as occupiers will use library books and the books to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount calculated, is based on the number of dwellings.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
11.	<p>Health Care</p> <p>Project: of extension, refurbishment and/or upgrade of Ivy Court Surgery, Tenterden</p>	<p>£504 for each 1-bed dwelling</p> <p>£720 for each 2-bed dwelling</p> <p>£1,008 for each 3-bed dwelling</p> <p>£1,260 for each 4-bed dwelling</p> <p>£1,728 for each 5-bed dwelling or larger</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p>	<p>Necessary as additional healthcare facilities required to meet the demand from up to 101 additional occupants that would be generated pursuant to Core Strategy policy CS18, Tenterden and Rural Sites DPD policy TRS19, saved Local Plan policy CF19 and guidance in the NPPF.</p> <p>Directly related as occupiers will use healthcare facilities and the facilities to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has been calculated based on the estimated number of occupiers.</p>

	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>	£1,000 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years (if not one-off payment)	<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>Regulation 123(3) compliance: Fewer than five planning obligations which provide for the funding or provision of the projects above or the types of infrastructure above have been entered into.</p> <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, unless otherwise agreed in writing. The Council's legal costs in connection with the deed must be paid.</p> <p>If an acceptable deed is not completed within 3 months of the committee's resolution, the application may be refused.</p>				

Human Rights Issues

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

Working with the applicant

175. 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

176. The Council now considers it can demonstrate a deliverable five year housing land supply and the site is not allocated for development in the adopted Development Plan.
177. The proposal is one that would comply with the criteria set out in emerging policy HOU5 of the Local Plan to 2030. The emerging plan is under examination having recently completed the hearing stage and as such policy HOU5 is a significant material consideration, and the fact the proposed development complies with the relevant criteria contained in this policy, and other relevant policies in the current plan, weighs in favour of granting planning permission.
178. Other material considerations include the benefits associated with the scheme which include its ability to help to boost the supply of housing in accordance with paragraphs 59 and 67 of the NPPF and its sustainable location. Other recognised social and economic benefits include enhancing the vitality of an existing rural community by virtue of its relatively sustainable location immediately adjoining the built up confines of High Halden, delivery of affordable housing, economic benefits from construction and occupation.
179. I conclude that the proposed development is of a high design quality, and would not result in material harm to landscape character and neighbor amenity. The proposals would represent an appropriate form of development that would sit comfortably within its contextual setting in accordance with policy GP12, EN9, EN10, EN12 and EN27 of the Local Plan, CS1 and CS9 of the Core Strategy, TRS17 and TRS18 of the Tenterden and Rural Sites DPD and policies SP1, HOU5, ENV3a and ENV5 of the emerging Local Plan 2030.

180. The development would not result in harm to the setting of the designated heritage assets of the High Halden Conservation Areas and Grade I listed St Mary's Church upon the setting of the nearby listed building, as well as the non-designated heritage assets. So the scheme accords with policies CS1 of the Core Strategy, TRS17 of the Tenterden and Rural Sites DPD and policies HOU5 and ENV13 of the emerging Local Plan to 2030.
181. There would be no material harm to neighboring or future occupier's amenities, or adverse impacts on highway safety. Ecological mitigation and enhancements are considered to be acceptable, the development would also retain the majority of trees, hedges and ponds with a comprehensive landscaping strategy. To enhance biodiversity and respect the context of the surrounding area.
182. In terms of noise, drainage and contamination, this would be addressed subject to conditions, so that the site can be developed 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 and TRS17 of the Tenterden and Rural Sites DPD.

Recommendation

(A) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations set out in table 1.

(B) Permit

Subject to the following conditions and notes:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall commence until the applicant, or their agents or successors in title, have secured and implemented:

(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.

3. No development (including groundworks, site or vegetation clearance) until an ecology mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:
 - a) updated ecological walkover survey and review of the existing specific species surveys;
 - b) updated specific species surveys where necessary to inform the ecological mitigation;
 - c) purpose and objectives for the proposed works;
 - d) detailed design(s) and/ or working method(s) necessary to achieve the stated objectives;
 - e) extent and location of proposed works, shown on appropriate scale maps and plans;
 - f) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
 - g) persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on the site to undertake/ oversee works;
 - h) use of protective fences, exclusion barriers and warning signs;
 - i) initial aftercare and long term maintenance (where relevant);
 - j) disposal of any wastes for implementing work.

