

Application Number	15/00856/AS
Location	Land at Pound Lane, Magpie Hall Road, Bond Lane and Ashford Road, Kingsnorth, Kent
Grid Reference	00255/38868
Parish Council	Kingsnorth
Ward	Weald East
Application Description	Outline application for a development comprising of up to 550 dwellings in a mix of size, type and tenure. Provision of local recycling facilities. Provision of areas of formal and informal open space. Installation of utilities, infrastructure to serve the development including flood attenuation, surface water attenuation, water supply, gas supply, electricity supply (including sub-station, telecommunications infrastructure and renewable energy). Transport infrastructure including highway improvements in the vicinity of Ashford Road/Magpie Hall Road/Steeds Lane, Pound Lane and Bond Lane, plus an internal network of roads and junctions, footpaths and cycle routes. New planting and landscaping both within the proposed development and on its boundaries as well as ecological enhancement works. Associated groundworks.
Applicant	Pentland Homes Ltd and Jarvis Homes Ltd
Agent	Ian Bull Consultancy Ltd
Site Area	51ha

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|-----------------------------------|-----------------------|--|
| (a) 807/112R
Amnds:
837/46R | (b) PC – R
Amnds R | (c) Shad PC – R; GCS PC – X;
Bils PC – R; MWS PC – R;
KCC Highways – R; HE – R;
KCC SuDs – S; ABC Proj –
S; EA – X; KCC Prow – R;
KCC Her – R; Hist Eng – X;
ECC Bio – R; Nat Eng – X;
SE – R; ABC ES – X; SE
Rail – R; HSE – X; WKPS –
R; BHS – X; SWS – X; KWS
– R; CPRE – R;

Amnds:
Bils PC – R; KCC Highways
– R; HE – R; KCC SuDs –
X; EA – X; KCC developer
contributions – X; KCC Her
– X; Hist Eng – X; KCC Bio
– R; Nat Eng – X; ABC ES –
X; WKPS – X; SWS – X;
KMG – R; RA – X; KP – X;

Amnds:
KCC Highways – X; KCC
Her – X; KCC Bio – X; NHA
– X; SWS - X |
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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 application site, which covers an area of 51 hectares is located in Kingsnorth Parish. It is comprised of four separate land parcels which straddle the main Ashford Road (C142), which runs through Kingsnorth north to south. The four parcels are illustrated below. The applicant has described them as Areas 1 – 4, and this description has therefore been used throughout the report, as shown in Figure 1 in the appendix to the report.

3. Area 1 (10.11ha) is the northernmost parcel and is bounded by Ashford Road to the east, Pound Lane to the north, open fields to the west and residential properties on Ashford Road to the south.
4. Area 2 (13.08ha) is the south western parcel, and is bounded by Ashford Road to the east, Magpie Hall Road to the south, open fields to the east and residential properties on Ashford Road to the north.
5. Area 3 (16.03ha) is at the centre of the application site and is bounded by Bond Lane to the east, Ashford Cricket Club and properties on Steeds Lane to the south, residential properties on Ashford Road and fields overlooked by Church Hill to the north.
6. Area 4 (11.7ha) is the most eastern parcel and is bound by Steeds Lane to the south, properties along Bond Lane to the west and to the east lie fields, Isaac Wood and properties in Stumble Lane.
7. Overall, the site has a varied topography. Kingsnorth village which generally lies to the north is situated on a local high point in the otherwise relatively flat area to the south of Ashford. There is a general slope from east to west, whilst the northern part of the site is generally steeper than the southern part. There is a ridge running east to west across the site with the highest point at the centre of Area 3.
8. Area 1 slopes down towards Pound Lane, and Area 2 slopes gently eastwards with a small valley running down the centre where there is a small stream. Area 3 slopes down in all directions with the steepest areas in the northern part of the site. Area 4 slopes south and east towards Steeds Lane.
9. Kingsnorth is situated within the “Low Weald” National Landscape Character Area, which is described as “Broad, low-lying gently undulating clay vales”. The land use is “predominantly agricultural but with urban influences”, whilst “small towns are scattered among areas of woodland”. Within the Landscape Assessment of Kent (2004) the site falls within the character area “Bethersden Farmlands”, which is characterised by the typical Wealden pattern of small fields and bushy hedgerows but towards Kingsnorth, this has “broken down with fields enlarged and hedgerows removed to allow mechanisation for arable farming”.
10. The sites are dominated by arable farming and semi-improved grassland and the surrounding landcover includes woodland and urban areas but is also dominated by farmland.
11. The Whitewater Dyke is located to the west and north of the site following in a northerly direction towards Ashford, where it joins the East Stour River. There

are a number of small watercourses and drainage ditches that feed into the Whitewater Dyke. A small stream located along the southern boundary of Areas 3 and 4 and through the centre of Area 2, flows in a north-westerly direction to join the Whitewater Dyke. Part of Area 1 at its northern end falls within Flood Zone 2.

12. There are a number of hedgerows which form field boundaries within the site as well as some areas of woodland. Isaac Wood is an area of Ancient Woodland and that stretches into part of Area 4. There are also some trees located within the site primarily in proximity to ponds or along field boundaries.
13. The Kingsnorth Conservation Area is some distance to the north of the site, centred along Church Hill and St Michael's Church. There are 9 listed buildings within 100m of the boundary, in Pound Lane, Ashford Road, Magpie Hall Road, Steeds Lane and Bond Lane.
14. There are several footpaths running across the fields within the application site boundary and alongside Ashford Road and Church Hill, connecting Kingsnorth to the settlements along Steeds Land and Magpie Hall Road and out into the surrounding countryside. A part of the North Downs Way National Trail runs through eastern areas of the site where it connects from Steeds Lane to Church Hill.
15. The sites are allocated for development in the emerging Local Plan 2030 as S4 and S5. They are located to the east of another allocated site known as Court Lodge (Policy S3), which is itself to the east of the Chilmington Green development, separated by the strategic Discovery Park.
16. A plan showing existing levels is in the Appendix to the report as Figure 2.

Proposal

17. Outline planning permission is sought for the erection of up to 550 dwellings (including 430 % affordable housing), in a mix of size, type and tenure: infrastructure including local recycling facilities; formal and informal open space; utilities including flood attenuation, surface water attenuation, water supply, gas supply and electricity supply; transport infrastructure including highway improvements in the vicinity of Ashford Road/Magpie Hall Road/Steeds Lane junction; new junctions on Ashford Road, Steeds Lane, Pound Lane and Bond Lane, plus an internal network of roads and junctions, footpaths and cycle routes; new planting and landscaping both within the proposed development and on its boundaries; ecological enhancement/mitigation works and associated ground works.

18. The application was originally submitted in 2015 whilst the emerging Local Plan was at the very early stages. The proposal was originally for a much larger scheme – up to 750 houses, a primary school and a greater amount of infrastructure. The applicant subsequently agreed to hold the application in abeyance until the Local Plan was in the late stages of adoption, adopted, and the application has been amended to take into account the changes made to the policies relevant to this site, as per the description in the preceding paragraph. This process is clarified in more detail in the Assessment section of my report.
19. The application includes a series of Parameter plans – Land Use Parameter Plan, Building Heights Plan, Density Plan and Connectivity Plan, which is a very similar approach to that which was used for the outline planning application at Chilmington Green. This allows the application to be determined within a certain set of parameters giving certainty to the wider masterplanning and the relationship of the proposed development with existing homes and the surrounding countryside.
20. The Land Use Parameter Plan proposes up to 550 homes on approximately 25 ha. The green infrastructure will take up 25.34 ha and the roads take up approximately 0.75 ha. The proposed density is an average of 22 dwellings per hectare with a range of densities from 15 to 24 dwellings per hectare. Higher densities are proposed closer to the transport infrastructure, with the lower densities towards the edge of the development or around SUDs and open space features. Medium density development is proposed in Areas 1, 2 and 3.
21. The Building Heights Parameter Plan reflects the Density Plan to a degree, with a range of between 1 storey (maximum height 9m), 1 to 2 stories (maximum height 11m) and up to 3 stories (maximum height 14 stories). The taller buildings are proposed in the centre of Areas 1, 2 and 3, with only 1 to 2 stories proposed in Area 4.
22. The Connectivity Parameter Plan includes several new and improved access arrangements, as follows:
 - **Access to Area 1** will be from Ashford Road to the east and Pound Lane to the north with a possible future linkage to Court Lodge to the west;
 - Downgrading the section of Pound Lane between the proposed secondary access and the Pound Lane/Ashford Road/Church Hill crossroads;
 - Realignment of the Ashford Road / Pound Lane /Church Hill junction to include signalisation of the crossroads with the right turn from Pound Lane prohibited;

- Pound Lane re-routed through Area 1 south of its current alignment to connect to Ashford Road via the proposed primary access;
- Primary access to Area 2 is proposed off Ashford Road and is proposed to be the start of a road link to the adjoining Court Lodge development with land reserved for this purpose. It will be a priority T junction with the site access giving way to Ashford Road;
- The proposed secondary **access to Area 2** is in the southwest corner of Area 2 at the Magpie Hall Road/Ashford Road/Steeds Lane crossroads. Magpie Hall Road will be realigned through Area 2 to connect to Ashford Road further north from the existing crossroad;
- A proposed footway will connect the site access to the existing footway on Ashford Road;
- **Access to Area 3** to be from Ashford Road as a priority T junction with Area 3 access road giving way to Ashford Road.
- There are two access only routes into area 3 from Bond Lane. Both are T junctions with the access roads giving way to Bond Lane. The southernmost access junction provides **a route to Area 4** across Bond Lane but traffic will be prevented from accessing Steeds Land and Church Hill directly from this access. The access route to the north is to serve a small proportion of the 225 dwellings proposed in Area 3.
- Bond Lane will be closed to through traffic with the closure positioned to prevent development traffic from Area 3 and Area 4 travelling along Bond Lane to Steeds Lane and Church Hill;
- **Access to Area 4** will be from Bond Lane for the north and west part of Area 4 and from Steeds Lane for the south;
- Physical barriers on Bond Lane mean that Steeds Lane and Church Hill cannot be accessed directly from the proposed Area 4 Bond Lane access, meaning that traffic would travel through Area 3 to its primary access off Ashford Road to access the wider local road network;
- Existing footpaths to be retained and new footpaths/cycleway routes to be provided from Area 1 to provide linkage to Court Lodge to the west.
- Flexibility for new footpaths and cycleways to be provided.

23. The indicative Masterplan submitted, and appended to this report as Figure 3, illustrates how the Parameter Plans come together to provide a comprehensive development.
24. In support of the application, a number of documents have been submitted by the applicant which are summarised as follows:

Design and Access Statement (DAS)

DAS1 The proposed development will follow the recommendations outlined in the Ashford Local Plan Submission Version, December 2017, relating to policies S4 and S5.

DAS2 The vision is to develop a traditional, sustainable, high quality community that people will be proud to live in.

DAS3 The development will take into account the nature of the surrounding landscape and include "green" streets, footpath and cycle routes and keep a strong rural identity along country lanes. A strong framework for the green infrastructure will be provided using the existing topography, water courses and habitats.

DAS4 It will create much needed housing for Ashford in a carefully landscaped environment, enhancing and protecting the existing ecology and biodiversity.

DAS5 The masterplan provides approximately 50% of the development site area as green infrastructure and will respect and enhance the setting of existing heritage assets and the character of the area.

DAS6 The existing hedgerows and trees would be retained and integrated where possible, into proposed green spaces for habitats and amenity space.

DAS7 Various characters within the new development will be created through a hierarchy of streets and green spaces.

DAS8 Integrated transport links will be provided throughout the development and connecting to the existing transport networks and the majority of the site will be within 400m walking distance from a regular bus route.

DAS9 A full evaluation of opportunities and constraints has been carried out and has informed the development proposals. This includes creating a village green at the high point of the site, which will enhance and create a green space between the proposed Kingsnorth Green development and St Michaels Church, Church Hill and the current centre of Kingsnorth.

- DAS10 Existing character areas were assessed in order to assimilate the new development with the existing.
- DAS11 The Masterplan has responded to public consultation and the evolution of the Ashford Local Plan through consultation with stakeholders during 2016 and 2017.
- DAS12 The total provision for green space is above the minimum requirement defined in the Ashford SPD. There is allowance for up to 0.66ha play space; 2.1ha sports playing fields; 0.26ha allotments; 2.64ha amenity green space; 12.99ha habitat protection and creation; 1.83ha SUDS; and 3.54ha woodland.
- DAS13 Each of the four Parameter Plans are explained in detail.
- DAS14 Illustrative examples are given of a variety of locations eg housing fronting green spaces; housing fronting perimeter landscape; houses fronting inner streets and routes; and housing in home zones.

The Development Specification (DS)

- DS1 The purpose of the Development Specification (DS) is to define and describe the principal components of the proposed development.
- DS2 The application is accompanied by a number of supporting documents, including an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, in order to assess its likely significant environmental effects. The DS and Parameter Plans form the basis for the EIA although the Environmental Statement does not form part of the application but is submitted to meet statutory requirements.
- DS3 Whilst not forming part of the application, the supporting documents are submitted with the aim of assisting the Local Planning Authority, stakeholders and local residents to understand and evaluate the proposals. If appropriate, parts of these documents can be linked via planning condition to any permission granted.
- DS4 The development will be subject to a phasing plan to be agreed with the Local Planning Authority.
- DS5 The development will be controlled by planning conditions attached to the planning permission and an agreement under Section 106 of the Town and Country Planning Act 1990. Together these will ensure that the development of Kingsnorth Green proceeds in accordance with the Parameter Plans and

Development Specification and the phased provision of all necessary social and physical infrastructure.

The Planning Statement (PS)

- PS1 The parameter plan approach provides a robust framework compliant with current planning and environmental legislation for the application and the basis for the assessment of the likely significant effects of the proposed development on the environment to be reported in the Environmental Statement.
- PS2 Such an approach, whilst providing sufficient certainty at the outline application stage, will also allow for some flexibility (through Limits of Deviation) for the future reserved matters. The detailed design will be controlled through planning conditions which will require the scale and layout of the development to be in accordance with the approved Parameter Plans. Such conditions would secure and deliver any proposed mitigation arising from the EIA process.
- PS3 Kingsnorth Green is in a sustainable location, and the masterplan illustrates how the disposition of uses will develop a sustainable urban extension incorporating “Garden City” principles.
- PS4 The application was originally submitted in September 2015 and was for a much larger scheme: 750 dwellings, 210 m sq Classes A1 – A5 uses, 180 m sq Classes D1 and D2, 1 form Primary School, local recycling facilities, areas of formal and informal open space, utilities infrastructure, transport infrastructure, new planting and landscaping and associated groundworks.
- PS5 In June 2016, the Local Authority published its Regulation 19 Local Plan to 2030. Draft Policy S4 proposed part of the application site, land to the north of Steeds Lane and Magpie Hall Road, for residential development for up to 320 dwellings. Draft Policy S5 proposed that the remainder of the application site, land south of Pound Lane, for residential development for up to 100 dwellings.
- PS6 Following public consultation, the Local Authority published the “Main Changes” to the emerging Local Plan in July 2017. The “Main Changes” increased the indicative capacity of the Policy S4 site to 400 dwellings and of the Policy S5 site to 150 dwellings.
- PS7 In light of the emerging Local Plan, the outline application has been amended to reduce the capacity of the site to accord with the emerging Local Plan.

- PS8 The amended scheme not only reflects the emerging Local Plan to 2030, but also responds to a number of consultation responses, particularly in respect of transportation and environmental issues.
- PS9 In terms of Planning Policy, the adopted Development Plan remains as it was when the original application was submitted. Since then, the emerging Local Plan to 2030 proposes the application site be allocated for residential development with an indicative capacity of up to 550 dwellings.
- PS10 Furthermore, the overall requirement for housing has increased to 16,120 dwellings and the Local Authority remains unable to demonstrate a Five Year Housing Land Supply. Consequently, the presumption in favour of sustainable development, embodied in the NPPF, remains paramount and it is respectfully requested that planning permission be granted “without delay”.

The Transport Assessment (TA)

- TA1 The TA submitted with the application as it was originally submitted in **September 2015**, for the larger development, concluded that the key to the movement of people is to arrive at a sensible series of transport and infrastructure solutions that drives travel demand for car and non-car modes to a balanced point. This is where sustainability is maximised, whilst recognising that some car use is a social and economic reality. This can be achieved at Kingsnorth by laying out the site and facilities, such as high quality walk and cycle access around and through the site that are connected to existing network; providing a high quality and high frequency bus service connecting to the town centre and stations; internal road layout and facilities provided, such as bus routes and high quality connections to the strategic road network; provision of a Travel Plan to coordinate and frame these travel strategy approaches and facilitate a more sustainable approach to travel that reduces the use of the private car.
- TA2 Furthermore, it stated that some consented and committed development in Ashford was unlikely to be provided in the way it was initially envisaged, the likely result of which is that more capacity would exist on the strategic network than anticipated. This would allow a deliverable site such as Kingsnorth Green particularly as it meets housing need, to come forward under planned conditions with strategic infrastructure improvements already in place or committed to accommodate it. Capacity assessment results at critical junctions with development at Kingsnorth Green fully built out, occupied and operations shows them to be operation within capacity in the AM and PM peak periods and with enough spare capacity to accommodate daily variations in traffic flows.

- TA3 The Supplementary Transport Assessment submitted with the amended application in **December 2017** concluded the same position in respect of the impact on the strategic network.
- TA4 In the intervening time however, capacity assessments had been carried out for critical junctions identified by KCC. The results showed that some capacity improvements at the roundabouts may be needed between now and 2030 to comfortably accommodate planned development in Ashford. The nature of these improvements is identified in the report and all identified improvements can be delivered within the highway boundary.
- TA5 Work led by ABC and KCC is planned to provide Highways England with the requested evidence and comfort and is expected to be completed in December 2017. The work will look at site allocations in the emerging Local Plan which at the time of this report were yet to be fixed. HE has been issued with a Technical Note comparing the traffic flows used for the junction 10a assessments with traffic flows generated by committed development on the said approved list with Kingsnorth and Court Lodge developments included. The purpose of the note is to provide HE with evidence and comfort that the Strategic Road Network can accommodate planned development in the emerging Local Plan and beyond.
- TA6 Since then the applicant has submitted a Technical Note dated **June 2018**, in order to address the response by KCC Highways. This included the crash data for a wider area specified by KCC and stated that the proposed realignment of Magpie Hall Road and signalisation of Pound Lane / Church Hill junction will improve safety at these junctions.
- TA7 The Technical Note also addressed vehicle tracking, and the Stage 1 Road Safety Audit.
- TA8 It also referred to KCC's request for the access to Area 1 (south of Pound Lane) to be modelled to include the Court Lodge development proposals to establish the exact nature of the access with both developments. The Technical Note stated that the access they are showing to the site has been confirmed by KCC as being acceptable. The access to Pound Lane was also amended.
- TA9 The visibility splays to Area 2 were amended, as was the realignment of the Magpie Hall / Ashford Road junction. The visibility splays required by KCC at the Steeds Lane north junction could not be provided and it stated that this was acceptable to KCC on the basis that the proposals were already providing a betterment over the existing position.

- TA10 The access to Area 3 was amended in accordance with KCC's request, as was the access to Area 4. Several issues raised by KCC in respect of the signalisation of Pound Lane / Church Hill were also addressed. In response to KCC's questions about bus provision, the TN stated that the applicant will contact KCC's public transport team to discuss local bus enhancement strategy. The results of sensitivity testing of the Court Lodge development was also included.
- TA11 In respect of the impact of the development on the Orbital Park Roundabout, the Note stated that a Statement of Common Ground on the Strategic Road Network had been agreed between Ashford Borough Council and Highways England, for the Local Plan Examination. This states "The Borough Council and HE agree that the assessment of the impacts of Local Plan development in 2030 contained within the studies by Amey satisfactorily demonstrate that the residual cumulative traffic impacts of the Local Plan proposals over the Plan period do not require any further mitigation works on the Strategic Road Network over and above those required in connection with existing planning permission. The Local Plan proposals will not materially affect the safety, reliability and / or operation of the SRN".
- TA12 In respect of the impact on the Romney Marsh Road / Norman Road / Kimberley Way roundabout, the Note states that KCC has since informed them that a scheme connected to the Designer Outlet planning application is to be implemented. PBA has carried out a capacity assessment of this scheme that confirms the scheme can accommodate Kingsnorth Green and Court Lodge development proposals.
- TA13 Regarding the A2070 Bad Munstereifel Road / Romney Marsh Road / Malcolm Sargent Road roundabout, the Note confirms that the applicant agrees to pay a contribution through the S106 Agreement towards the scheme, which is to be implemented as part of the Waterbrook scheme.
- TA14 The TA confirms agreement to the imposition of a condition requiring the installation of an electric charging point at each dwelling and to pay a contribution of £5,000 to KCC for the monitoring of the Travel Plan.
- TA15 Finally, the TA comments on the views of Highways England dated 11.1.18, and confirms that the Crash Data has been assessed as being acceptable by KCC, and that evidence that the proposed development can be accommodated by the Bellamy Gurner scheme is addressed in the Statement of Common Ground between Ashford Borough Council and Highways England.
- TA16 A further Technical Note was submitted dated **2 October 2018** which was a response to KCC's consultation response to the previous Technical Note,

specifically in relation to the requirement for a full right hand turn into Area 1 from Ashford Road rather than a simple priority junction. The Note states that the junction modelling produced at the Local Plan Examination has not been appropriately used and there is no requirement for a full right hand turn into Area 1.

TA17 The Note concludes by asking for a breakdown of the request to provide £1,871,058 (30%) of the cost of the Romney Marsh Road / Malcolm Sargent roundabout.

The Environmental Statement (ES)

- ES1 Two ESs have been submitted – one to cover the original application and the second to cover the amended scheme. The initial ES covered soil and land use; ground conditions; water resources; noise; air quality; landscape and visual impact; archaeology and cultural heritage; and climate change. In addition, a Flood Risk Assessment (FRA) and Drainage Strategy, an Arboricultural Report, a Utilities Report and Sustainability Statement were prepared and submitted.
- ES2 The ES stated that it is a requirement of the EIA process to identify “significant” effects, and where significant impacts have been identified, measures have been recommended to avoid or reduce such impacts (mitigation measures). These have involved alterations to the masterplan of the scheme, or the introduction of specific measures to reduce potential effects.
- ES3 The ES went through the local engagement that has taken place, the mitigation proposals and to explain that where there are residual impacts, assessment and mitigation has been used to reduce impacts to the lowest possible level. Remaining (residual) effects are identified where they exist.
- ES4 The ES also covered the alternatives as is required by the legislation. It concludes that the proposed development is the most sustainable option to meet the housing needs of the area, whilst minimising negative impacts on the environment.
- ES5 The amended ES reported the findings of a review of the original ES, to assess whether the proposed amendments gave rise to materially new or materially different environmental effects that had been previously assessed and reported. In addition to the amendments to the scheme, it also covered the length of time that had passed since the 2015 application was submitted, and consultee comments received in relation to the 2015 application.

- ES6 The ES states that by reducing the size of the scheme, the amended scheme provides a number of advantages over the 2015 scheme including reducing the overall extent of development and therefore reducing environmental impacts, in particular landscape and visual impacts, flood risk and loss of agricultural land and ecological habitats; increasing the buffer between the proposed development and Kingsnorth reduces impacts on the character of the village and the Kingsnorth Conservation Area; increased green space has been provide adjacent to listed buildings, reducing impacts on these assets and their setting; and proposed woodland will enhance Isaac Wood, and provide ecological, landscape and visual benefits.
- ES7 The amended ES concludes that no significant adverse impacts will result from the proposed development. Mitigation and enhancement measures will be undertaken which are likely to lead to an overall slight increase in the ecological value and diversity of habitats within the site. As a consequence, the assessment has established that the development of the site will comply with planning policies, including the NPPF, as well as relevant species and habitat legislation.

Flood Risk Assessment and Drainage Strategy (FRA)

- FRA1 This report gives details of the Flood Risk Assessment, which has been carried out in accordance with the NPPF.
- FRA2 The majority of the site is located within Flood Zone 1 according the Environment Agency's Flood Map. A minor area of the site in the north-western corner is shown to be located within Flood Zone 2.
- FRA3 The proposals are for a residential development incorporating Public Open Space, and new link roads. The proposed residential use is classified as 'More Vulnerable' development in the NNPG, which is considered to be an appropriated development type within Flood Zones 1 and 2.
- FRA4 The risk of flooding from rivers, groundwater, overland flow, sewers and artificial sources is considered to be low. The site is considered not to be at risk of flooding from the sea.
- FRA5 The risk of flooding posed by the development, from increased surface water runoff is considered to be low with the recommended measures (surface water management) in place.
- FRA6 Surface water runoff will either be discharged to ground by infiltration SuDS, or discharged at a restricted rate to nearby local watercourses or the public sewerage network. Flows in excess of this will be attenuated on site for

events up to and including the 1 in 100 year event including an appropriate allowance for climate change.

FRA7 Attenuation will be provided throughout the site in a range of SuDS features, designed as part of a suitable SuDS management train. The choice of SuDS features will be determined at the detailed design stage and following an assessment of the ground conditions to determine the feasibility of infiltration methods.

FRA8 Foul water flows from the development cannot be accommodated within the current public sewerage system due to existing capacity constraints. Cost estimates provided SWS to connect the new development via a new foul sewer requisition are considered to be excessively uneconomical at circa £15m. The applicant is therefore investigating an alternative option to provide a new on-site Wastewater Treatment Works, under an Inset Agreement, which would be operated by a fully licenced Sewerage Undertaker regulated by Ofwat.

FRA9 It is concluded that the site is suitable for the type of development proposed.

Arboricultural Impact Assessment (AIA)

AIA1 The report states that the site is not within a Conservation Area, however, there is a Tree Preservation Order in place which protects trees within an ancient woodland.

AIA2 The tree population is comprised of predominantly mature and early mature trees located within hedgerows on site. There is an ancient woodland called Isaac Wood and identified as W1 on the accompanying 'Tree Location and Constraints Plan'. This woodland is to be retained and a buffer zone of a minimum of 15m put in place.

AIA3 The report states that the arboricultural impacts are minimal, with the vast majority of trees on site being retained. There are minimal impacts on hedgerows, primarily as a result of having to put in the primary road network into and through the site. Where trees and sections of hedgerows have to be removed, mitigation measures are proposed.

AIA4 The remaining trees and hedgerows on and adjacent to the site will be retained and subsequently protected during the construction phase of the development. Tree Protection Fencing will be used to protect retained trees and hedgerows and root protection areas will also be protected.

AIA5 An Arboricultural Method Statement may be required prior to the construction of the development but this can be covered by condition.

Sustainability Statement (SS)

- SS1 The report states that the proposed development constitutes sustainable development, responding positively to the three pillars of sustainable development as follows:
- SS2 Economic role – The scheme will provide employment during its construction and will support the wider growth agenda, alongside supporting local employment growth. It will help sustain the vitality and viability of both Kingsnorth and Ashford.
- SS3 Social role – The scheme will provide a wide variety of high quality homes to cater for a variety of local housing needs. The need for housing in the Borough is well documented. The proposal also encompasses facilities for leisure and recreation and also proposes retaining the existing pathways, as these are an inherent element of the design to help facilitate non-motorised connectivity within the development and across it. The site is therefore considered to be consistent with the social role.
- SS4 Environmental role – The scheme has taken into consideration various environmental considerations in order for it to lessen the impact on the existing environment. The development design has been informed by physical constraints and by the need to safeguard existing environmental assets, such as Isaac wood and GCN ponds. Approximately one third of the site will encompass green space for recreation, leisure, flood management and ecological enhancement. The location of the development is sustainable, in close proximity to existing goods and services in Kingsnorth and Ashford. The development is located where it can be accessed by public transport. The proposal is therefore considered to be environmentally sustainable.
- SS5 With regards to the appraisal against the 13 topic headings in the NPPF it is considered that the proposed development complies with the relevant topic area and is therefore sustainable development in accordance with paragraph 14 of the NPPF.

Statement of Community Involvement (SCI)

- SCI1 This report sets out the activity that was undertaken to communicate the plans for the proposed mixed use development. The report also contains the feedback that has been received in response to the consultation (on the application as originally submitted). The feedback was received via questionnaire, telephone, post and e mail.
- SCI2 The plans and public exhibition were widely publicised through an advert in the local paper (the Kentish Express, circulation 12,764), a press release to

local media, individual leaflets delivered to 251 residents neighbouring the site, a letter sent to 38 stakeholders, and through the website.

SCI3 The exhibition was attended by 200 people and 56 feedback forms were completed.

SCI4 The document lists all of the feedback received during the consultation and the appendices include copies of the consultation materials produced, including; the leaflet, press advert, press release, exhibition boards, consultation questionnaire and invitation letter, as well as an example of press coverage published ahead of the exhibition

Ashford Five Year housing Land Supply Assessment (HLS)

HLS1 This was submitted with the application as originally submitted and in advance of the emerging requirement being tested at examination. The report stated that from the applicants' analysis, the total deliverable housing provision for Ashford Borough Council for the next 5 year period (2014 to 2019) is 3,382 net additional dwellings. This amounts to a shortfall of 11,188 dwellings (Scenario 1) or 7,713 dwellings (Scenario 2) against the 5 year requirement of 14,570 dwellings (Scenario 1) and 11,095 dwelling (Scenario 2). The requirements include and account for the accumulated historic undersupply of housing. Based on the annual requirement of 2,914 dwellings (Scenario 1) and 2,219 dwellings (Scenario 2), Ashford has a supply of either 1.16 years or 1.52 years, contrary to the requirements of the NPPF. Y

HLS2 The report concluded that Scenario 1, referring to the adopted Core Strategy, should be adhered to. Irrespective of this, under both scenarios, Ashford has a significant shortfall in its five year housing land supply. An appeal decision from March 2015, relating to a site in Charing, confirms that Ashford Borough Council cannot identify a five year housing land supply

Affordable Housing Statement (AHS)

AHS1 This related to the proposal as originally submitted and stated that the development would provide 135 Affordable Rented units and 90 intermediate homes all prioritised to those households in need of accommodation who cannot actively compete for similar properties in the open market. The detailed planning applications for the proposed development scheme will inform the specific mix of house-types and will reflect a detailed market research and analysis at that time.

Surface Water Drainage Assessment (SWD)

SWD1 Surface water runoff from the development will be restricted to the predevelopment greenfield runoff rates. Any flows in excess of the greenfield runoff rates will be attenuated on site for all storm events up to and including the 1 in 100 year event, including an allowance for climate change.

SWD2 Attenuation will be provided throughout the site in a range of SuDS features. SuDS will be incorporated into the development to provide attenuation and water quality treatment. A suitable SuDS treatment train will be provided for each development 'type' within the site.

SWD3 Surface water will either infiltrate to the ground or be discharged to adjacent watercourses, whichever is most appropriate following detailed design.

Foul Sewerage Assessment (FS)

FS1 The report concluded that the public sewers in the vicinity of the site do not have sufficient capacity to accommodate the anticipated foul flows from the proposed development.

FS2 Following a capacity study by Southern Water, two options to provide new sewers and upgrade existing drainage infrastructure have been provided. In addition to these two options, a third option of requisitioning a new sewer is also available.

FS3 It is considered that a foul drainage solution is ultimately available for the proposed development site.

Heritage Assessment (HS)

HS1 This assessed the potential impact of the proposed development on assets of a built heritage nature within the vicinity of the site. The assessment concluded that the designated assets of Kingsnorth Conservation Area, Mumford House, Bond Farmhouse and Taylor Farmhouse would experience harmful changes. However, all identified impacts would cause less than substantial harm to the asset.

Historic Landscape Assessment (HLA)

HLA1 This established that the historic landscape character of the application site is constituted from elements of the post-medieval agricultural use of the site. There are no known landscape elements within the site which represent earlier landscape uses. It concluded that the proposed development would seek to retain the characteristic elements of the landscape, in particular the

historic hedges and waterbodies and would enhance Isaac Wood with the provision of a buffer and further woodland planting.

Ecological Assessment (EA)

- EA1 This stated that there are no sites of international importance within a 10km radius of the development area excepting Wye and Crundale Downs SAC, which is situated just over 9.25km from the northeastern corner of Parcel B5, which is the part of the development which lies closest to the SAC. Given the distance between the sites, and the fact that public open space would be created within the development, impact upon the SAC is unlikely, however Habitats Regulations Assessment should be undertaken to verify this.
- EA2 Habitats of higher ecological value include the woodlands, the wet ditches and ponds, hedges, and the semi-improved grassland of the road verges and as found in B3. It is recommended that these are retained, and incorporated into the development as part of the site's green infrastructure. Habitats of lower value include the defunct hedges, arable land and improved grassland and small areas of young scrub. It is recommended that these are retained where possible and ecological enhancements considered. The features of highest ecological value are the semi-natural broadleaved woodland in B6 and B7 and species rich, ancient hedgerows in B1, B3, B6 and B7, which exhibit botanical interest as well as providing opportunity for rare/scarce or protected species. These habitats are provisionally assessed as being of Medium value at the County scale. Hedgerow survey and a Phase II survey of the woodland is recommended.
- EA3 A number of protected species have been recorded from the site and a series of surveys are proposed to establish presence or absence.

Hedgerow Assessment (HA)

- HA1 Over one third of the hedgerows within the site were species-rich and comprised of an aggregate of five or more woody species. Under a half (17 out of 42) of the hedgerows were classed as 'important' under either Paragraph 6 or 7. All hedgerows are listed as UKBAP and LBAP priority habitats.
- HA2 Hedgerows are wildlife habitats in their own right, but also form vital corridors for the movement of wildlife and are important in the maintenance of landscape-scale habitat linkages through both the countryside and urban areas. As such, and in accordance with the NPPF and the provisions of the NERC Act, any development proposals for the site should seek to retain and enhance such corridors for the future benefit of wildlife. In this context, all hedgerows (particularly those identified as 'important' under The Hedgerow

Regs criteria) have an intrinsic value and should, where possible, be retained and enhanced within development proposals.

HA3 Breaks within hedgerows are shown on the Illustrative Masterplan in order to facilitate the proposed development. To offset any losses, defunct hedgerows within the site will be gapped up. Gaps will be planted with at least six native shrub species of local provenance, based upon existing content of the hedgerows on the site.

Planning History

No planning history related to this site

Consultations

On the application as originally submitted in 2015:

Ward Members: No representation received.

Kingsnorth Parish Council: Kingsnorth Parish Council objects to this application as premature, seeking to deliberately pre-empt the proper strategic planning being undertaken in the Local Plan process.

The Parish Council believes that Ashford should remain committed to the approved strategy of compact development of Ashford so that the setting of the town in the Kent countryside is maintained as a key asset. The urban extensions of Chilmington Green and Cheeseman's Green were approved in the Core Strategy in 2008 because at that time Ashford was designated as a "growth Area". The designation has since been withdrawn and there is now no basis for further large development in open countryside. Not only is this development entirely inappropriate it is also unsustainable and non-viable.

The current adopted plan, known as the Core Strategy runs to 2021, this site is not included in this document. The core strategy is now being reviewed, now called the Local Plan, and this application seeks to pre-empt any suggestions that may result from ideas for future development from the planners in consultation with the residents. The Localism Bill 2011 is said to allow local people to have more say in development in their local area.