The works shall be carried out in accordance with the approved details and shall thereafter be maintained as such.

Reason: To protect and enhance the habitat of protected species and local wildlife.

4. No development shall commence until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall demonstrate

that:

- a) 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;
- b) silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters

The works shall be carried out in accordance with the approved details and shall thereafter be maintained as such.

Reason: In order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development.

5. No development shall commence until protective fencing has been installed to safeguard the root areas of the hedges and trees in accordance with drawing number 17145-BT4 and Arboricultural assessment & method statement prepared by Barrell Tree Consultant dated 12.07.2018 ref: 17145-AA3-DC, to protect their root areas from construction damage. It should be boarded out at ground level in accordance with British Standard 5837: 2012 "Trees in relation to design, demolition and construction." No level changes, service routings, materials storage, site traffic, building operations, storage, excavations, or other works shall take place within these protected tree root areas. The tree protection measures shall be complied with and maintained for the course of the proposed works.

Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

Reason: To enable the local planning authority to ensure the retention of trees and hedges on the site in the interests of visual amenity.

6. No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Management Plan and construction site layout plan have been submitted to, and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period and shall include:
 - a) parking for vehicles of site personnel, operatives and visitors;
 - b) loading and unloading of plant and materials including on-site turning for

construction vehicles;

c) storage of plant and materials;

d) routing of construction and delivery vehicles to / from site;

e) timing of deliveries;

f) temporary traffic management / signage;

g) provision of boundary security hoarding behind any visibility zones;

h) on site wheel washing facilities;

i) measures to control the emissions of dust and dirt during construction; and

j) banksman where reversing HGVs onto the highway

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and neighbour amenity.

7. Prior to first occupation, an operation and maintenance manual for the proposed sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Those details shall include:

a) a description of the drainage system and its key components;

b) use of cut-off drainage ditches;

c) foul and surface water sewerage disposal;

d) an as-built general arrangement plan with the location of drainage measures and

critical features clearly marked;

e) an approximate timetable for the implementation of the drainage system;

f) details of the future maintenance requirements of each drainage or SuDS

component, and the frequency of such inspections and maintenance activities; and

g) Details of who will undertake inspections and maintenance activities, including 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.

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: In order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development.

8. Prior to first occupation, a Verification Report for the surface water drainage system, carried out by a suitably qualified professional, shall be submitted to approved in writing by the Local Planning Authority which demonstrates the suitable operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of:
 - a) earthworks;
 - b) details and locations of inlets, outlets and control structures;
 - c) extent of planting;
 - d) details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners;
 - e) full as built drawings; and
 - f) topographical survey of 'as constructed' features.

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: In order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development.

9. Prior to the commencement of development the following details of proposed swales shall be provided and approved in by the Local Planning Authority:
 - a) sections, plans and elevations to a large scale (at least 1:50) showing the swales with proposed tree planting/pits including species; and
 - b) external finish, materials and colour of the swales including any bridge structures, culvert and pipes.

The development shall be built in accordance with the approved details.

Reason: To achieve a satisfactory drainage strategy and ensure the finish would complement the visual amenity of the surrounding area.

10. Prior to the commencement of development (excluding ground works) written details including source/ manufacturer, and/or samples of:

- a) fenestration details;
- b) bricks, tiles and cladding materials; and
- c) fascias, soffits and gutters

to be used externally shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out using the approved external materials.

Reason: In the interests of visual amenity.

11. Prior to the commencement of development (excluding ground works) written details and plans of all highway and footway designs:

- a) carriageway and footway materials;
- b) kerbs and line markings; and
- c) street signage for parking.

to be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out using the approved details and thereafter maintained.

Reason: In the interests of visual and occupier amenity.

12. Prior to first occupation the hard landscaping and hard and soft boundary treatments shall be provided in accordance with approved plans CALA21506 11 F sheet 1, 2 , 3 and 4.

The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to first occupation or in the next planting season of the completion development hereby approved and thereafter maintained.