The applicants in their documents justify the development by relying extensively on the fact that in 2008 Kingsnorth was suggested by the planners for a third urban extension south of the urban area of Ashford, the other areas being Chilmington Green and Cheeseman's green. At the time the inspector in his report said " To meet the housing target(at that time 31,000 houses) in the most appropriate manner a third urban extension will be needed, but the information base does not allow the most appropriate location for such a third extension to be identified. He also said "To

include “south Ashford “as a housing area would be very unpopular. It would sit uncomfortably against the concepts of local democracy and accountability”. The inspector took into consideration the considerable amount of opposition to the development at Kingsnorth from the residents. The Inspector also stated that “within the Kingsnorth area other alternatives appear to exist. South Ashford seems no better and arguably worse than other options nearby such as Court Lodge and further east over the railway line”.

Since then the growth area status of Ashford has been removed. Ashford is no longer required to build 31,000 houses by 2030. Hence the need for a third urban extension has gone. Kingsnorth has already taken a large number of new houses. In 2001 the population was 6709, by 2011 the population had risen to 11,245, a 70% increase. These are census figures and there have been several hundred more houses built since then. Kingsnorth has already taken its share of new housing, it needs time to assimilate these existing houses into a thriving community.

Landscape

The area proposed for development is quiet open countryside, while it does not have any specific designation the NPPF states that the countryside has an intrinsic value and must be respected.

This plan shows no respect for the countryside but aims to cover a large area of good grade farmland which has been used for agriculture for centuries. In 1987 Ashford Borough Council vowed to protect the rural status of Kingsnorth and its hamlets. Hence its support for the buffer zone between the village and Park Farm.

The plans would completely destroy the rural setting of the existing settlements of Kingsnorth village, Stubbs Cross and Steeds Lane Hamlets. Dwellings in these settlements would lose their rural amenity. This is admitted in the Landscape Assessment, which describes the change as “arable and semi improved grassland to residential and landscaped green space”. The impact is described as “medium to high adverse”. The proposal to build a new village centre almost on top of the existing one is extraordinary and non-viable

Policy TR17 of the Tenterden and Rural Sites SPD specifies 8 criteria to which the Council must have regard to ensure that the Landscape character is protected and enhanced. This proposal does not have regard to the pattern and distribution of the settlements, roads and footpaths. It has no regard for the historic settlement pattern. The sprawling nature of the proposal has a significant and disproportionate impact on the character of the area. The protection of rural lanes is a key theme of Policy TRS18.

The Heritage assessment states that there are 30 listed buildings which will be directly affected by this development. A grade 1 church, 6 grade 2 farmsteads and 23

other grade 2 listed buildings. The Parish Council believes that the proposed changes to the agricultural setting of these listed buildings would be harmful to their special interest and does not agree with the Applicant that lack of ownership of their former farmland renders the setting irrelevant. Heritage England in its letter as a statutory consultee, also agrees that the setting of a listed building is important and should be protected.

The application is very close to the Kingsnorth Conservation area, at present being reviewed. Proposals should be sensitive to the context of the area and this has not been demonstrated in the design and access statement.

Sustainability

The Parish Council considers this application to be unsustainable. The land parcels are discrete and not related to each other. The effects of the development would reach much further than the boundaries of the application. The transport strategy assumes road capacity exists because other developments have not yet come forward. However these developments have been approved and are committed. It is essential that the cumulative impact of development is considered including the impact on regional and national routes. Highways England have requested further modelling work and state that in their opinion "the development may result in severe harm to the M20 and the A2070 trunk road".

The road layout within the development and which purports to link the sites is totally unsustainable.

The suggested roundabout at Smithfield Crossroads leads in the first instant into Area 2, as a long cul-de-sac with no other exit. All the other areas have connections to existing rural roads. These roads are narrow lanes and could not possibly take the extra traffic which such a development would generate.

Finally, all the roads proposed on the site would lead eventually to the crossroads in the centre of Kingsnorth. This Crossroads is already very dangerous. It couldn't take the volume of traffic which this development would create. The Chilmington Green development will also add to the volume of traffic on these crossroads. Development in South Ashford, especially at Cheeseman's Green, is severely, constrained by the lack of a new junction onto the M20, known as J10A. This junction has been on the cards for over a decade, its funding is uncertain and the will of Government to fund it is problematical. It is not due to start construction until 2019.

Ecology

The development proposes to remove hedges and replace them in other places. It is assumed that the habitats and biodiversity that hedges provide can be replicated almost instantly by replacement planting. This is not so, it takes years for hedges to

grow to a size that becomes useful to wildlife. In addition the wildlife disturbed by the development may never return to the site. This is almost certainly true of dormice.

Other highly protected species on this site are water voles and Great Crested Newts. This is acknowledged, but the ditches which the water voles depend on for dispersal and foraging are not being protected, the ponds have only a protected zone of 50m . Whether this is sufficient depends on the expected use of the green areas and whether these areas would be used for agriculture or public recreation.

Flooding

Kingsnorth is on heavy clay, this is not mentioned in the assessment of surface runoff and in the effectiveness of SUDS. Flooding in this area occurs every winter and in other seasons after heavy rain. The White Water dyke and the water courses feeding into it are of particular concern. Many of the listed buildings are built with floating foundations which if the water table fell would be severely damaged.

Public consultation

The Parish Council, with the assistance of ABC planners, has held three public workshops. The subject of general development in Kingsnorth and consideration of this application has been the subject of these workshops. Attendance has been high and opposition to this application was unanimous.

The suggested timetable for the building of this development is totally unrealistic.

The Parish Council consider that this application is unsustainable, inappropriate and unnecessary and unviable. It should be withdrawn.

Shadoxhurst Parish Council: Shadoxhurst Parish Council objects on the following grounds:-

Pressure on the infrastructure, local schools, local doctors, hospitals and other local facilities

The increase in traffic that will generated by this development

Noise Pollution

Light Pollution

Effect on the Environment

Loss of identity of local communities

Great Chart with Singleton Parish Council: Great Chart with Singleton Parish Council does not object or support at this stage of the outline application, but does request that any application is not considered in isolation to other potential developments, particularly Chilmington Green, and that further consideration should be given to bring coherence to any future transport links for the whole of Ashford. It was noted that a roundabout had previously been proposed at Magpie Hall Road, which had not been developed.

Bilsington Parish Council: Object to the application on the grounds that the road infrastructure in the adjoining Parishes would be unable to cope with the increased traffic.

Mersham with Sevington Parish Council: Mersham with Sevington Parish Council consider this application to be inappropriate over-development of the area and have concerns about a lack of evidence of need for these properties. The roads infrastructure is ill-equipped to deal with the high-volume of traffic that is already using these roads. Without a commitment to Junction 10A this development cannot be justified, if Highways England cannot make a viable argument for expenditure on Junction 10A now, this development should not be permitted.

Kent County Council Highways and Transportation: The applicant is required to undertake further work, to include traffic surveys and transport modelling, as per the scoping discussions had with the applicants' transport consultants in July 2014. The corresponding output from this exercise is needed for the local highway authority to be able to take a robust position on the findings from the assessment process. As such the local highway authority's current position is one whereby further information is required to be provided by the applicant. Should the applicant elect to not provide the further information requested by the local highway authority then an objection shall be forthcoming on the basis of insufficient information being presented within the application material.

i) Traffic survey requirements

The Transport Assessment has been prepared without the commissioning and collation of traffic survey data. This data is required in order to provide a robust assessment of key local junctions. The local highway authority did scope what junctions would be required to be surveyed with the applicant, but the decision was made to ignore this advice. It is crucial that Transport Assessments are undertaken in accordance with the scope of assessment agreed with the local highway authority.

The PBA scoping note made reference to the following junctions to be the subject of traffic surveys:

- M20 Junction 10 A2070 / Orbital Park access
- A2070 Bad Munstereifel Rd / A2042 Romney Marsh Road

- Romney Marsh Road / Forestall Meadow
- Romney Marsh Road / Malcolm Sargent Road
- Romney Marsh Road / Norman Road

The applicant's transport consultant has previously identified that an assessment of the following junctions was undertaken prior to the TA scope having been agreed with the local highway authority:

- Steeds Lane/Ashford Road/Magpie Hall Road
- Pound Lane/Church Hill/Ashford Road

Traffic data for the junction of Steeds Lane/Ashford Road/Magpie Hall Road and Pound Lane/Church Hill/Ashford Road has not been presented within the Transport Assessment, and this data is required to be made available to the local highway authority for analysis. The traffic survey should also include the placement of ATCs at two locations on Ashford Road. The precise location of the ATCs is to be confirmed through discussion with the local highway authority.

ii) Baseline highway network performance

The applicant is required to undertake traffic surveys explained under point i) above in order to collect and collate data baseline traffic data to inform an assessment of the baseline performance of key local junctions on the local highway network as bulleted above. This modelling will provide a measure of how the network is performing today in the year the planning application was submitted, that being 2015.

Section 5.3 of the Transport Assessment asserts that Highway England's SATURN model has been used to derive traffic data for inclusion within the Transport Assessment. The TA states:

"This has been advised as a preferred approach by both KCC and HA officers."

The above statement is factually incorrect. The true series of events in that the local highway authority spent effort at the pre-application stage having been engaged by the applicant's transport consultant to define what junctions on the local highway network would need to be assessed to derive baseline highway data for inclusion within the Transport Assessment.

The Transport Assessment makes direct reference to '2014 observed flows' but there is no explanation as to the source behind the 2014 observed flow data, and no data is appended to the Transport Assessment.

iii) Committed development

The local highway authority has not agreed the committed development with the applicant. As such there cannot be complete confidence in the relevant baseline position. The standard approach is for the applicant to seek to agree what represents committed development with the Local Planning Authority. The local highway authority seeks clarification from the local planning authority as to what development proposals are representative of 'committed development'.

iv) Impact on the local highway network

The Transport Assessment advises that the methodology for assessing the impact of the development proposal is based on the extract of data from Highway England's SATURN model. Trip distribution information to inform the Transport Assessment has been based on the extraction of data from the SATURN model for the Park Farm residential development, and that traffic distribution for the Kingsnorth scheme has been distributed onto the highway network in the same pattern and Park Farm in the SATURN model.

The local highway authority does not support this metrological approach, and the output will be significantly misrepresentative of local traffic distribution, as illustrated in Figure 1.

Figure 1. Analysis of traffic distribution

The analysis presented in Figure 1 illustrates the assignment of the principal traffic movements from three locations, as follows:

- The centre of Kingsnorth Green site: the principal movements will be via Ashford Road to join the strategic network, as represented by the green line
- Park Farm Estate: the principal movements will be via the roads marked orange
- Park Farm South and East: the principal movements will be via the roads marked red

The TA does not confirm if the data for 'Park Farm' is representative of the Park Farm Estate or Park Farm South and East. Notwithstanding this, the application of distribution data as described within the TA is materially misrepresentative of how traffic will assign to the local and strategic highway networks from the application site. As illustrated by the green line, the traffic movements assigned from the application site will interact with a number of local junctions (and proposed site access locations) that has not been correctly captured in the exercise carried out to inform the TA. For example, movements through the junction of Ashford Road/Pound Lane/Church Hill will have been significantly underestimated, and movements

through the Ashford Road/Forestall Meadow roundabout and Romney Marsh Road/Malcolm Sargeant Road/Bad Munstereifel Road will have been materially underestimated within the TA analysis.

The methodological approach is clearly unsatisfactory, and traffic surveys of local junctions are required. In tandem with the junction survey work the local highway authority will look to agree a representative position with respect to traffic distribution onto the local network from the application site.

v) Impact on the Strategic Road Network / transport modelling

The impact on the Strategic Road Network will need to be assessed using the Highways Agency Saturn model. Two principal model runs using the Highway Agency Saturn model would be required, as bulleted below:

- Saturn model using existing committed development + background growth + the development
- Saturn model using existing committed development + background growth + the development + any additional committed developments identified by Ashford Borough Council in accordance with the emerging Local Plan

The second identified model run is not straightforward to agree, as the additional committed developments likely to be carried forward through the Local Plan process have not yet been confirmed.

Highways England has submitted an initial response to the application dated 29th September 2015. Within the response it is clarified that:

'Highways England do not agree with the assumption that "the assessment of development impact on the strategic road network is therefore inherent in the above mentioned studies and models" (referring to the Ashford Highways and Traffic Study SATURN Model and Ashford Town Centre Study VISSIM model). Whilst development contained within the existing modelling may not have come forward as anticipated, the location and Impacts of the resultant traffic flows would be most likely spread across the model area it would not be correct to assume that they would be specific to the Kingsnorth area.'

The local highway authority concurs with the views of Highways England, and it is advised that the applicant engages with Highways England on the timing of access to the strategic model, the likely cost of a model run and confirmation of the committed developments included.

vi) Steeds Lane/Bond Lane proposed access arrangement – visibility requirements

Both Steeds Lane and Bond Lane are subject to national speed limit (60 mph) and both are rural roads, and so visibility requirements are in accordance with DMRB (2.4m x 215 m). The drawings show visibility splays of 2.4m x 43m. In the absence of speed data at the points of access to demonstrate that visibility requirements lower than those required for 60 mph roads can be supported then visibility splays of 2.4m x 215 m need to be shown to be accommodated within land owned by the applicant and/or the public highway.

New points of access served from the public highway network are required to be lit.

vii) Pound Lane proposed access arrangement

The drawing to show the proposed access with Pound Lane includes a notation that there is no footway on the south-western side of Pound Lane to the east of the proposed access. This is incorrect, as the local highway authority completed a footway extension in 2013 along this section to a point east of the culvert bridge, as denoted by the pink highlight below. The footway is shown on the OS base, as marked.

Figure 2. Proposed access arrangement with Pound Lane

To the west of the culvert bridge pedestrian connections continue in the form of a footpath set back from the carriageway. This detail needs to be shown on the proposed access arrangement drawing. Consideration needs to be given about the interaction with the culvert bridge as a result of intensification of traffic movements using Pound Lane as a result of the proposed development.

There are also concerns that a large vehicle will not be able to make a satisfactory manoeuvre from the internal road when undertaking a right-turn onto Pound Lane even when taking account of the hatched section. The proposed arrangement needs to be revised.

viii) Accident data

The Transport Assessment references accident data in section 3.5, but the output is based on a high-level desktop study using Crashmap, which is a publicly-available website that provides a basic overview (location on crash incidents) over a given time period.

Accordingly, the TA provides no associated commentary on the causal factors behind local crash incidents to enable a robust analysis to be undertaken. The applicant is required to obtain crash data from the local highway authority, to include commentary on the causal factors behind crash occurrences.

The accident data study area needs to include a much broader area than that defined in the TA, as the development proposal will give rise to traffic movements that will not be limited to only interacting with those junctions shown within the screen capture on Figure 3.5 of the TA. Figure 3 defines the study area for which crash data is to be obtained from the local highway authority in respect of the extent of the local highway network. Dialogue should also be had with Highways England concerning the Strategic Road Network.

Figure 3. Crash record study area

ix) Magpie Hall Road – the need to keep this route a rural lane

The promotion of the planning application in advance of the Local Plan Review being suitably progressed does not endorse the spirit of proactive planning. An example of this is in respect of the proposed off-site highway works to Magpie Hall Road, for which a roundabout scheme has been put forward for consideration as part of the development proposals. There are associated issues for Magpie Hall Road itself if the junction of Magpie Hall Road is upgraded to a roundabout scheme, as this will draw in a greater degree of local vehicle movements via Magpie Hall Road, which the local highway authority considers to be unacceptable as Magpie Hall Road is to be subject to traffic calming proposals in conjunction with development proposals at Chilmington Green, for which there is a resolution to grant planning consent.

The promotion of the planning application ahead of the Local Plan Review means it is not possible to comprehensively plan improvements to the local highway network to cater for future development should sites be allocated through the Local Plan process.

Highways England: Our view is that the proposed development may result in severe harm to the M20 Motorway and A2070 Truck Road. We need further information from the applicant to establish whether this is the case. The information we require is:

Traffic Impact Assessment of the development on the SRN at A2070 junctions with Orbital Park access, A2042 Romney Marsh Road and at M20 Junctions 9 and 10.

Highways England do not agree with the assumption that “the assessment of development impact on the strategic road network is therefore inherent in the above mentioned studies and models” (referring to the Ashford Highways and Traffic Study SATURN Model and Ashford Town Centre Study VISSIM model). Whilst development contained within the existing modelling may not have come forward as anticipated, the location and Impacts of the resultant traffic flows would be most likely spread across the model area it would not be correct to assume that they would be specific to the Kingsnorth area.

Therefore, we would ask the applicant to look further at each of these junctions and provide a traffic impact analysis through to the year of full occupation.

We will write again when we have received this further information and have evaluated it.

This email does not constitute a formal recommendation from Highways England. We will provide formal recommendation later when we can be confident that the application is in its final form. To assist us with this we would be grateful if you would advise when you expect to determine the application.

Kent County Council Flood and Water Management: Whilst we acknowledge that the approval being sought is for outline approval only (with all matters being reserved for consideration at a later date), the principles of the site-wide drainage infrastructure should be considered and established from the outset. We are therefore pleased to note that a Flood Risk Assessment/Drainage Strategy has been submitted to outline how the surface water generated by these proposals can be accommodated and disposed in a manner that seeks to mimic the runoff from the existing site.

At the detailed design stage we would expect to see confirmation of the exact locations of the proposed attenuation/infiltration features along with location specific soakage testing to demonstrate that the scheme has been appropriately sized and will function as intended. Where it is intended to discharge attenuated runoff to a watercourse or ditch, an assessment of the receiving network's capacity to accept any flow should be provided, ensuring the rate/volume of runoff received by any catchment is not exceeded.

The detailed drainage design should be developed to be fully in accordance with the recommendations of the submitted and approved Drainage Strategy. Specifically, any such scheme should:

- Be based on the principles of source control and infiltration (where conditions permit).
- Be designed to accommodate all rainfall durations and intensities for any event up to (and including) the climate-change adjusted critical 100yr storm, with a maximum off-site discharge rate of 4l/s/ha.
- Be based on the use of 'open' SuDS features (swales, infiltration ponds, reed-beds, etc.) rather than through the use of subterranean geocellular crates. Such open features not only visually enhance a development site, they are often cheaper to construct and maintain, provide added amenity and ecological value and can be more easily used to accommodate exceedance flows.