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

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

13. Prior to first occupation a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions, together with a plan of management compartments
- f) Details of any necessary management or monitoring for the crossing structures;
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period;
- g) Details of site inspections to ensure the management plan has been implemented and identify any ongoing repairs;
- h) Dates of ongoing monitoring and management plan review;
- i) Details of the body or organisation responsible for implementation of the plan; and
- j) Ongoing monitoring or remedial works.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensures that the receptor site, green spaces and connective structures maintain their ecological interest in the long term.

14. Prior to the occupation the recommendation measures detailed within section 10.0 of the Ecological Assessment prepared by Ethos Environmental Planning dated February 2017 must be implemented and retained for the life time of the development site.

Reason: To increase the biodiversity of the site and mitigate any impact from the development.

15. Prior to the installation of the electricity sub-station, plans with the external finish, materials and colour shall be submitted and approved in writing by the Local Planning Authority. The approved details shall be implemented and thereafter maintained.

Reason: In the interests of visual amenity.

16. Prior to the first use of the access, the visibility splays of 43 metres x 2.4 metres x 43 metres shown in drawings 5423.001 rev D and 5423.SK1 rev C of the Transport Statement prepared by Stuart Michael Associates dated July 2018 ref: 5423 shall be provided and maintained with no obstructions over 0.9 metres above carriageway level within the splays.

Reason: In the interests of highway safety nor cause inconvenience to other highway users.

17. Prior to the first occupation of the dwellings hereby permitted, details including plans, shall have been submitted to and approved by the Local Planning Authority in writing for the installation of a High Speed wholly Fibre broadband To The Premises (FTTP) connection to the development hereby approved. Thereafter, the infrastructure shall be laid out in accordance with the approved details at the same time as other services during the construction process and be available for use on the first occupation of the building unless otherwise agreed in writing by the Local Planning Authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that been made in the absence of FTTP).

Reason: To ensure that the new development in Ashford is provided with high quality broadband services enhancing Ashford as an attractive location in accordance with Policy EMP6 of the Ashford Local Plan 2030.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending that Order with or without modification), no development within Schedule 2, Part 1, Classes A and B shall be carried out on the dwellinghouses permitted.

Reason: To enable the Local Planning Authority to maintain the size of the gardens to maintain the occupiers living environment.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no gates, walls, fences or other means of enclosure and no building as defined by Section 336 of the Town and Country Planning Act 1990 shall be erected forward of the principal elevation and along the front boundary with the road/driveway.

Reason: To protect the visual amenities of the locality.

20. Prior to first occupation space shall be laid out within the site in accordance with the approved plan Drawing No P32A, for vehicles to be parked on the spaces and car ports and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking /turning areas shall be maintained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

21. Prior to first occupation, details of bicycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided and thereafter maintained.

Reason: To ensure the provision and retention of adequate off-street parking facilities for bicycles in the interests of highway safety and to encourage alternative transport.

22. Prior to the first occupation of each new dwelling with a designated parking space provided by means of a driveway, carport, or garage, the dwelling shall be provided with at least one electric vehicle charging point. The charging point may be a dedicated electric vehicle charging socket, or a suitably rated three-pin socket capable of safely providing a slow charge to an electric vehicle via a domestic charging cable. The charging point shall thereafter be retained available, in a working order for the charging of electric vehicles as far as practicably possible.

Reason: To take into account the cumulative impacts of development on air quality and to encourage the use of sustainable transport modes including incorporation of facilities for charging plug-in vehicles.

23. Prior to first occupation a service plan and street lighting plan, including details of the external luminaires, shall be submitted to and approved in writing by the Local Planning Authority. This shall comply with the guidance in the Bat Conservation Trust's Bats and Lighting in the UK guidance and Dark Skies SPD. The development shall be carried out in accordance with the approved details and thereafter maintained.

Reason: In the interest of highway safety and to maintain the habitat of protected species.

24. Prior to first occupation, completion of all off-site highway works to include new pedestrian crossing on Ashford Road as shown on drawing no. 5423.001 rev D to be carried out under a Section 278 of the Highways Act 1980 as shown

Reason: in the interests of highway safety and improvement in infrastructure to improve pedestrian routes.

25. Prior to first occupation, details of a new bound surface specification to the existing surface of Public Right of Way AT154 through the site shall be submitted to and approved in writing by the Local Planning Authority. This shall be implemented in accordance with the approved plans and thereafter maintained.

Reason: in the interests of highway safety and improvement in infrastructure to improve pedestrian routes.

26. Prior to first occupation, details for the following shall be submitted to and approved in writing by the Local Planning Authority:

- a) noise levels from the pumping station and electricity substation; and
- b) alternative ventilation for dwellings that front Ashford Road (A28).

The development shall be built in accordance with the approved plans and thereafter maintained.

Reason: to protect residential amenity from noise.

27. 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 to deal with contamination of land and/or groundwater, and where remediation is necessary

a remediation scheme must be prepared to ensure that the site is suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment). 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. The proposal shall be completed in accordance with the approved details.

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.

28. No construction activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no working activities on Sundays or bank/public holidays.

Reason: To protect the amenity of local residents.

29. All existing trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All trees, hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site.

Any parts of existing hedges/hedgerows trees or plants which within a period of five years after planting or following first occupation of the development are removed, die or become seriously damaged or diseased in the opinion of the Local Planning Authority shall be replaced in the next available planting season or sooner with others of similar size, species and number.

Reason: In the interest of visual amenity and retaining boundary features.

30. The finished floor level of dwelling on plots 17-20 and 23-25 shall be at least 300mm above ground levels.

Reasons: To ensure that the dwellings are protection from surface water run-off.

31. No meter boxes shall be installed on the front elevation of any of the dwellings hereby permitted, where reasonably practicable.

Reason: In the interest of visual amenity

32. A 5 metre wide buffer zone alongside the retained and new pond to the south east, shall be free from built development including lighting, domestic gardens and formal landscaping and shall thereafter be maintained.

Reason: To reduce any impact on protected species and minimise obtrusive light.

33. 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.

34. The development approved shall be made available for inspection, at a reasonable time, by the local Planning authority to ascertain whether a breach of planning control may have occurred on the land (as a result of departure from the plans hereby approved and the specific terms of this permission/consent/approval).

Reason: In the interests of ensuring the proper planning of the locality, the protection of amenity and the environment, securing high quality development through adherence to the terms of planning approvals and to ensure community confidence in the operation of the planning system.

Note to Applicant

1. Working with the Applicant

In accordance with paragraph 38 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 requested pre-application advice and engaged in two design review panels.
- The applicant responded positively to matters raised in relation to drainage, landscaping, parking and highways.
- The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 18/00262/AS.

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Annex 1



Annex 2



Design Review

Land between Ransley Oast and Greenside, Ashford Road, High Halden



Land between Ransley Oast and Greenside, Ashford Road, High Halden

Report of the Design South East Design Review Meeting
6th November 2017
Ashford Borough Council, Civic Centre, Tannery Lane, Ashford, TN23 1PL

Panel

Liz Gibney, (Chair), Urban Design
Luke Engleback, Landscape Architecture
Richard Hawkes, Architecture
Nick Lee Evans, Architecture
Robert Rummy, Architecture/Landscape Architecture/Urban Design

Other attendees

Huw Trevorrow, Design South East
Kelly Jethwa, Ashford Borough Council
Claire Marchant, Ashford Borough Council
Oliver Peel, Ashford Borough Council
Cllr John Link, Ashford Borough Council (tbc)
Cllr Alan Pickering, Ashford Borough Council (tbc)
John Audsley, High Halden Parish Council (tbc)
Marcia Mitchell, High Halden Parish Council (tbc)
Stuart Forrester, CALA South Home Counties
Claire Smith, CALA South Home Counties
Graeme Towle, TSH Architects
John Constable, ACD Environmental

Site visit

A full site visit was undertaken by the panel prior to the review meeting



Summary

This is an exceptionally attractive site set within a village with a distinct local character. Although development could be appropriate in this location and the provision of affordable housing is encouraged, we feel the current proposal does not sufficiently respond to the specific qualities of the surrounding area. This is particularly important given the large scale of the development relative to the village, and the significant impact it will have on this small community. Although some useful ground work has been demonstrated in the analysis of the wider area and at the scale of individual building design, we do not yet feel the masterplan has been resolved successfully, and that it will be necessary to take a new approach to this.