- Consider the flow routing and accommodation of any rainfall event that may exceed the design parameters.
- Take full account of Ashford BC's SuDS SPD and Policy CS20 of their adopted Core Strategy.

We would also expect any SuDS feature to be designed to be less than 1m in depth at the peak of any rainfall event, with a half-drain time of less than 24 hours (to ensure that any subsequent storm events can be adequately accommodated).

Maintenance:

It is generally up to the developer to provide further information on the ongoing maintenance of drainage schemes, even when parts of the system are to be offered for adoption by another authority (either by providing written confirmation from any relevant authority that the adoption has been formally agreed, or through an outlined schedule of private drainage maintenance arrangements).

At the detailed design stage, the applicant should therefore demonstrate that the ongoing maintenance has been fully considered and that the formal agreement of any adopting authority has been obtained.

Please note:

We are aware of existing drainage problems and surface water management issues towards the south of the development area, particularly in the area around Steeds Close, Bond lane and Ashford Road. We would encourage the developer or their consultants to contact us at their earliest convenience to ensure this important issue is fully considered at the detailed design stage.

Should your Authority be minded to grant permission to this development, we would recommend that the following Conditions are attached:

Condition:

(i) Development shall not begin 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 be based on the preliminary strategy prepared by Wardell Armstrong (August 2015) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of through open SuDS features, with any offsite discharge limited to a maximum rate of 4l/s/ha.

(ii) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

i) a timetable for its implementation, and

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

Reason:

To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

Condition:

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority (in consultation with the Environment Agency); this may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason:

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

For information:

Any feature on this site capable of conveying water can be considered to fall under the definition of an 'ordinary watercourse' (unless it shown by the EA's mapping to be a designated 'main river'); we would urge the applicant to contact us prior to undertaking any works that may affect any watercourse/ditch/stream or any other feature which has a drainage or water conveyance function.

Any works that have the potential to affect a watercourse or ditch's ability to convey water will require our formal flood defence consent (including culvert removal, access culverts and outfall structures).

ABC Project Office (Drainage): We support the comments made by KCC in relation to surface water drainage and have the following additional, supplementary comments.

Infiltration to ground will not be appropriate for the site as this area is underlain by Weald Clay; therefore infiltration rates will be extremely low (In the order of 1×10^{-9}) and not appropriate for infiltration. Therefore, it is envisaged that all discharge will need to be achieved via attenuated runoff to a watercourse or ditch, as mentioned by KCC an assessment of the receiving network's capacity to accept any flow should be provided, ensuring the rate/volume of runoff received by any catchment is not exceeded.

SuDS techniques should be prioritised by their "level of appropriateness" for Ashford as identified within the Sustainable Drainage SPD and it would be expected that the majority of the SuDS provided as part of this development will be 4 or 5/5. This should be confirmed during the reserved matters stage as to the detailed elements of the SuDS drainage scheme. We would strongly recommend facilitation of a meeting in the early stages of detailed design between the Applicant (and their design consultants), Ashford Borough Council, The Environment Agency and Kent County Council on a scheme of this magnitude to ensure that the scheme fully complies with local and national requirements. This will allow for existing drainage issues or concerns to be identified and for the design of each element of the scheme to accommodate these.

Reference is made to the use of permeable paving is made within the preliminary drainage strategy, permeable paving systems are encouraged as part of the Ashford Sustainable Drainage SPD, however in this case it would require to use a tanked style system due to the inability for infiltration methods within this area of Ashford.

Maintenance:

As mentioned by KCC, at detailed design stage future maintenance provision should be considered throughout the design phase with formal agreements made to ensure on-going maintenance throughout the lifetime of the development. This will clearly show where responsibilities lie in relation to the maintenance of surface water drainage system. This should be supported as part of a long term strategy to maintain the SuDS system regardless as to whether this will be undertaken by a private management company or another adopting authority.

Runoff Rates:

As per the Sustainable drainage SPD the runoff rate of the site should be 4l/s/ha. The preliminary drainage strategy makes reference in the summary that "Surface water runoff from the development will be restricted to the pre-development greenfield runoff rates". Due to the ongoing and perceived future flood risk within the

Borough of Ashford and as per the SPD, runoff rates in many instance are required to be developed to provide runoff rates below greenfield when development. This site is one of those in question and the rate of 4l/s/ha should be applied even if the Greenfield runoff rate is higher than this rate.

We would recommend the following full condition be placed on the application;

Full Conditions

No development shall commence until plans and particulars of a sustainable drainage system (including the details below) for the disposal of the site's surface water have been submitted to and approved in writing by the Local Planning Authority.

The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed of through open SuDS features, with any offsite discharge limited to a maximum rate of 4l/s/ha.

The final drainage plan for the scheme will be approved by Ashford Borough Council to ensure that surface water runoff from the site is being dealt with appropriately and in line with Ashford Borough Council's Sustainable Drainage SPD. This will include a modified surface water drainage strategy which satisfies the requirements of the SPD.

The submitted system shall comprise retention or storage of the surface water on-site or within the immediate area in a way which is appropriate to the site's location, topography, hydrogeology and hydrology.

Surface water runoff should be dealt with within the application boundary via suitable methods approved by Ashford Borough Council where possible. Proposals should identify any overland flow paths, channelling of flows, or piped flows along with the final point of discharge of the water from the site should be identified. Permission for discharging of surface water the existing public sewer must be obtained by the applicant via written confirmation from Southern Water of their agreement to the proposals.

The submitted system shall comprise retention or storage of the surface water on-site or within the immediate area in a way which is appropriate to the site's location, topography, hydrogeology and hydrology.

The submitted system shall be designed to (i) avoid any increase in flood risk, (ii) avoid any adverse impact on water quality, (iii) achieve a reduction in the run-off rate in accordance with the Ashford Borough Council Sustainable Drainage SPD

document, adopted October 2010. (iv) promote biodiversity, (v) enhance the landscape, (vi) improve public amenities, (vii) return the water to the natural drainage system as near to the source as possible and (viii) operate both during construction of the development and post-completion.

The submitted details shall include identification of the proposed discharge points from the system, a timetable for provision of the system and arrangements for future maintenance (in particular the type and frequency of maintenance and responsibility for maintenance throughout the developments lifetime). No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

The approved system shall be provided in accordance with the approved timetable. The approved system shall be maintained in accordance with the approved details and shall be retained in working order until such time as the development ceases to be in use.

A plan indicating the routes flood waters will take should the site experience a rainfall event that exceeds the design capacity of the surface water drainage system or in light of systems failure (Designing for exceedance) including appropriate mitigation measures and emergency response procedures.

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 pursuant to Core Strategy Policy CS20 Sustainable Drainage.

Environment Agency: The application has a low environmental risk. We therefore have no comments to make.

Kent County Council PROW: The County Council's PROW and Access Service would like to bring to the attention of the applicant the existence of six Public Rights of Way known as Public Footpaths AW315, AW316, AW317, AW318, AW319 and AW320 which run immediately through the proposed development. For the avoidance of any doubt I have transposed the locations of these paths onto the Outline Master Plan. Of note, three of the existing Public Rights of Way's numbered AW315, AW317 and AW318 are omitted from the applicants' submission, plans must therefore be amended at the earliest opportunity. The existence of the Right of Way is a material consideration.

The Definitive Map and Statement provide conclusive evidence at law of the existence and alignment of Public Rights of Way (PROW). While the Definitive Map

is the legal record, it does not preclude the existence of higher rights, or Rights of Way not recorded on it.

Whilst we have objections to the proposed development, these should be able to be overcome following the effective resolution of the issues raised.

Walking and Public Access to the Countryside.

Areas 1, 3 and 4 are well served with a valuable Public Rights of Way network available to residents. The development as proposed will however have significant detrimental effect in respect of the character, views and amenity of some of the existing routes through the development, including that of the "Greensand Way" long distance trail.

Area 2 has no Public Rights of Way within the immediate vicinity and as such suffers from a deficit of available recreational routes for any potential residents. Availability of accessible open space and access is however provided.

The Design and Access Statement make reference to the community feedback requesting the provision for walking, cycling and bridleways. Whilst we recognise and welcome the proposed footpath link in the South East corner of the site, this will be of negligible value to those residents in Areas' 1 and 2, where there is greater deficit. We would also ask that the proposed path is dedicated as a public right of way to secure its future and provision of Bridleways to facilitate cycling and equestrian use is secured.

Impact on Public Footpaths.

AW315

This paths alignment would be directly obstructed by the proposed development blocks, as shown on the attached plan. As such we recommend that plans are re-drawn to demonstrate the paths alignment as being within a wider green corridor as appears to be the intention. The path also forms part of the promoted long distance walk, The Greensand Way. Its regional importance to tourism should not be overlooked. We therefore recommend that the path is provided within a much wider green corridor so that views approaching the farmstead at Bond Lane are retained.

AW318

The southern section of this path has been omitted from the development plans and as such they are invalid. Plans should be re-submitted correctly showing all rights of way on their correct alignment. Subject to the agreement of alternatives, in principle we are not adverse to this path being removed through the development process, should it prove that development would be required over its alignment.

AW316, AW315 (East of Bond Lane)

These paths appear to have been considered and are unaffected. Views are largely retained and the proposed new path may provide to be useful link. We would request however that this proposed path is dedicated as a public right of way for the avoidance of doubt as to its future maintenance. Path AW315 should also be correctly shown on the plans.

AW319

The path follows the alignment and crosses the primary road on three occasions on bends. This would appear to introduce unnecessary safety issues to which we object. A minor amendment however to move the path and green space to the South side of the primary road would remove all concerns.

AW320

Again this path is incorrectly recorded as shown on the master and green infrastructure plans. This must be corrected in order to remove our objection. The alignment as shown is however agreeable and may enhance the views. The path must however be diverted through the due process.

Cycling Access

As proposed, access to Ashford Town, the train station and secondary education facilities would appear to be omitted. Insufficient consideration appears to have been given to this area and as such we believe the development is unsustainable. Our recommendation would be that path AW319 should be upgraded to Public Bridleway status to facilitate cycling and equestrian access between the Ashford Road and Church Hill. In respect of cycling this could then connect North through Park Farm to the excellent Willesborough path to town.

Open Space

The provision of accessible open space appears well considered however the intention of the Village Green appears unclear. It is possible through the Commons Act 2006 to voluntarily dedicate land as a Village Green to afford it a protected status through S15 (8). We would wish to know at this stage as to whether that is the intention and recommend this is secured through condition.

Contributions

We would expect paths AW318 and AW319 to be provided with improved surfacing and have minimum widths of 2.5m. In the case of the continuation of the path to Church Hill from the Community Centre we would expect an offsite contribution in

the region of £26,000. This could be reduced by moving the path inside the red line area to get closer to Church Hill or purchase of the land over which the path resides. All other paths should remain as unmade grass rural paths.

Objections raised are as follows:

- A number of unnecessary safety concerns have been introduced for path AW319 crossing multiple roads with poor sight lines.
- The Master Plan and Green Infrastructure Plans do not include all recorded Public Rights of Way and those that are shown appear to be incorrectly mapped.
- The development blocks appear to inadvertently obstruct Public Rights of Way unnecessarily. Plans should be revised so that we can properly assess the intended layout.
- The future status of the Village Green should be secured.
- There is currently no cycling connections proposed that connect to the existing network and town.

New legislation in response to the Penfold Review, specifically the Growth and Infrastructure Act 2013 Section 12, (stopping up and diversions of public paths) means that an order to stop up or divert a right of way can be made in anticipation of planning permission being granted. This will allow the applications for planning and public rights of way orders to run concurrently, helping to reduce the completion time of the planning process.

In respect of ongoing maintenance it will be expected that Site Operators take on maintenance responsibilities for any landscaping and enhancements to benefit the public right of way network. In the case of any planted vegetation screening, this should be cut on a regular basis so that the footpaths are open and available to their full width at all times. If it is appropriate to do so I would ask that the maintenance responsibilities be added as a planning condition.

If you are minded to approve the application I ask that you make the following conditions;

1. No development should take place over any public right of way until the confirmation of its diversion and certification of the new route is approved by the County Council.
2. That no more than 100 units are occupied prior to the provision of a cycle route link to Church Hill.

3. That any necessary PROW changes and surfacing is agreed with KCC's PROW and Access Service prior to commencement.

4. That a Section 106 contribution is sought to a level no less than £26,000 for the creation of a cycle link to Church Hill.

5. In the event that any diversion is required to a Public Right of Way the Owner and/or the Developer shall submit an application for that diversion to the County Council's PROW and Access service prior to Commencement of Development of the Phase in which the part of the Public Right of Way which requires diversion is located and such application shall be accompanied by a proposed specification for the construction.

6. The Owner and/or the Developer shall dedicate the agreed parts of the Public Right of Way AW319 for use as a public bridleway in order to facilitate access from the development by cyclists

Finally, I should be grateful if you could bring the following to the applicant's attention:

- No furniture, fence, barrier or other structure may be erected on or across Public Rights of Way without the express consent of the Highway Authority.
- There must be no disturbance of the surface of the Public Right of Way, or obstruction of its use, either during or following any approved development without the express consent of the Highway Authority.
- No hedging or shrubs should be planted within 1.5 metres of the edge of the Public Right of Way.
- Please also make sure that the applicant is made aware that any planning consent given confers no consent or right to close or divert any Public Right of Way at any time without the express permission of the Highway Authority.
- No Traffic Regulation Orders will be granted by KCC for works that will permanently obstruct the route unless a diversion order has been made and confirmed. If the applicant needs to apply for a temporary traffic regulation order whilst works are undertaken, I would need six weeks notice to process this.

This response is made on behalf of Kent County Council Public Rights of Way and Access Service. The views expressed should be considered only as the response of the County Council in respect of public rights of way and countryside access matters relating to the application.

Comments are made in reference to the following planning policy;

- National Policy Framework Section 75, states that planning policies should look to protect and enhance public rights of way and access.
- NPF 35, Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to:
 - give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
 - create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones
- KCC Kent design guide

Kent County Council Heritage: This large development site lies to the south of Kingsnorth village and is situated in an area of high potential associated with prehistoric and Roman activity. To the north and east especially are Iron Age funerary sites which can be located specifically due to special landscape and topographical attributes. Westhawk Farm, a Scheduled Roman small town, is situated to the north at a nodal point of several Roman roads. One of these linking Roman roads passes to the west of the application site. Much of the application site comprises fields of historic farm holdings and there has been little development in this area. The proposed development will have a major impact on buried and upstanding archaeology and on the historic buildings and historic landscape. With the potential impact being great, there needs to be a robust and clear assessment of all aspects of the historic environment.

I welcome the approach by Wardell Armstrong in that they have undertaken a geophysical survey of much of the application site and have carried out field walking and a site walkover where possible. However, they do not seem to have undertaken a historic landscape survey or assessment and they have not undertaken an in depth archaeological desk based assessment. In addition there is no detailed assessment of the historic built environment although they have mentioned individual historic buildings.

Despite the welcome preliminary fieldwork, the assessment of heritage is not quite sufficient and does not provide reasonable detail on the archaeology, historic buildings and historic landscapes which could be affected by this proposed large development scheme. There is no detailed assessment provided in a Desk based Archaeological Assessment and there is no historic landscape assessment, both of which usually provide the evidence based supporting the heritage chapter of an ES. A reasonable DBA and Historic Landscape assessment must be provided as part of this application.

Consideration of heritage in the application supporting data seems to be focused in the Archaeology and Cultural Heritage chapter 14 of the ES only. I would like to provide detailed comments on this chapter.

1. The search area on plans/figures is too small. This is in view of the size of the proposed development and potential scale of impact; and in view of the nature of the landscape being very undeveloped, having had little formal archaeological investigations. Although they have mentioned some key archaeological sites some distance away, there is no assessment of the implications for the land around the application site. For example, there is little mention of the Iron Age/roman road network and the potential for associated activity sites adjacent to or within the application site. A larger search area should be considered.

2. The summary account of the key archaeological sites in the area focuses on the evaluation stage of the formal archaeological works rather than the excavation results and publications. Many of the sites mentioned, Westhawk Farm, Park Farm East, Brisley Farm have been fully published and the publications give description of significance of these sites as well as placing them in their landscape context. Some other sites, such as Park Farm, Cheesemans Green and Waterbrook Park have been subject to detailed excavations. The Chapter 14 ES account simply describes the basic evaluation results and therefore does not provide adequate assessment of the surrounding archaeology. The description of these formal investigations around the application site needs to be described using post excavation assessment reports and publication results – not just the trial trenching.

3. I am not sure why the description of archaeology keeps referring to the geology of Weald Clay. It needs to be noted not repeated. However, it should also be mentioned that some of the major archaeological sites known in this area, such as Brisley Farm, Park Farm and Park Farm East, were all located on Weald Clay. It would therefore be mis-leading to imply that Weald Clay is unlikely to hold a significant archaeological site. Furthermore, some other sites, such as Westhawk Farm, were highlighted by the British Geological Society as being mainly on Weald Clay with just small outcrops of River Terrace Gravels. Once archaeological sites were stripped the deposits sometimes were more sandy and widespread gravels. This situation could occur on the proposed development site. There is at least one gravel patch within the application site and this may be much more extensive than BGS record.

4. The topography and the historic landscape of the application site are of far greater relevance than the geology in this case. The single paragraph on the historic landscape (14.2.26) is not sufficient and the information provided in the paragraph is virtually irrelevant. It is suggested that there are high points within the site and a broad ridgeline running east to west. This ridgeline is likely to have been a favourable area for settlement and burial sites from the Prehistoric Period onwards. Such topographical assessment is needed, preferably incorporated into a reasonable

assessment of the historic landscape set out as a separate detailed assessment report.