Taking cues from distinctive local characteristics could help inform this new approach, exploring themes such as the 'village of front gardens' and how relatively tightly packed houses surround an open public space on the village green. Existing site features such as the topography, public footpath, neighbouring oast house and long distance views should directly impact any proposals, informing how streets and public spaces are laid out and drained. SUDs, ecology mitigation and habitat linking should be more seamlessly and holistically integrated into the layout of the scheme. Considering different types of housing provision and how these relate to varying site conditions could create a more distinctive series of places throughout the scheme.

Background

This is a proposal for 43 residential dwellings on a greenfield site in the village of High Halden, Kent. The main part of the site consists of 2.32 ha of grade 3 agricultural land, with a further 0.7 ha of land bordering the site in the ownership of a neighbouring farm proposed as an ecological mitigation area with an agreement in perpetuity. Ashford Road (A28), a relatively busy traffic route, runs along the northern boundary of the site, and a public footpath runs through its eastern edge. This footpath links the site to the village centre but the lack of pavement on Ashford Road limits its usage. Two existing ponds are located in the higher north-western area, and the site slopes downwards from west to east by a total of approximately 4m. A gentle valley runs through the centre of the site from the larger of the two ponds to the proposed ecological mitigation area.

This is not an allocated site in the Local Plan. A pre-application meeting has been held with Ashford Borough Council, in which the proposed number of dwellings was reduced from 50 to 43 units. A meeting with the Parish Council has also been held. With further residential proposals of a significant scale coming forward in the area, there is concern from local people over how this small village will be impacted.

Local context

A better understanding of the character of the village must be gained in order to approach this scheme in a way that can positively impact the local area. High Halden is a historic settlement that has developed from the confluence of three routes on relatively high ground. It has a highly attractive and distinct local character; however, more recent development has often detracted from this, reinforcing ribbon development along Ashford Road with a series of nondescript cul-de-sacs. As a small historic centre facing a significant amount of development, it is important that this scheme aims to rectify mistakes of the past rather than adding to them.



In the current proposal, although some consideration has been given to decreasing the density towards the more open aspect of the north, there is little hierarchy across the site. Houses are relatively evenly distributed, and although of low density, little in the way of public space with a clear function is created. Taking cues from the surrounding village could help inform a more appropriate response. For example, in the village green area houses are closely packed together, but look out on to a well defined and observed communal green space, while large houses at the edge of the village are far more spaced out. Generous and well-tended front gardens are characteristic throughout the High Halden. Taking considerations such as these into account, the proposal should aim to create a series of distinct places within the site and explore the way proposed dwellings address new streets and spaces.

Opportunities to improve connections in the village should also be explored. Analysis work already undertaken shows that although there is an extensive network of footpaths, these are not always well connected, for example, forcing pedestrians to walk in the carriageway on Ashford Road to reach the footpath through the site. This proposal could help improve existing routes, as well as providing addition connections. Who these routes will be used by and why should be explored further. Any opportunities to help reduce the speed of traffic on Ashford Road should also be investigated.

Site Context

Although currently agricultural land, there are many distinctive characteristics of the existing site that can inform proposals, and more should be done to take advantage of this. These include:

- Topography – The distinct topography of the site has not been well considered in the proposed layout. The shallow valley running through the centre linking key areas of the site could be used to inform the layout of a street or public space, particularly with regard to sustainable drainage via a swale/rain gardens to a proposed offsite basin. Access to long distance views in higher areas of the site could also inform a response.
- Public footpath – This historic route running along the eastern edge is an important part of the time depth of the site. The wooded footpath leading to St Mary the Virgin Church and the village green is a significant asset, however, in the current layout houses do not address this route, making it feel like a left-over space. We suggest the proposed layout should make more of this route, with houses facing directly on to it. This should contribute to anchoring the development on the site and helping it to integrate into the fabric of the village. Access into and out of the scheme by foot through the churchyard should be more considered as a designed experience. The impact of locating the proposed electricity sub-station along this route should be considered.
- Oast House – Although a private dwelling with a hedge boundary separating it from the site, this is a distinctive building in the local area that acts as a gateway landmark to the village. The development could do more to respond to this. A cluster of buildings that relate more directly to this building could form a specific character zone within the development.
- Ponds – The decision to retain and enhance the existing ponds on the site is positive, but further consideration could be given into how they can be better integrated into the masterplan. How this area could be used by new residents and the wider community should be explored, informing the way buildings address this space. Allowing enough space for this area to be used as a recreational area could be beneficial for example. Issues



such as how the natural valley leading from the larger pond to the ecological mitigation area could help draw people into this space, and how the ponds could fit in to an overall water strategy should be explored.

- Views – Open aspects to the surrounding countryside are characteristic of this site, particularly from higher ground. This could help inform proposals, considering how buildings could be orientated, and how different housing typologies could take advantage of this. A Landscape and Visual Impact Assessment (LVIA) could further inform significant views in and out of the site.
- Boundary to Ashford Road – If the aim is to retain this hedge, the amount that will have to be lost to improve visibility to the proposed junction with Ashford Road should be analysed. Creating viable access and visibility splays will have an impact on character of the A28, and this should be further explored.

Masterplan layout

As well as responding more to the existing landscape features of the site, we feel the proposal should further consider how people will live in this new development. Analysis of local demand should be conducted, considering for example, if this development may be likely to attract specific demographics such as downsizers or young families. Proposed dwellings range from four bedroom detached houses with generous gardens to smaller scale affordable provision. The needs of these different types of dwellings vary significantly, therefore, the masterplan should respond more directly to this. Considering different types of housing provision and how these relate to varying site conditions across the scheme could add richness to proposals. For example, a cluster of housing more inspired by farmstead buildings could be proposed in the north of the site addressing the Oast House, while in the south, a more densely laid out cottage typology could be developed. If a public space is created through the centre of the site along a new spine informed by the valley, a clear function and character should be defined. This should consider how activities such as play or informal gathering can be encouraged in this area, and how housing can be designed to reinforce this. Boundary treatments informed by the distinctive front gardens of High Halden should also be considered.

Parking

The integration of parking can be challenging, but we feel the approach to largely avoid parking on the main spine street and provide bay parking in other locations is not a successful solution. Following guidance in the 'Manual for Streets' and distributing more throughout the site could be beneficial. Strategies such as parking barns, semi-detached housing with parking between plots, and provision of parking at the edges of the site should be explored. Breaking up street parking with rain gardens and trees is a useful device, and porous surfaces should be considered as part of a sustainable approach.

Street trees

The inclusion of street trees is positive, particularly if used to limit the impact of street parking, but this should reflect the village context. Fastigate trees seem more appropriate to an urban environment than in this rural location, and we suggest more contextual tree species and planting layouts should be explored.



Water strategy

The SuDS strategy should drive rather than decorate the proposal, and should therefore be considered from the outset. It is essential to take into account the lie of the land and opportunities this can inform, such as the potential to create a swale along the valley running through the centre of the site linking the larger pond to the ecological mitigation area. Rather than creating a centralised system where water is all channelled to a single area, a more integrated approach should be explored, considering opportunities such as integrating rain gardens throughout the scheme or using existing ponds to handles some of the run off more locally.

CONFIDENTIALITY

This report is offered in confidence to the addressee and those listed as being sent copies. There is no objection to the report being shared within respective practices/organisations. DSE reserves the right to make the guidance known should the views contained in this report be made public in whole or in part (either accurately or inaccurately). Unless previously agreed to remain confidential, this report will be publicly available if the scheme becomes the subject of a planning application and to any public inquiry concerning the scheme. DSE also reserves the right to make guidance available to another design review panel should the scheme go before them. If you do not require this report to be kept confidential, please let us know.

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Design Review

Land between Ransley Oast and Greenside Ashford Road High Halden

25 March 2018



Land between Ransley Oast and Greenside, Ashford Road
Reference: 647.2-1052

Report of Design Review Meeting

Date: 26 February 2018

Location: Ashford Borough Council, Civic Centre, Tannery Lane, Ashford TN23 1PL

Panel

Liz Gibney, (Chair), Urban Design

Richard Hawkes, Architecture

Nick Lee Evans, Architecture

Also attending

Garry Hall, Design South East

Kelly Jethwa, Ashford Borough Council

Cllr Marcia Mitchell, High Halden Parish Council

Claire Smith, CALA South Home Counties

Graeme Towle, TSH Architects

John Constable, ACD Environmental

Site visit

A full site visit was conducted by the Panel ahead of the previous review in November 2017

This report is confidential as the scheme is not yet the subject of a planning application



Summary

This revised scheme makes important improvements to the layout and general approach to the site, especially in terms of landscape and site levels. More work is needed on the layout to make it less estate-like. The approach to architecture and detailing needs more design development, and there is scope for more variation across the site to add character.