5. The description of Scheduled Monument of Westhawk Farm (SM 1017645) is not complete. The Scheduled Monument includes a WWII pill box. This may not be relevant to the significance of the Roman small town but it is when considering the application proposes to remove a WWII pill box. Clearly Historic England consider some pill boxes are of national significance. In view of this, the applicant's heritage team need to provide a statement of significance on the pill box within the application site. The proposed removal needs to be thoroughly justified. The pill box is on the HER and there clearly may be other associated heritage assets within the application site reflecting the WWII heritage of this area. The proximity of the Ashford airfield should be described and it may be that a network of pill boxes and gun emplacements are located within the application site, to defend the Ashford Airfield and key roadways. I notice that there may be at least another two pill boxes, not on the HER but adjacent to the application site, one in the garden of Herondell on the east side; and one north of Old Mumford Farm. This aspect needs to be described in greater detail.

6. The description of the Iron Age and Romano-British potential is not detailed enough and does not reflect our current understanding of the character and extent of activity, settlement and funerary sites of this area. As such the potential for Iron Age and Romano-British remains on the application site is being under-estimated.

7. Wardell Armstrong need to re-visit the key archaeological sites as there seems to be some confusion between the nature and character of the Park Farm site and the Park Farm East sites. Park Farm East was very much an Iron Age settlement but Park Farm is most important for its early prehistoric remains.

8. Paragraph 14.2.39 does not provide a reasonable description of Westhawk Farm and the surrounding Roman activity. As such the potential for Roman remains on the application site is under-estimated.

9. Paragraph 14.2.41 does not provide a reasonable description of the medieval settlements. There are several moated farm complexes in this area and many post medieval farm holdings around the application site. There is high potential for medieval farms to survive within the application site and some of the Listed Buildings and historic buildings directly adjacent to the application site may be of medieval origins, increasing the significance of those sites. The current account of the medieval archaeology does not provide a sufficiently in depth assessment of the medieval potential.

10. Bond Farm was previously known as Kiln Farm on the early OS maps. In addition, the geophysical survey suggests anomalies of possible kilns nearby. This

potential for medieval or earlier kilns needs to be developed and described in more detail.

11. The description from the aerial photographs and site walkover is of interest but should be part of a more comprehensive historic landscape assessment. The presence of oak trees and ditches alongside hedgerows suggests some antiquity to the field boundaries. It is known that the Roman road to the west is still reflected on the surface by the alignment of a hedgerow. This relationship of current landscape features reflecting time depth and historic land use and land division is a key part of the significance of the historic landscape. As such it is vital that the historic landscape elements are more clearly described and that there is a proper assessment of the historic landscape. For example there is mention of a large ditch to the east of the field between Chimneys and Myrtle Court. This needs to be expanded upon. Any landscape feature which can be demonstrated to reflect a Medieval or earlier feature or be part of an ancient field system, would be considered to be of significance and may need to be retained and integrated into the landscape design of the development.

12. The consideration of historic buildings, including Listed Buildings and their settings, is too superficial and needs to be in greater detail. The current assessment in section 14.2 focuses on the immediate setting of the buildings rather than their landscape setting. Some of the historic buildings are, or were, farms and these should be considered in their wider historic agricultural setting.

13. There needs to be assessment of routeways and footpaths. Some footpaths may have been used over 100s of years and it would be preferable for the development to utilise this historic framework wherever possible rather than lead to its loss. For example, it is noticeable that several footpaths convene on Bond Farm (formerly Kiln Farm). This suggests a frequent need to pass through Kiln Farm from different directions and to follow these particular routes for successive generations.

14. The mitigation set out in 14.4 of ES Chapter 14 is not appropriately evidence based. For example, it is suggested that the areas highlighted as being of possible significance archaeologically, based simply on a cropmark and the geophysical survey, will be preserved within areas of green space. Firstly, there is no definitive evidence yet to suggest these are significant archaeological remains. Further archaeological fieldwork on these sites would be appropriate to inform an appropriate detailed mitigation strategy. Secondly, suggesting an archaeologically sensitive area would be "green space" does not guarantee preservation in situ. The creation of green space may involve landscaping and groundworks which could have a major impact on buried archaeology. In addition, if some of this "green space" is attached to a school, frequently a school will undertake extensive groundworks to facilitate the creation of sports fields. I notice that the "green space" is adjacent to the proposed primary school which in my view could easily lead to future ground disturbance, sometimes as permitted development. Furthermore, the geophysical

survey highlighted several other potential archaeological activity sites, including some possible kilns. These possible kilns are within a proposed housing area and the impact on these kilns would be severely negative. As such I consider the proposed green spaces to preserve some archaeological sites needs further justification. The proposed mitigation strategy needs to be evidence based and revised.

15. I do not agree that the loss of buried archaeological remains due to development could be fully mitigated through the implementation of a programme of archaeological fieldwork. As stated in NPPF section 12, heritage assets are an “irreplaceable resource” and should be conserved in a manner appropriate to their significance. There should be a presumption in favour of meaningful preservation in situ and attempts made to reduce negative impact. However, it is essential that mitigation is evidence-based and I consider further deskbased assessment is required to appropriately understand the heritage assets which may be affected by this scheme.

16. With regard to cumulative impacts, I suggest more assessment is needed of the cumulative impact on the historic landscape and the character of the historic built environment, particularly Listed Buildings.

In addition to Chapter 14 of the ES, there are broad comments on heritage in the Design and Access and Masterplan Section 5.1.3. However, the Supporting Plan 14007(P) 013 clearly indicates that the study area is far too tightly drawn around the application site. There is a need to place the historic environment of the site in its landscape and wider context. It is crucial to consider nearby archaeological sites and settlement patterns, and land use, particularly as part of the assessment of the significance of archaeology and historic landscape heritage assets.

Comments from (Acting) KCC Conservation Architect

Having read the Historic England comments (3rd September 2015) I have to concur with what they say. It is important the development is drawn away from the Conservation Area and the Grade I Listed church. The “buffer zone” needs to be landscaped appropriately.

I agree wholeheartedly with Historic England that where buildings are historically linked to the land, in this case farming, then their setting cannot be limited to what is now their specific curtilage. In this case their setting is the surrounding farmland as it explains their original purpose. Once the farmland is developed their setting is destroyed. However, as Historic England also state, the harm to their setting is probably less than substantial in this case given the amount of development that has already taken place around Ashford. However some mitigation in terms of landscaping should be considered.

The developers need to strengthen the case for the removal of the pill box. It is a non-designated heritage asset but once lost will never be replaced. Several pill boxes are recorded in the wider area, including one incorporated into the Westhawk Farm Scheduled Monument. This pill box is part of a network of defence structures and its significance needs to be clearly understood. It would be preferable for the applicant to review the case for its removal and consider ways to integrate it into the landscape masterplan.

In summary, I recommend that there is a need to provide more detailed assessment of heritage issues and ensure the mitigation strategy is evidence based. Following this, there may be a need to alter proposed mitigation measures for heritage which in my view are unacceptable at the present time. Key issues which need further consideration prior to determination of this outline application include:

- Demonstrating a greater understanding of the archaeological potential from the assessment of recent important archaeological investigations including Westhawk Farm, Brisley Farm, Park Farm, Park Farm East, Waterbrook Park, Cheesemans Green, Chilmington Green, Southern Ring main and Ashford Orbital Park. This is to ensure that the archaeological assessment is suitably detailed and provides a sound evidence base;
- Historic landscape assessment – to ensure there is a reasonable understanding of the historic landscape (including the Iron Age and Romano-British landscape) - thereby making sure that any development here integrates appropriately with the existing historic landscape and that significant historic landscape features are retained;
- Revised mitigation strategy based on robust evidence – for example providing further justification for the proposed “green spaces” as meaningful heritage mitigation for a cropmark and geophysical anomaly rather than proposing preservation in situ of the possible kilns;
- More robust assessment of the pill box, along with clear justification for removal of the pill box; preferably a review of this matter and consideration of retention of the pill box.
- A more meaningful assessment of the setting of the Listed Buildings and historic farms within their broader historic landscape.

Historic England: There are no designated heritage assets within the application site boundary, but there is considerable potential for direct impacts on buried archaeology and other undesignated heritage assets within the site, for which the Heritage Conservation Team at Kent County Council and your Council’s own Conservation Officer are your principal advisors. We defer to them on these matters.

The Environmental Statement has identified in its study area (1.5km from the site boundary) 30 listed buildings, including one at grade I (the church of St Michael, Kingsnorth) and 29 at grade II. Within the study area there is also one scheduled ancient monument (the Romano-British roadside settlement and WWII pillbox north of Kingsnorth – ref: 1017645) and one conservation area (covering the village of Kingsnorth).

Historic England is a statutory consultee in this case as a result of likely impacts of the scheme on the setting of the scheduled ancient monument, the grade I listed building and, given that the application site is over 1000m², the conservation area.

We think the likely impacts of the scheme on the setting of the scheduled Romano-British settlement would be limited because they are set well apart and there is intermediate residential development and proposed landscape buffering. However, you should be aware that the buried remains in this case extend beyond the scheduled area, at least as far as the modern development to its southwest for which archaeological works were carried out. It is not clear whether these remains extend still further into the application site, but we suggest that you will need to be mindful of

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available. the possibility of this – and seek advice from your archaeological advisors at Kent County Council about assessing such risks and mitigating any consequent harm to significance – when determining the current application.

We do not think there are likely to be major effects on the significance that Kingsnorth conservation area and the grade-I church of St Michael, Kingsnorth derive from their settings provided that the development is, as currently suggested, drawn well away from them and given a sizeable landscape buffer along its northern edge.

Although we defer to your Council to consider the full effects of the scheme on the settings of the affected grade-II listed buildings, we think in terms of designated assets that it is their significance, both individually and cumulatively, which is most likely to be harmed by the current scheme.

We disagree with the implication in the Environmental Statement that the settings of these grade-II buildings are typically confined to their landholdings, because in the case of such rural buildings their settings are more generally the overall rural landscape in which they stand, whether or not in their specific ownership. These are buildings that were historically closely associated with the farming of the land and it is the agricultural land in general that surrounds them that contributes to their significance by providing a context that explains their original purpose.

Change of use of this agricultural land to predominantly residential use will thus have an effect on the significance of these assets and your Council will need to satisfy itself of the extent of any consequent harm to significance in the manner required by paragraph 129 of the NPPF. We suggest that any harm in this case is likely to be less than substantial, but will nonetheless need to be minimised (para. 129) and then weighed against any public benefits of the application in the manner required by paragraph 134. In making this judgement, you should take into account both the requirements to give 'great weight' to the assets' conservation (NPPF paragraph 132) and the statutory duty set out in the 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 to have 'special regard to the desirability of preserving the [listed] building or its setting' (66(1)).

Kent County Council Ecological Advice Service: Under the Natural Environment and Rural Communities Act (2006), "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". In order to comply with this 'Biodiversity Duty', planning decisions must ensure that they adequately consider the potential ecological impacts of a proposed development.

The National Planning Policy Framework states that "the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and delivering net gains in biodiversity where possible."

Paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological Conservation - Statutory Obligations & Their Impact Within the Planning System states that "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision."

Natural England has published Standing Advice on protected species and Ancient Woodland.

When determining an application for development that is covered by the Standing Advice, Local Planning Authorities must take into account the Standing Advice. The Standing Advice is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation.

Ecological information relating to the site and the potential ecological impacts of the proposed development is contained within Chapter 12 of the Environmental Statement and Appendices 12.1 to 12.14. Appendices 12.3 and 12.5 are not available through the Ashford BC planning portal and have not been reviewed.

Overall, we disagree with some of the conclusions in the ES regarding the significance of the identified ecological impacts. While the evaluation method is

clearly set out, we consider the approach to be flawed in terms of the weight given to sub-regional scale impacts, potentially undervaluing the local importance of the assessed ecological features and as such not allowing Ashford BC to adequately take into account the value of and impacts to locally important ecological features.

For example, if a feature is assessed as of County value, the magnitude of impact would have to be classified as 'high' for the EIA evaluation to conclude that the proposed development could have a significant effect on that feature. Somewhat confusingly "for the purpose of this EIA", minor significance is not deemed to be significant, so for a County or Local value feature, a 'medium' level magnitude of impact, despite this being defined as "size and scale of the effects is such that it could lead to permanent or long-term effect on the integrity of a site or conservation status of a habitat, species assemblage or population" is evaluated as of 'minor' significance and as such, "for the purpose of this EIA", is not considered a significant effect.

On this basis, although we do not disagree with all of the assessment conclusions, as the framework within which they have been assessed does not, in our opinion, provide sufficient weight to sub-regional value ecological features, we are not able to accept the conclusions of the assessment of ecological impacts. Further detailed comments regarding the specific species survey work are provided below.

Greater clarity is required with regards to the green space and more detail should be sought regarding the functioning of these areas as mitigation for identified ecological impacts; further details are provided below regarding specific species considerations but in summary a clearer link between the identified impacts, particularly loss of habitat, and how the green space areas will mitigate and/or compensate for those impacts, taking into account the need for multifunctional uses of the green space is necessary.

We are concerned with the statement in paragraph 7.6.4 of the ES that "Land subject to built development would be permanently lost to agriculture; however the areas identified as being for non-agricultural soft uses (green space, flood prevention zones etc.) would retain the potential to be returned to agricultural use in the future and hence the loss is considered temporary" (our underlining).

We would consider it appropriate for the green space to be secured in perpetuity for all its purposes (amenity space, ecological mitigation, ecological enhancement, SuDS etc) and therefore advise that it would not be appropriate for the green spaces to be considered temporary features. This may have implications for the Land Use and Soils assessment, in respect of which we are not providing specific advice.

We also query the consideration of cumulative impacts. Notwithstanding our comments above regarding the evaluation method, and those provided below, we do not agree with the conclusions in the ES that the proposed mitigation measures will

result in “negligible adverse impacts during construction and operation; but minor beneficial impacts in the long-term”, as is the case for all of the assessed ecological features. As such, there is potential for cumulative impacts with other developments and in particular we have concern regarding the loss of farmland bird habitat.

We advise that further information regarding the ecological impacts is sought to inform the determination of the application. Below are specific comments relating to the species/species groups for which specific surveys have been carried out. As a general point, it would have been helpful for all of the species survey reports to include details of the compartments used for the purpose of the surveys.

Dormouse survey

The dormouse survey was only conducted across half of the season; though with the number of nest tubes multiplied, this ensured the survey guidance index score was achieved. While this is permitted under the survey guidance, Natural England’s Standing Advice cautions “don’t use a very high number of nest tubes for a short time just to get a high index score”. In addition, the survey dates are not provided; given that the tubes were only put up on the 6th August, the subsequent August survey may have been too soon after their positioning and this could have affected the survey outcomes. Confirmation of the survey dates should be sought.

Although dormice were confirmed as present on the site, we advise that the above constraints mean that there will be a need to apply caution to the use of the results to estimate population size and/or density for the purpose of European protected species licensing, which is confirmed in the submission as necessary to allow the proposed development to take place without committing offences against dormice.

We have compared the varying plans of the site and it appears that some of the hedgerows/tree lines were not included within the dormouse survey; we advise that clarification is sought on this point.

It may be that the boundary features not surveyed do not provide suitable habitat, but this is not clear from the submitted documents. Given that dormice have been confirmed as present (despite the statement in the report that the site has “some, albeit limited, potential to support dormouse”) we advise that additional information is sought regarding the habitats on and around the site that are suitable for dormice, for example with a habitat suitability plan.

The confirmed presence of dormice means that their use of all suitable habitats on the site should be assumed; a clearer understanding of the locations of suitable habitats will ensure that we can advise whether the potential impacts have been identified and understood, and whether the proposed approach to mitigation is acceptable.

Please also note that there are some discrepancies between the results table in Appendix 1 of the Dormouse Surveys report and the nest tubes plan: T92 and T96 are reported in this Appendix 1 as having dormouse nests present, but the nest tubes plan does not reflect this. In addition, the total nests counts for October and November reported in this Appendix 1 are incorrect. While these may be minor typographical errors, our identification of errors in the reporting casts some doubt on the accuracy of other aspects of the submission, including the presentation and the interpretation of results.

Bat Survey

The Bat Activity Survey Report provides the results of the activity surveys and automated detector surveys that were carried out. We advise that further information is sought regarding the decision to only undertake 3 dusk surveys. For medium sized sites with medium habitat quality (as identified in paragraph 2.1.2), the good practice guidelines advise one survey visit per transect each month from April to September/October, including at least one dusk and pre-dawn survey. The guidance for automated survey is for data to be collected over 3 nights each month from April to September/October.

We advise that justification for this departure from the guidelines is sought as the level of survey may not have recorded variations in bat use of the site across the active season.

We have compared the varying plans of the site and it appears that some of the hedgerows/tree lines were not included within the bat activity transects; we advise that clarification is sought on this point.

The Bat Activity Areas drawing within the report shows the locations of the automated detectors but does not number them so we cannot apply the results to the site. We advise that clarification is sought as the potential implications of the conclusion that “the increase in activity of Myotis at location 2 may indicate this species returning to a winter roost in the vicinity of the site” (paragraph 3.2.10) cannot be adequately taken into account without knowing where ‘location 2’ is.

Bat activity was focussed around “hedgerows, woodland and other linear features within the site” (paragraph 4.1.1). It is not clear what the “other linear features” comprise and we advise that clarification is sought. It is reported that “construction activities will retain the majority of optimal foraging and commuting features” (paragraph 12.5.13 of the ES) but the report does not clearly identify the locations of these ‘optimal features’ or the relative importance of the minority that will be lost as a result of the proposed development. We advise that further information is sought to clearly demonstrate current bat use of the site, identify the key foraging areas and commuting routes, and show how impacts to this use of the site will be avoided, minimised and, if necessary, compensated.

Mapping habitat suitability for bats alongside the recorded activity levels will provide a much clearer demonstration of the important areas and routes for bats on and around the site and ensure that the sites for the proposed green spaces have been identified in response to the survey data and conclusions reached.

The activity surveys recorded moderate-large numbers of common pipistrelle bat passes and it is concluded in the report that this indicates the likely presence of common pipistrelle bat roosts close to the site. Given the results of the tree assessments (discussed in more detail below), it is not clear why it is concluded that “these roosts are likely to be in the residential properties in the Kingsnorth area” (paragraph 4.1.2). We also advise that, given the number of trees with identified bat roosting potential and the lack of detailed survey of these trees, the statement that “no bat roosts are known to be present within the site boundary” (paragraph 4.1.6) is unnecessary and premature.

The assessment gives little consideration to the impacts of lighting on bat use of the site, concluding that “as >98% of bats recorded utilising the site are pipistrelle species, which are known to forage regularly beneath street lamps, the impact of lighting on bat usage of the site is likely to be negligible” (paragraph 4.1.4 of the Bat Activity Survey Report). However, recently published research (Matthews et al, 2015) concludes that lighting is negatively associated with the distribution of common pipistrelle bats and we do not consider it appropriate for the potential lighting impacts to be dismissed so readily.

Over 100 trees with high or moderate bat roosting potential are identified in the Bat Roost Potential Report, though, somewhat unhelpfully, these are not mapped but just presented in table form. Paragraph 12.4.36 states that “none of these trees will be affected by the proposed scheme”, but in our view it is not clearly demonstrated that there will be no indirect impacts to these trees/potential bat roosts and, in some locations across the site, that there will not be direct impacts, particularly as a result of the proposed primary road locations, for example in the vicinity of T81/T82/T83 and T18/T19/G19.

If it is the case that the applicant intends to avoid all direct impacts to high and moderate potential bat roosts then this must be clearly demonstrated in the application documents.

We consider there to be a need for emergence surveys of the trees with identified high and moderate bat roosting potential, particularly where these are adjacent/ in close proximity to areas proposed for development (housing and roads). This will ensure that Ashford BC can consider whether the impacts on all the sensitive areas of the site for bats are appropriately understood and also provide further information for the consideration of the potential need for European protected species mitigation licensing.

Great Crested Newt Survey

It is not clear in the Great Crested Newt Survey Report why the on-site and off-site survey visits were carried out on different days. The presentation of survey dates lacks clarity and it appears that some of the ponds were not surveyed in accordance with the guidelines (i.e. with half of the survey visits carried out between mid-April and mid-May). We advise that clarification is sought on this point.

The data presented in Appendix 2 of the report, particularly the confirmed presence of “immature great crested newts, eggs and larvae” but no adult great crested newts suggests that the timing of these surveys was too late in the season and the assessments may therefore present an underestimate of the great crested newt population size classes.

It is unclear why ‘constraints’ are presented in section 2.3 of the report and ‘limitations’ are presented in section 3.3. There are some overlaps between the two, and some differences and this is somewhat confusing. The late survey timings are not acknowledged as a constraint, or limitation, to the results and conclusions, and other limitations/constraints are also not fully acknowledged (e.g. heavy rain during survey 4 – no great crested newts were recorded; lack of accessible banks for pond 34), there also seems no consideration of the need for great crested newt surveys of the ditches. We advise that clarification on the above points is sought.

Notwithstanding clarification of the above points, the identification of the three metapopulations across the site seems reasonable (though please note that these are identified as G2, G3 and G3 in drawing ST13901-012 in the Great Crested Newt Survey Report and as Group A, Group B and Group C in paragraph 12.4.26 of the ES). We advise that, as a result of the above points, and the lack of access to several water bodies, there is a need for caution regarding the population estimate as the reported conclusions could be an underestimate; this could have implications for the assessed great crested newt population estimates.

The ES reports that “the Masterplan has allowed for the retention of immediate terrestrial habitat (50m surrounding the waterbody)” (paragraph 12.5.11 of the ES) and we support this avoidance of direct impacts to the on-site ponds and immediate surrounding habitat. We advise however that there is a need to understand the extent of terrestrial habitat beyond 50m from the ponds that will be impacted by the proposed development.

Although “the majority of terrestrial habitats within the construction area are of low ecological value for great crested newts” (paragraph 12.5.11 of the ES), we advise that the high density of ponds and great crested newts in this area means that the presence of great crested newts in sub-optimal habitats cannot be ruled out. The need for capture and exclusion of great crested newts is identified but there is a need for a clearer demonstration of how the conclusion that “it is considered unlikely

that impacts resulting from the construction stage would impact upon the conservation status of great crested newts” has been reached.

We advise that details of the extent of impacts to terrestrial habitat (optimal and sub-optimal) beyond 50m are sought, clearly demonstrating (i.e. in tabular and map format) the locations of and how much habitat will be impacted as a result of the proposed development. A comparison between the extent impacts and the proposed habitat creation (both compensation and enhancement), demonstrating connectivity between key areas and the potential location of receptor site(s), should also be sought to ensure that the intended outcomes of the proposal are clear.

As the proposal is in outline form, we would not expect this to be definitive, but sufficient to give an indication, and demonstrate a commitment, such that Ashford BC has an adequate understanding of the potential impacts to great crested newts and can be satisfied that there is appropriate mitigation available and achievable on the site.

Provision of further information and clarification of the above points will assist Ashford BC in addressing the requirements of the EC Habitats Directive in considering whether it is unlikely that a European protected species mitigation licence will be granted.

Reptile Survey

It is reported in the Reptile Survey Report that there is 18.2ha of suitable reptile habitat present on the site. We advise that that a plan identifying the locations of the suitable habitat is sought so that it is clear whether all suitable habitat has been surveyed.

Slow-worm, viviparous lizard and grass snake populations were confirmed as present on the site, with slow-worms and viviparous lizards recorded within all of the surveyed compartments.

The report’s Reptile Survey Plan identifies the locations at which a “high abundance” of reptiles was recorded, but the locations of all of the reptile sightings are not provided on a site plan. There is some descriptive text in paragraph 3.2.6, but this seems only to refer to the “high abundance” areas. With the lack of detail regarding the availability of suitable habitat, there is insufficient information for us to adequately evaluate the reported reptile survey results and conclusions.

The report makes no reference to the application of the reptile survey results to the identification of the site (and individual compartments within the site) as a Key Reptile Site. Given the assessed population size classes and the presence of three species, the suitable habitat within the site is important for reptiles. It is therefore

disappointing that none of the 3 areas within which a “high abundance of reptiles” was recorded are retained within an area of proposed green space.

While there may be opportunities for the creation of compensatory habitat into which reptiles could be translocated, the submission has not adequately demonstrated that avoidance of impacts to the identified areas of importance for reptiles has first been considered. We advise that further information is sought on this point so that Ashford BC can be satisfied that the submission has given appropriate regard to the ‘mitigation hierarchy’.

Water vole survey

The Water Vole Survey report provides the results of the water vole surveys. There is a little confusion in the reporting of the results, with differences in the ditch numbering presented in Table 2 of the report as compared to those shown on the Water Vole Survey Reaches drawing. Ditches 9 and 10, 10a, 10b and 10c in Table 2 appear to have been labelled 10 and 11 on the Water Vole Survey Reaches drawing. We also query whether D5 is shown correctly as the text and the field sign drawing (Appendix 1) indicate that it joins D6 at one end and D8 at the other. WB34 is not shown on the drawing and comparison with other plans in the submission indicates that an unsurveyed ditch is present towards the northern end of compartment B4 (D4 on the Great Crested Newt Survey Report’s Waterbody Location Plan). We advise that clarification is sought on the above points.

The survey results only confirm water vole presence in compartment B3. Across the rest of the site, many of the water bodies were dry or nearly dry at the time of survey. There is potential for colonisation of these water bodies if the water levels increase and there will be a need for additional survey effort should this be the case. Provision for further water vole survey work should be secured by condition, if planning permission is granted.

The core identified water vole habitat is within an area of proposed green space but it is concluded in the report that there is potential for impacts to the known population in Ditch 5 as a result of the creation of the access road.

Proposed mitigation includes measures to avoid direct impacts to water voles, the use of box culverts where roads cross ditches and the creation of SuDS ponds that provide suitable water vole habitat. We consider the principles of the submitted mitigation proposals likely to present an adequate response to the potential impacts to water voles on the site, though there will be a need to secure greater detail, if planning permission is granted.

Birds

It is reported in the Wintering Bird Survey Report that the site holds an assemblage of declining farmland and woodland birds, with 2 Wildlife and Countryside Act Schedule 1 species, and 7 priority (UKBAP) species. 7 red-listed and 7 amber-listed Birds of Conservation Concern were recorded (note this includes an overlap with the Sch. 1 and priority species).

In the evaluation of the importance of the site for wintering birds, estimates of the UK wintering population are used as a comparison. While this provides some insight into the importance at a national scale, there is a risk that the lack of sub-regional benchmarking, including consideration of usual flock sizes / bird densities in the local area, risks undervaluing the importance of the site. As stated in the report, many of the farmland birds recorded on the site are declining nationally, so even a small loss of habitat, taken cumulatively, could contribute to this decline.

We advise that further details are sought to demonstrate that the assessment of impacts has taken appropriate account of the importance of the site for wintering birds at a sub-regional scale.

The report includes a detailed list of all the birds recorded and the locations at which they were seen/heard, but the survey results are not displayed for easy interpretation on a plan of the site. Although it is concluded that “a vast proportion of these habitats [of highest ornithological interest] have been incorporated into the masterplan in areas proposed for use as green/open space” (paragraph 6.1.3), we are unable to easily verify this from the presented survey data. We advise that further information is sought to confirm where the areas of highest ornithological interest are situated, which of these areas have not been incorporated into the proposed green space, and which bird species were recorded within the impacted areas.

We have not reviewed the Breeding Bird Survey Report, but if the format is the same as the Wintering Bird Survey Report, the advice we have provided above will equally apply. The ES reports that 2 Wildlife and Countryside Act Schedule 1 species, 8 priority (UKBAP) species and 17 Birds of Conservation Concern were recorded on the site. There is a need for clear identification of the areas of the site that are important for breeding birds, and particularly those areas of importance that are likely to be impacted by the proposed development.

In addition, the comparison with national population levels detailed in the ES suggest that there is the same need (as for wintering birds, highlighted above) to evaluate the importance of the site against sub-regional population sizes / densities.

Ancient woodland

Mitigation for potential impacts to the known stand of ancient woodland in compartment B6 is proposed to include a “minimum 15m buffer as per Natural England Standing Advice” but there is no specific exploration of the potential for impacts to ancient woodland. While a 15m buffer may be an appropriate part of the necessary mitigation, the assessment gives no consideration to the potential for the proposed development to increase the levels of use of the footpath network (whether designated public rights of way or permitted / non-permitted use) and make an unacceptable contribution to the degradation of the ancient woodland.

In addition, we note that the ecological appraisal identifies additional areas of hedgerow and woodland that include ancient woodland indicator species, yet these have not been clearly mapped or been subject to further more detailed survey work to evaluate their potential importance. We advise that the application of the NPPF’s ancient woodland ‘protection’ is not restricted to areas identified within the Ancient Woodland Inventory and as such there is a need for a greater understanding regarding the additional areas of potential ancient woodland.

The NPPF is clear in the need for planning decisions to take account of ancient woodland impacts and we advise that further information is sought to demonstrate that an adequate assessment of the potential impacts has been carried out.

Natural England: Statutory nature conservation sites – no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Soils and Land Quality

Having considered the proposals as a consultation under the Development Management Procedure Order (as amended), and in the context of Government’s policy for the protection of the ‘best and most versatile’ (BMV) agricultural land as set out in paragraph 112 of the National Planning Policy Framework, Natural England draws your Authority’s attention to the following land quality and soil considerations:

1. Based on the information provided with the planning application, it appears that the proposed development comprises approximately 60.98 ha of agricultural land, including 20.3 ha classified as ‘best and most versatile’ (Grades 1, 2 and 3a land in the Agricultural Land Classification (ALC) system).
2. We note that in the Environmental Statement: ST13901/001 dated June 2015 by Wardell Armstrong states at section 7.6.4 that “Land subject to built development would be permanently lost to agriculture; however the areas identified as being for non-agricultural soft uses (green space, flood prevention zones etc.) would retain the

potential to be returned to agricultural use in the future and hence the loss is considered temporary. Therefore less than 20ha of BMV of agricultural land (the threshold of loss identified in the NPPF) would be permanently lost due to development.”

3. Government policy is set out in Paragraph 112 of the National Planning Policy Framework which states that:

‘Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

4. It is recognised that a proportion of the agricultural land affected by the development will remain undeveloped (as included within the green spaces identified within the master plan – 14007 (sk) 001 Rev N by Farrells). In order to retain the long term potential of this land and to safeguard soil resources as part of the overall sustainability of the whole development, it is important that the soil is able to retain as many of its many important functions and services (ecosystem services) as possible through careful soil management.

5. Consequently, we advise that if the development proceeds, the developer uses an appropriately experienced soil specialist to advise on, and supervise, soil handling, including identifying when soils are dry enough to be handled and how to make the best use of the different soils on site. Detailed guidance is available in Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (including accompanying Toolbox Talks) and we recommend that this is followed.

Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a ‘reasonable likelihood’ of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us at with details at consultations@naturalengland.org.uk.

Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Impact Risk Zones for Sites of Special Scientific Interest

Natural England has recently published a set of mapped Impact Risk Zones (IRZs) for Sites of Special Scientific Interest (SSSIs). This helpful GIS tool can be used by LPAs and developers to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated. Further information and guidance on how to access and use the IRZs is available on the Natural England website.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Landscape enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

Sport England: The site is not considered to form part of, or constitute a playing field as defined The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184), therefore Sport England has considered this a non-statutory consultation.

Sport England has assessed the application against its adopted planning policy objectives. The focus of these objectives is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to meet the needs of local communities. The occupiers of any new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should be required to contribute towards meeting the demand they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facility Strategy, Playing Pitch Strategy or other relevant needs assessment.

This requirement is supported by the Governments National Planning Policy Framework, which states:

“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. (Principle 12 is) that planning should:

Take account of and support local strategies to improve health, social, and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.” [Paragraph 17]

“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses, and places of worship) and other local services to enhance the sustainability of communities and residential environments...

- Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.” [Paragraph 70]

The proposed development involves the provision of up to 750 residential dwellings, amongst other development.

A total of 2.88ha of playing field provision is proposed, including a primary school, however, at this stage it is unclear if there will be community use of the proposed school playing fields and if community access will be formally secured through a community use agreement. Furthermore, it is unclear how the standard contained within the Ashford SPD has been calculated. Sport England is not aware that a robust and up to date evidence base exists for playing pitches in Ashford. In addition, no formal built facilities are currently being proposed. Sport England would be keen to explore this further and the below should inform this dialogue.

The population of the proposed development is 1,875. This additional population will generate additional demand for sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision. In accordance with Circular 05/05, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development.

You may be aware that Sport England’s Sports Facilities Calculator (SFC) can help to provide an indication of the likely demand that will be generated by a development for certain facility types. The SFC indicates that a population of 1,875 will generate a demand for 0.09 swimming pools (£336,191), 0.14 sports halls (£434,272), 0.02 indoor bowls centres (£44,085) and 0.06 artificial turf pitches (£56,613 3G or £49,573 Sand).

In light of the above, Sport England currently wishes to object to this application.

Environmental Services: Please ensure that the following conditions are attached if outline consent is given,

E009 (Ashford Road, Magpie Hall Road, Steeds Lane), and

E016 (Land Quality).

E028 (Code of Construction Practice for Major Site)

South Eastern Railway: Additional housing and mixed use development is good news for Ashford, however, we would like to request that funding is earmarked to address the congestion issues on the forecourt of Ashford Station. Currently in excess of 60 buses an hour come into the station forecourt at peak times providing an excellent service to the housing and workplaces in the Ashford area. The facilities are at capacity, there is not enough bus shelters for passengers to wait in and the forecourt needs to be redesigned to deliver an arrival space that will provide a modern transport interchange allowing the buses to access and egress the station quickly to avoid delay to the overall end to end journey. In addition to this we would like to request funding to provide additional cycle parking as cycle growth has risen spectacularly at this station. A redesigned forecourt will also provide better layout for pedestrians to move freely across to orientate themselves on and create a sense of arrival at this important gateway to Ashford. Ashford should be congratulated on its approach to end to end journey solutions, with excellent cycle and walking routes around the town and wider district, we are currently putting in a decked 2 tier cycle facility at the station, however, we should be mindful that this will again need to be increased with the additional housing being built in the area. Since the introduction of the High Speed Service footfall at Ashford has grown significantly, and is the USP for the developers in Ashford. We look forward to working with the councils and the developers to deliver facilities to for the new residents in Ashford and the surrounding area.

Health and Safety: HSE does not advise on safety grounds, against the granting of planning permission in this case.

Weald of Kent Protection Society: WKPS objects to this premature application. The decision on possible site allocations for such developments has not yet been made by the Borough Council, and this application should wait until it has.

WKPS would ask, however, that in their considerations on site allocations the Borough take into consideration the following regarding this proposed site:

1. It is a potential flood area, with a stream running through the described area 2 for housing.
2. A third of it is best agricultural land.
3. From a transport point of view the site is inappropriate; such an increase in traffic is only sustainable if junction 10A of the M20 goes ahead.
4. It would involve a major extra burden on the William Harvey hospital (and indeed on local GP practices).

British Horse Society:

- The proposed development obviously does not affect any bridle ways, however my concern is that the constant development around Ashford is having a detrimental impact on leisure activities and many of the access routes are being enveloped by housing estates, for all of us the beauty of using these routes is to avoid traffic on the roads, unfortunately this another example of the problem.
- The part of the National Trail that is currently in open countryside in this area will be surrounded by the proposed development, whilst the provision of footpaths and cycle routes have been considered, no provision has been made for equestrian use, upgrading the national trail to a multi-functional route for walkers, cyclists and equestrians could easily be incorporated into the planning.
- The KCC Countryside Improvement Plan states “Compared with neighbouring counties, the percentage of the public rights of way network available for horse riders is low. In Kent the figure is 15%, East Sussex is 27% and Surrey is 35%. Even taking into account permissive rides, the level of access is still comparatively low” and “County Council will work towards reducing the fragmentation of the bridleway, byway and restricted byway network, paying particular attention to road crossings and rider safety. Where possible the County Council will create new, multi-functional routes”.
- During and after the development, the surrounding roads will be affected by increased traffic causing an ongoing problem for the safety of the horse & rider, as there are no off road routes.