Background

This is a follow-on review of the proposed development of 43 dwellings for a site on the edge of the village of High Halden, Kent. The main part of the site consists of 2.32 ha of grade 3 agricultural land, with a further 0.7 ha of land bordering the site in the ownership of a neighbouring farm proposed as an ecological mitigation area with an agreement in perpetuity. Ashford Road (A28), a relatively busy traffic route, runs along the northern boundary of the site, and a public footpath runs through its eastern edge. This footpath links the site to the village centre but the lack of pavement on Ashford Road limits its usage. Two existing ponds are located in the higher north-western area, and the site slopes downwards from west to east by a total of approximately 4m. A gentle valley runs through the centre of the site from the larger of the two ponds to the proposed ecological mitigation area.

Response to site and setting

The revised scheme presented to the Panel improves the relationship between the site and Ashford Road. Issues remain in how responsive the overall design is to the wider setting. The intention to create a village aesthetic is undermined by the proposed detailing. The uniformity across the site will give this proposal an estate-like look and feel, which will harm rather than enhance the wider village.

Layout

The revised layout makes better use of the sites contours and improves the general disposition of buildings on the site. The variation in density will help add character across the site, and the improved approach to landscape is also supported, especially the use of the existing large tree as a focal point. The introduction of courtyard spaces will add some character. The treatment of the south east corner of the site is a big improvement over previous designs.

However, the layout is overly informed by the placement of the streets rather than by buildings. Setting out the buildings first and relating the streets to the kinds of spaces you want to create is encouraged. The simple street treatments, with no footpaths, is supported. Whilst the approach to landscape is much improved, this is not integrated with the design strategy for the rest of the site, which is too uniform across the various spaces being created. A finer grain of development, with different areas being created through design at all scales, is recommended. Simply varying the materials palette is not a sophisticated enough approach. Variation should be supported by changing density and building typologies. This would help make the case for higher and lower value parts of the site, diversifying who will be able to live here and offering more choice that will appeal to a wider market.



How buildings address the retained Oak should be refined. Reorienting plot 10 to face the tree will help frame this space. Simplifying the plot line on the street with the Oak tree would be beneficial. The bollards around the green spaces should be brought closer to the edges to maximise the amount of usable space.

Built form and details

As mentioned, the very consistent approach to materials and the design of the roofscape is working against the village design concept. The end result will be more like a housing estate than a village in character. A more modern approach to architecture and detailing in key locations might be more appropriate for this site and will be easier to execute authentically. More variation in building typology, materials and detailing is needed to distinguish one part of the site from another and to create the richness associated with a village. The materials used need to accurately reference the local area. If weather boarding is used, this needs to be in the correct colour (either black or white).

For the larger units, a higher floor to ceiling height to allow for more flexible accommodation is encouraged. Larger windows across the site should be added where possible. How spend is allocated to detailing needs further revision. Where chimneys are proposed, these should be working items rather than decorative. Canopies over front doors could be replaced by more useful side-panels. The detailing chosen should be specific to the market sector being targeted, right down to the plot level. This level of thinking will control costs and maximise value.

The terrace of three houses proposed does not fit well with the overall layout. The gable ends will be visible from the main street. Side-of-plot entrances or proper semi-detached end units would work better and would allow for a better internal unit configuration.

This review was commissioned by Cala Homes with the knowledge of Ashford Borough Council.

CONFIDENTIALITY

Since the scheme was not the subject of a planning application when it came to the Panel, this report is offered in confidence to the addressee and those listed as being sent copies. There is no objection to the report being shared within respective practices/organisations. DSE reserves the right to make the guidance known should the views contained in this report be made public in whole or in part (either accurately or inaccurately). Unless previously agreed to remain confidential, this report will be publicly available if the scheme becomes the subject of a planning application and to any public inquiry concerning the scheme. DSE also reserves the right to make guidance available to another design review panel should the scheme go before them. If you do not require this report to be kept confidential, please let us know.

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