I would be happy to help with the consultation process on behalf of the British Horse Society.

Southern Water: Please find attached a plan of the sewer records showing the approximate position of a public sewer within the site. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

No development or new tree planting should be located within 3 metres either side of the centreline of the public sewer and all existing infrastructure should be protected during the course of construction works. No new soakaways should be located within 5 metres of a public sewer.

Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to

ascertain its condition, the number of properties served and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with SWS.

Following initial investigations, there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. The proposed development would increase flows to the public sewerage system and existing properties and land may be subject to a greater risk of flooding as a result. Additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development. Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to drain to a specific location.

Should the application receive planning approval, please include the following informative:

“The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to serve this development. Please contact Southern Water, Sparrowgrove Houes, Sparrowgrove, Otterbourne, Hampshire S)21 2SW (Tel: 0330303 0119) or www.southernwater.co.uk

The application form makes reference to drainage using SUDS. Under current legislation and guidance, SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

We request that should this application receive planning approval, the following condition is attached to the consent:

“Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water”.

Kent Wildlife Trust: We note the proximity of the application boundary to Isaac Wood, designated as ancient woodland. We would advise Ashford Borough Council to ensure that any proposed 15m buffer should be in place throughout all of the development stages, in order to ensure that the woodland is well screened throughout from construction noise, dust and at later stages from disturbance caused by residential lighting and recreation pressure. We would suggest that lighting detail should be conditioned in order to reduce potential impact upon woodland edge, particularly for birds and bats. We would also recommend that a management plan should be devised for the ancient woodland, to include its ecological features and access management in order to reduce recreational pressure, and that this is supported by condition.

We note that proposed green spaces have been positioned in general around the edges of the application site, at what appear on plan to be more sensitive field margins. This planning application would need to be accompanied by a good quality site management plan, based upon the survey and evaluation of the site. Existing features such as hedgerows and trees would need to be included in this detailed plan. Any loss of good quality hedgerow should be avoided and any opportunity to enhance ecological features should be included.

Kent Wildlife Trust does not agree with the Environmental Statement (page 198) that this site has only local value for protected species and that birds are of local significance. This is not supported by the survey findings. It would also be helpful to have a full list of ecological survey work undertaken in the Environmental Statement. We would recommend that the Council should request full detail of mitigation plans for protected species, supported by condition. The list provided of UK bird population figures (page 199) does not adequately evaluate the loss of species and habitat, nor does the argument that “similar habitat is available elsewhere”. We are concerned that this development represents further loss of agricultural land and its associated biodiversity, in particular farmland breeding and wintering birds and other BAP priority species. We would like this to be appropriately evaluated and would

recommend to ABC that this loss should be adequately compensated for, such as through an appropriate land management scheme.

Kent Wildlife Trust is concerned that this development, when considered alongside the suite of proposed allocated sites such as Cheeseman's Green and Chilmington, effectively represents a "closing off" of the whole southern belt around Ashford and therefore the opportunity for effective green corridors through into the urban area becomes very limited. We would suggest that ABC should take a strategic view of the green infrastructure available to the south of Ashford when considering this planning application. This also emphasises the importance of including strong green corridors "through" this site, which at present appear to be lacking.

We look forward to commenting further on the details of the ecological management and any mitigation and compensation measures at reserved matters/condition stages.

Kent Wildlife Trust would like to submit a holding objection to this planning proposal, subject to the comments provided above.

CPRE: Summary

1. Development on this large scale in the open countryside would put the character and permanence of the rural setting to Ashford at risk, and proper planning would be undermined and fail to take account of cumulative impacts. Adverse impacts of granting permission would significantly outweigh the benefits.
2. Unplanned development on this scale would undermine and discourage the redevelopment of brownfield sites which are essential to the regeneration of the town centre, and also put at risk the viability of Finberry and Chilmington, which each have long term delivery trajectories.
3. The application is premature, and in this case prematurity is relevant because while Ashford has a viable Core Strategy and is currently updating its Local Plan, it does also have an up to date Objectively Assessed Needs assessment (OAN) and has demonstrated a 5 year housing land supply.
4. The application would be contrary to Policy TR17 and TRS18 of the Tenterden and Rural sites DPD. TR17 specifies 8 criteria to which the Council must have regard to ensure landscape character is protected and enhanced, in particular the proposal does not have regard to the pattern and distribution of settlements, roads and footpaths nor to the historic settlement pattern. Protection of these rural roads is a key theme of policy TR18.
5. The setting of the listed farmhouses would be significantly harmed by this proposal and is contrary to Policy CS1 of the Core Strategy which establishes

conservation and enhancement of the historic environment and built heritage as a key planning objective. Furthermore the changes to the agricultural setting of these listed buildings would not meet the obligations under the Planning (Listed Buildings and Conservations Areas Act) 1990, nor be compliant with Chapter 12 of the NPPF especially paragraphs 126 and 128.

6. On transport in particular there is an absence of evidence on the impacts of the development on the local and strategic network and no evidence on cumulative impacts. It is essential that cumulative impacts and potential for harm on the national, regionally significant and local networks is modelled as requested by Highways England, and a methodology be agreed with Highways England, KCC Transport planners and the Council. As this will be a necessary part of the strategy and sites testing for the new plan this is a reasonable ground for recommending the proposal be withdrawn for this evidence to be generated.

7. The area is on clay, this does not appear to have been recognised in the SUDS and drainage proposals.

8. On all of the above CPRE considers that the Council would be correct to refuse the application.

Alternatively, given the absence of evidence on key planning parameters CPRE considers it is also open to the Council to recommend that the application be withdrawn in the absence of key information, and reconsidered by the applicants.

Consultation responses to Amended Plans dated December 2017

Kingsnorth Parish Council: We strongly object. We consider this application premature as the site has to be considered in the Local Plan EIP. We also object strongly about the roundabout at Smithfield crossroads. A roundabout in this position will result in more traffic on Magpie Hall Road and Ashford Road, both of which are already at capacity. The proposed road from Chilmington Green along Long Length and through the Court Lodge site and onto the Tesco roundabout would divert traffic from the centre of the village and the Parish Council supports this. We note that the applicants in this application are only proposing on areas proposed in the Local Plan however they have surrounded these areas with a grey designation which they say are areas of possible development. We would strongly object to any further development. We consider that a Masterplan should be produced for the Court Lodge site and the sites in this application. We consider that these two sites should be connected so that the open spaces being proposed form a corridor allowing free and connected movement for wildlife and for the movement of residents.

Bilsington Parish Council: Object to the application on the grounds that the Parish Council respects the fact that the site has been included in the proposed Local Plan 2030 however it wishes to object to the outline application on the following grounds.

Whilst improvements to highways infrastructure have been included where the proposed development joins onto Ashford Road, Magpie Hall Road and Bond Lane, it would appear that no consideration has been given to Church Hill. With such a large development in the locality, traffic numbers will be high resulting in motorists looking for alternative routes to avoid hold ups, especially when looking to go south of Ashford. These roads lead through rural parishes and are not designed to take the inevitable increase in traffic leading to deterioration of roads and impact on rural villages which have no gain from the development. The outline application makes reference to a single form entry primary school but no reference to secondary schools which are already running at or near capacity. In terms of health there is no mention of doctors or dental surgeries or for increased capacity at the William Harvey Hospital which struggles due to the large area it covers and the increase in population caused by recent developments. Further development without investment can only result in a reduction in the level of service.

Kent County Council Highways: Thank you for your consultation in relation to the amended planning application and supplementary Transport Assessment. Whilst I currently have objections to the application, it may be possible to overcome these objections if the following amendments were made:-

Supplementary Transport Assessment

Crash data needs to be obtained for a wider study area than what is currently shown. As detailed in KCC Highways and Transportation previous consultation response on the application, the extent of crash data should be provided as shown in Figure 1 below. This is from the junction of Magpie Hall Road / Ashford Road / Steeds Lane to the junction of M20 Junction 10. Dialogue should also be undertaken with Highways England in respect of the Strategic Road Network. A section is needed within any amended supplementary Transport Assessment detailing any particular crash clusters (for example the junction of Magpie Hall Road / Ashford Road / Steeds Lane and Pound Lane / Church Hill / Ashford Road).

Proposed Vehicle Accesses and Road Layouts

- General - Vehicle tracking of all of the access points needs to be provided for an 11.4 metre long refuse vehicle and for those routes that are proposed to be bus routes, tracking for a 12 metre long standard bus should be provided.
- General - A designer's response is required by PBA for all of the problems identified in the Stage 1 Safety Audit. •
- Area 1 - The Highway Authority has been carefully considering the need for the Pound Lane Strategic Link Road as set out in the current Draft Local Plan. Having considered the cost of the scheme (currently estimated at approximately £16 million), recent modelling that has been undertaken by the Court Lodge

promoters which suggests that it will not improve capacity at junctions on Ashford Road and issues of deliverability of such a scheme, I am of the opinion that a much cheaper scheme can be delivered between the south western corner of the Court Lodge site and Area 1 to connect to Ashford Road. This link could be delivered respectively by both sites through the provision of a 6.75 metre wide local distributor road with a 3 metre footway / cycleway on one side and a 2 metre footway on the other side through these sites. As a result Area 1 site access should be modelled to include the Court Lodge development site proposals. It is highly likely that as a minimum requirement a right hand turn lane should be provided to serve this link. I would welcome further discussions with the applicant on this matter but they are aware of this issue. Visibility splays of 2.4 metres by 91 metres are required out of the access onto Ashford Road as Ashford Road is subject to a 40 mph speed limit. This is in accordance with Manual for Streets 2 standards.

- Area 1 - Drawing number 30292_5510_007A. I am of the opinion that the proposed Pound Lane access is not appropriate as it will do little to reduce traffic flows from vehicles travelling in an easterly direction along Pound Lane as this would still be the more direct route for vehicles to go in a northbound direction. An alternative design solution is therefore desirable in my view. This includes the closure of the side arm junction just to the south of the property known as the Hawthorns for vehicular traffic together with the deletion of the other side arm junction proposed from Pound Lane to the proposed development site. This will force all drivers to go to the proposed new junction on Ashford Road. A turning head is not required at this location as Riverside Close can be used as a turning head. The proposed carriageway at this location should be 6.75 metres in width.
 - Area 2 - Drawing number 30292_5510_009. Visibility splays of 2.4 metres by 91 metres are required out of the access onto Ashford Road as Ashford Road is subject to a 40 mph speed limit. This is in accordance with Manual for Streets 2 standards.
- Area 2 - Drawing number 30292_5510_004A. The re-located Magpie Hall Road arm should be moved another 10 metres north so that it is 30 metres north of the Steeds Lane junction. This is so that it meets the minimum junction spacing of 30 metres for a Left / Right staggered road feature for a local distributor road as set out in the Kent Design Guide. The section of re-aligned Magpie Hall Road should be a minimum of 6.75 metres in width. This section of closure of Magpie Hall Road will be subject to a Section 278 Highway Agreement and a suitable landscape bund will need to be installed as suggested in the Stage 1 Safety Audit. The bus stop and shelter will also have to be moved further north so that a stationary vehicle is not in the visibility splay for a driver wishing to turn right. The visibility splay out of the site access point onto Magpie Hall Road to the west goes across 3rd party land. This is unacceptable and the access location will have to be moved. Visibility splays of 2.4 metres by 91 metres are required out of the re-aligned Magpie Hall Road onto Ashford Road as Ashford Road is subject

to a 40 mph speed limit at this location. This is in accordance with Manual for Streets 2 standards. Visibility splays of 2.4 metres by 91 metres are also required out of Steeds Lane. A fully scaled plan is therefore required showing these required amendments.

- Area 3 - Drawing number 30292_5510_010. The current proposals show two access points off Bond Lane serving areas 3 and 4 respectively together with the closure of Bond Lane to vehicular traffic at either end. The closure of Bond Lane at either end will require an amendment to the Traffic Regulation Order (TRO) for Bond Lane. The access from area 3 will serve a total of 45 dwellings potentially in area 4. Bond Lane will therefore need upgrading to the standard of a Minor Access Road as set out in the Kent Design Guide and will therefore need to be 4.8 metres in width and have a footway width of at least 1.8 metre on one side. Currently the applicant is not suggesting to upgrade Bond Lane, which is not acceptable as it a single width lane with a carriageway width of approximately 3.5 metres in which two vehicles cannot pass one another without significant verge over-run. There is a fairly substantial amount of grass verge on the western side of Bond Lane which could be widened to facilitate widening this section of Bond Lane to a Minor Access Road standard. Vehicle tracking of the two proposed turning heads on Bond Lane needs to be provided for an 11.4 metre long refuse vehicle and the turning heads need to be subject to double yellow lines to prevent any indiscriminate parking taking place. It is not clear how many dwellings the proposed northern access on Bond Lane is supposed to serve so I am unable to comment on the suitability of Bond Lane as a road to serve this part of Area 3.
- Area 4 - Drawing number 30292_5510_011. It is not clear how the proposed visibility splays have been calculated as Steeds Lane is currently subject to national speed limit and so typically visibility splays of 2.4 metres by 215 metres are required. A speed survey will need to be submitted at this location to demonstrate that the proposed visibility splays are acceptable.

Signalisation Pound Lane / Ashford Road / Church Hill junction

The Highway Authority welcomes the applicants' proposals for the signalisation of the above junction. I have currently forward the scheme onto my colleagues in the traffic signals team for comment. I do however have the following comments. The submitted Stage 1 Safety Audit does note a number of problems with the current proposals which need to be addressed at this stage.

- The nearside kerb on Pound Lane should be built out to enable to signal pole to be moved forward. A minimum of 43 metre forward visibility needs to be provided (based on a driven speed of 30mph).
- There does not appear to be any pedestrian crossing facilities provided. These are required on all arms of the junction. Pedestrian crossing phases

also need to be built into all stages of the LINSIG model as these could get called at any point.

- It appears that the kerb and footway which is to be re-aligned is not within the public highway. The applicant should undertake a land registry search to ascertain who owns this land and then discuss the proposals with the landowner. The tracking for a large southbound vehicle on Ashford Road continuing the junction shows that the nearside wheels of the vehicle will be very close to striking the new kerb line. In my opinion the kerb line should therefore be moved east by at least another 50 centimetres to prevent the body of the vehicle overhanging the footway.
- A designer's response by PBA is required for all the identified problems.

Enhancement to Local Bus Network

- It is not clear from the current proposals if the applicant is suggesting that the buses could be routed within the site. However, for all properties to be within 400 metres walking distance of a bus stop as per the requirement in the Kent Design Guide: Making It Happen and the Inclusive Mobility Guide, a new circular route will need to be provided within Area 3 so that future residents within Area 4 are within this distance. The access into Site 3 from Ashford Road should therefore be upgraded to a Local Distributor Road standard and be 6.75 metres in width to cater for bus movements through this site. The applicant should therefore contact Steve Benjamin in KCC's public transport team to discuss these proposals in further detail.

Approach to Traffic Impact Assessment on Local Road Network

- KCC Highways and Transportation agrees with the proposed study area of junction assessment. The vehicle trip rates from the proposals have also been agreed with the applicant and the proposers of the adjacent Court Lodge development. The sites included in the committed development section are also acceptable. It is appropriate for the applicant's to undertake a sensitivity test of the proposed Court Lodge development as this has a draft allocation in the Ashford Local Plan.

Development Traffic Impact

- A2070/Waterbrook Avenue/The Boulevard (Orbital Park Roundabout). This junction is within the ownership of Highways England and the only arm of the roundabout that is within the ownership of KCC Highways is The Boulevard. The proposals will impact fairly significantly on this arm in a 2030 + Committed + Development scenario when compared to the 2030 + Committed scenario with the queue worsening by 8 vehicles and an increase in delay by

33 seconds in the PM peak. A mitigation scheme is proposed by Crest Nicholson (Finberry) at the roundabout known as the Bellamy Gurner scheme. Works to this roundabout are likely to commence sometime this year. The applicants should test the impact of their development on this scheme to ascertain whether or not there is sufficient capacity to cater for the proposed development.

- Romney Marsh Road / Norman Road / Kimberley Way. The proposals will impact fairly significantly on this roundabout in a 2030 + Committed + Development scenario when compared to the 2030 + Committed scenario with the queue worsening by 15 vehicles and 41 seconds in the PM peak on the 2042 North arm. A mitigation scheme is proposed by the applicant in the form of improvements to the A2042 north and south arms which will significantly improve the capacity at the roundabout. However no plan and Stage 1 Safety Audit has been submitted of these mitigation proposals. A designers response to the safety audit will also be required. The plan needs to be submitted at a 1:500 scale.
- A2070 Bad Munstereifel Road / Romney Marsh Road / Malcolm Sargent Road. The proposals will impact very significantly on this roundabout in a 2030 + Committed + Development scenario when compared to the 2030 + Committed scenario with the queue worsening by 18 vehicles and 26 seconds on the Bad Munstereifel Road arm and 157 vehicles and 6 and half minutes on the Romney Marsh Road south arm in the AM peak. In the PM peak Romney Marsh Road north arm queue will worsen by 29 vehicles and 50 seconds, Bad Munstereifel Road arm queue will worsen by 38 vehicles and 54 seconds and Malcolm Sargent Road arm queue will worsen by 2 vehicles and 7 seconds. A mitigation scheme is proposed by the applicant which will increase the entry widths on all arms of the roundabout to improve capacity here. However no plan and Stage 1 Safety Audit has been submitted of these mitigation proposals. Nonetheless this roundabout junction currently has a poor safety record and this would have been shown up if the applicant had undertaken a crash data search of this roundabout. To address this issue the County Council is looking at a radical design solution for this roundabout in the form of a TURBO roundabout but currently does not have the funds to complete a scheme here. The applicant is therefore requested to cost their mitigation proposals and the Highway Authority will request that a Section 106 contribution equivalent to the cost of this scheme is secured towards the cost of delivering this TURBO roundabout scheme.
- Ashford Road / Romney Marsh Road / Forestall Meadow. It does not appear that the sensitivity test has been undertaken for this roundabout junction. The proposals will impact fairly significantly on this roundabout in a 2030 + Committed + Development scenario when compared to the 2030 + Committed scenario with the queue worsening by 7 vehicles and 19 seconds on the

Ashford Road South arm and 3 vehicles and 14 seconds on the Ashford Road north arm in the AM peak. A mitigation scheme is proposed by the applicant which includes improvements to the southern and western arms. However no plan and Stage 1 Safety Audit has been submitted of these mitigation proposals. A designer's response to the safety audit will also be required. The plan needs to be submitted at a 1:500 scale.

- Ashford Road / Pound Lane / Church Hill Junction Signalisation - As discussed above pedestrian phases need to be built in the LINSIG model and the capacity assessment re-run accordingly.

Schedule of Commitments

KCC Highways and Transportation do not have the capacity to deliver highway improvements that are as a result of development proposals. Therefore the following works should be secured through a Section 278 Agreement rather than a contribution under Section 106 apart from one of the schemes as discussed below.

- Capacity improvement to Romney Marsh Road / Norman Road / Kimberley Way roundabout.
- Capacity improvement to A2070 Bad Munstereifel Road / Romney Marsh Road / Malcolm Sargent Road roundabout. As discussed above a Section 106 Agreement is acceptable. Nonetheless, KCC Highways and Transportation do not agree to the trigger point of payment by Area 3 and 4 due to the significant impact of these proposals on the roundabout as discussed above. The trigger should be Area 2 or by the 151st dwelling.
- Capacity improvement to Ashford Road / Romney Marsh Road / Forestall Meadow roundabout.
- It appears that some of the table has not been updated since the original Transport Assessment was submitted as it refers to a new roundabout at the junction of Ashford Road / Magpie Hall Road / Steeds Lane. Ashford Road is also currently not being proposed to be re-aligned.
- All dwellings should have an electric charging point installed and this should be subject to a planning condition.
- A Section 106 contribution of £5,000 as stated in the monitoring section is required so that KCC Highways and Transportation can monitor the proposed travel plan.

- No details of the proposed car club have been submitted together with the best location of it.

Kent County Council comments on PB Technical Note dated 2 October 2018:

The applicant has unfortunately not modelled the impact of the Court Lodge development through the proposed priority junction with Ashford Road that will be formed from Site S5.

As a result of this the Highway Authority has had to enter into a separate discussion with the promoters of the Court Lodge development as it is apparent that neither party is talking with each other to find an access solution that can work for both sites. The modelling results for the Site S5 junction with Ashford Road from the Court Lodge site are based on an agreed trip assignment as part of the Local Plan process with half of future residents travelling in a northbound direction from the Court Lodge site exiting the site from the Pound Lane direction would use Pound Lane, Chart Road and Britannia Lane. The requirements for the widening of Pound Lane to cater for the increase in traffic will need to be discussed as part of the Court Lodge planning application in due course.

The modelling results for the S5 site access junction with Ashford Road that the Highway Authority have received from the Court Lodge promoters does however show that the junction will operate within capacity with just a simple priority junction being provided rather than a right hand turn lane with a maximum queue of 2 vehicles wishing to run right in the PM peak and a maximum RFC of 0.40. As such a simple priority junction is acceptable to cater for both the proposed development and the Court Lodge development.

In relation to the requested Section 106 contribution towards the Romney Marsh Road / Ashford Road / Malcolm Sargent Road the scheme plan can be found in the Romney Marsh Road roundabout technical note submitted as part of the Waterbrook Park Planning Application - 18/00098/AS. The technical note also sets out the traffic movements from other contributing developments and can be found below:

<http://planning.ashford.gov.uk/Planning/IDOX/default.aspx?docid=1661488>

The cost of the scheme at £6,181,391 is set out in a Cost Plan by Allen Dadswell Consultants which the Highway Authority can supply the applicant with a copy of if requested.

I subsequently now have no objections to the application subject to the following conditions / required Section 106 Agreement:

Planning Conditions

1) Submission of a Construction Management Plan before the commencement of any development on site to include the following:

(a) Routing of construction and delivery vehicles to / from site

(b) Parking and turning areas for construction and delivery vehicles and site personnel

(c) Timing of deliveries

(d) Provision of wheel washing facilities

(e) Temporary traffic management / signage

2) The reserved matters details shall show adequate land, reserved for parking to meet the needs of the development and in accordance with Ashford Borough Council's adopted Residential Parking and Design guidance SPD or any adopted guidance or policy which may have superseded it. The approved area shall be provided, surfaced and drained in accordance with the approved details before the buildings are occupied and shall be retained for the use of the occupiers of, and visitors to, the premises. Thereafter, no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on the land so shown as to preclude vehicular access to this reserved parking area.

3) No dwelling shall be occupied until space has been laid out within that dwelling for bicycles to be parked undercover in accordance with details that shall have been submitted to and approved by the Local Planning Authority. Such cycle parking facilities shall subsequently be retained for residents 4) Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwelling:

(a) Footways, with the exception of the wearing course;

(b) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

5) Prior to the occupation of any dwelling hereby permitted the Ashford Road Site Area 1 Access Junction and associated visibility splays as shown in drawing number 30292_5510_008C Revision C shall be implemented and opened to vehicular traffic.

6) Prior the commencement of Area 2 or by the 151st dwelling (whichever is sooner) the Pound Lane / Church Hill / Ashford Road signal junction and associated double yellow line parking restrictions as shown in drawing number 30292-5510-006 Revision D shall be implemented and opened to vehicular traffic. The signalisation scheme shall also include the closure of Pound Lane to vehicular traffic (to the west of Riverside Close) and re-routing of vehicular traffic through the Site 5 to Ashford Road as shown in drawing number 30292_5510_007 Revision C.

7) Prior the commencement of Area 2 or by the 151st dwelling (whichever is sooner) the Magpie Hall Road / Ashford Road / Steeds Lane junction realignment as shown in drawing number 30292_5510_004 Revision F shall be implemented and opened to vehicular traffic.

8) Prior to the occupation of any dwelling hereby permitted in Area 2 or Area 3 the site access junctions with Ashford Road and associated visibility splays as shown in drawing number 30292_5510_009 Revision C shall be implemented and opened to vehicular traffic.

9) Prior to the occupation of any dwelling hereby permitted in Area 3 served off Bond Lane or Area 4 the site access junctions and associated visibility splays shall be implemented, Bond Lane shall be widened in part and closed as a through route to vehicular traffic as shown in drawing number 30292_5510_010 Revision B.

10) Prior to the occupation of any dwelling hereby permitted in Area 4 the site access junction with Steeds Lane and associated visibility splays as shown in drawing number 30292_5510_011 Revision B shall be implemented and opened to vehicular traffic.

11) Prior the commencement of Area 2 or by the 151st dwelling (whichever is sooner) a new pair of bus stops, raised kerbs and shelters shall be provided along Ashford Road between Areas 1 and 2. These details shall be submitted approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

12) Prior to the commencement of Area 2 or by the 151st dwelling (whichever is sooner) the existing bus stop and shelter on Ashford Road to the north of the Magpie Hall Road / Steeds Lane junction shall be moved in a northerly direction in accordance with details to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. A new southbound bus stop, raised kerb and shelter shall also be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

13) Prior the occupation of the 1st dwelling a detailed travel plan with modal share targets over a 5 year period, an action plan to achieve these targets and sanctions if

the modal share targets are not met shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

Section 106 Contributions

Bus services - Section 106 contributions will be required towards improvements to bus services between the site and Ashford Town Centre. These contributions are required over a 5 year period and a total of £400,000 is required, broken down as follows: £120k in year 1, 100k in year 2, £80k in year 3, £60k in year 4 and £40k in year 5. These contributions should be paid directly to Kent County Council so a new service can be tendered accordingly.

Romney Marsh Road Roundabout - £1,871,058 towards a junction capacity improvement at this roundabout based on the proposed 195 movements from the development. This contribution is required prior to the commencement of Area 2 or by the 151st dwelling (whichever is sooner).

Residential Travel Plan - £5,000 monitoring fee (£1,000 per annum to monitor the proposed travel plan).

Highways England: Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this case the A2070 and M20 around Ashford.

Having reviewed the Supplementary Transport Assessment, please see our comment below:

Collision Data

We are in agreement with KCC that crash data needs to be obtained and analysed for a wider study area. We would be content with the analysis being undertaken for the study area suggested by KCC e.g. from the junction of Magpie Hall Road / Ashford Road / Steeds Lane to M20 Junction 10.

Impact Assessment

We do not agree that the assertion that the proposals would have a 'negligible impact' on the A2070/Waterbrook Avenue/The Boulevard roundabout.

The modelling results provided indicate that the proposals will severely increase queues and delays on the A2070 E and A2070 W arms in the 2030 PM Peak when compared to the 2030 + committed (baseline) scenario:

- A2070 E net impact 2030 PM Peak: queue +67 vehicles, delay +137.4 secs
- A2070 W net impact 2030 PM Peak: queue +31 vehicles, delay +33.0 secs

No mitigation has been proposed for this junction. On this basis, the proposals in their current form would have a severe impact on the safety, reliability and operation of the SRN (the tests set out in DfT C2/13 para 10 and DCLG NPPF para 32).

A mitigation scheme has been identified by Crest Nicholson at the roundabout, known as the Bellamy Gurner Scheme. There is potential that this revised junction layout could accommodate the proposals.

We either require evidence that the proposed development can be accommodated by the Bellamy Gurner Scheme, or details of a proposed mitigation scheme (including scheme sketches and modelling to demonstrate nil detriment as a minimum, as well as proposed timescales for implementation and funding/governance arrangements).

Kent County Council Flood and Water Management: Kent County Council as Lead Local Flood Authority have reviewed the Flood Risk Assessment and Strategy, dated November 2017 by Wardell Armstrong and have following comments:

At the detailed design stage, we would expect to see the drainage system modelled using FeH rainfall data in any appropriate modelling or simulation software. Where FeH data is not available, 26.25mm should be manually input for the M5-60 value, as per the requirements of our latest drainage and planning policy statement (June 2017); the FSR dataset should not be used:

http://www.kent.gov.uk/__data/assets/pdf_file/0003/49665/Drainage-and-Planning-policy-statement.pdf

The drainage designs will also need to meet the requirements set out within Ashford Borough Council's Sustainable Drainage SPD, with a particular focus on the types of SuDS that should be incorporated into the detailed proposals. SuDS can provide multiple benefits such as enhanced amenity value, water quality controls and biodiversity benefits.

Should your Authority be minded to grant permission to this development, we would recommend to include following conditions.

Condition:

No development shall take place in any phase until:

- i) the details required by Condition 1 (assumed to be reserve matters condition for layout) shall demonstrate that requirements for surface water drainage can be accommodated within the proposed development layout.
- ii) a detailed sustainable surface water drainage scheme has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of in accordance with the requirements of Ashford Borough Council's Sustainable Drainage SPD and without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters.

Reason:

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

Condition:

No building on any phase of the development hereby permitted shall be occupied until an operation and maintenance manual for the proposed sustainable drainage scheme is submitted to (and approved in writing) by the local planning authority. The manual at a minimum shall include the following details:

- A description of the drainage system and its key components
- An as-built general arrangement plan with the location of drainage measures and critical features clearly marked
- An approximate timetable for the implementation of the drainage system

- Details of the future maintenance requirements of each drainage or SuDS component, and the frequency of such inspections and maintenance activities
- 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 drainage scheme as approved shall subsequently be maintained in accordance with these details.

Reason:

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

Condition:

No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to 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 earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

Reason:

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with the National Planning Policy Framework.

Environment Agency: No comments

Kent County Council Development Investment: The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

1. Necessary,
2. Related to the development, and
3. Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements (the evidence supporting these requirements is set out in the attached Appendices).

Request Summary

Primary Education	£4,535.00 per 'applicable' house	£1,134.00 per 'applicable' flat
Primary Land	£2,363.93 per 'applicable' house	£590.98 per 'applicable' flat
Secondary Education	£5,091.60 per 'applicable' house	£1,272.90 per 'applicable' flat

'Applicable' meaning: excluding 1 bed units of less than 56sqm and sheltered accommodation

Community Learning	£34.45 per dwelling
Youth Service	£27.91 per dwelling
Libraries	£108.32 per dwelling
Social care	£77.58 per dwelling Delivery of 6 Wheelchair Adaptable Homes as part of the affordable housing on the site
High Speed Fibre Optic Broadband connection	INFORMATIVE: Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of

	<p>planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband. We understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer. For advice on how to proceed with providing access to superfast broadband please contact broadband@kent.gov.uk</p>
Highways	Kent Highway Services will respond separately

Please note that these figures:

- are to be index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment (Oct-16 Index 328.3)
- are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.

Primary Education

The proposal of 550 houses gives rise to up to 154 additional primary school pupils during occupation of this development. This need can only be met through the provision of a new 2FE Primary School within the locality (Court Lodge Policy S3 of the Ashford Local Plan 2030).

This proposal has been assessed in accordance with the KCC Development Contributions Guide methodology of 'first come, first served' assessment; having regard to the indigenous pupils, overlain by the pupil generation impact of this and concurrent new residential developments on the locality.

A new Primary School site of 2.05ha is required to accommodate a school capable of being expanded to 2 Forms of Entry in accordance with KCC policy. As such, KCC is requesting proportional land contributions towards the provision of the 2FE site.

Please note this process will be kept under review and may be subject to change (including possible locational change) as the Local Education Authority has to ensure provision of sufficient pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act 1996 and as the Strategic Commissioner of Education provision in the County under the Education Act 2011.

KCC will commission additional pupil places required to mitigate the forecast impact of new residential development on local education infrastructure generally in accordance with its Commissioning Plan for Education Provision in Kent 2018-22 and Education and Young People's Services Vision and Priorities for Improvement 2017-20 March 2017.

The sustainability of this site is dependent upon Court Lodge (SP3) delivering a 2.05Ha site for the provision of a 2FE Primary School to facilitate this and the adjoining Court Lodge development.

Secondary School Provision

A contribution is sought based upon the additional need required, where the forecast secondary pupil product from new developments in the locality results in the maximum capacity of local secondary schools being exceeded.

The proposal is projected to give rise to up to 110 additional secondary school pupils from the date of occupation of this development. This need can only be met through the provision of new accommodation within the locality.

The County Council requires a financial contribution towards building of a new Secondary school in Ashford of £5,091.60 per applicable house and £1,272.90 per applicable flat.

Please note where a contributing development is to be completed in phases the payment of contributions will be timed to facilitate any construction contract let by KCC so as not to impinge upon the public purse.

The new secondary school accommodation will be provided in Ashford through the additional 2FE (to extend from 6FE to 8FE) for the new secondary school planned at Chilmington Green.

Please note this process will be kept under review and may be subject to change (including possible locational change) as the Local Education Authority will need to

ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

Community Learning

There is an assessed shortfall in provision for this service: the current adult participation in both District Centres and Outreach facilities is in excess of current service capacity, as shown in Appendix 2, along with cost of mitigation.

The County Council will mitigate this impact through the provision of additional IT equipment and additional services at Adult Education centres local to the development.

The County Council therefore requests £34.45 per household to address the direct impact of this development.

Youth Services

The service caters for young people from 11 to 25 years though the prime focus is on hard to reach 13 to 19 year olds. The service is provided on a hub and spoke service delivery model. The hub offers the full range of services whilst spokes provide outreach provision. Outreach provision can take a number of forms, including detached youth workers, mobile services, affiliated voluntary and community groups etc.

Forecasts shown in Appendix 2 indicate that this development will cause insufficient capacity within the Ashford North Youth Centre, and therefore KCC will require additional equipment to meet the additional demand generated through the development.

There are two work streams delivering youth services; outreach working and IT Equipment and connectivity. Outreach is delivering concentrated outreach from a fixed base in the Kingsnorth area. This projected increase in participation will also necessitate an upgrade to both mobile and fixed IT facilities including tablets, laptops and connectivity.

The County Council therefore requests £27.91 per household.

Libraries

There is an assessed shortfall in provision: both overall borrower numbers are in excess of current mobile capacity and bookstock for Ashford Borough.

Additional bookstock, shelving and service reconfiguration will be required not only in the Stanhope and Ashford Libraries but also for the mobile library service that

attends the local area to mitigate the impact of the new borrowers arising from this development, as shown in the attached Appendix 2. The additional stock will be supplied as the monies are received.

The County Council therefore requests £108.32 per dwelling to address the direct impact of this development.

Social Care

The proposed development will result in additional demand upon Social Care (SC) (older people, and also adults with Learning or Physical Disabilities) services. However, all available care capacity is fully allocated already, and there is no spare capacity to meet additional demand arising from this and other new developments which SC is under a statutory obligation to meet.

The County Council will mitigate this impact through the provision of social care services at the new Chilmington Green Community Hub. The requested contribution will be put towards the enhanced fit out of the social care element of the building.

The County Council requests £77.58 per household to deliver the additional capacity locally and will be implemented upon receipt of sufficient funds.

To fully mitigate the impact of this development on Social Services, the County Council request Ashford Borough Council also ensure the delivery of 6 Wheelchair Adaptable Homes as part of the affordable housing element on this site, with nomination rights given in consultation with KCC Social Care

If there are to be any on site community facilities; a Changing Place facility (please see page 9 of the attached KASS Glossary) and enhanced design features to make the facility accessible to a wider group of the population including older clients and those with disabilities are required. The design features envisaged include for example adjustable height work surfaces, sink and storage units.

Superfast Fibre Optic Broadband

Broadband Delivery UK (BDUK), part of the Department for Culture, Media and Sport, requires delivery of superfast broadband to all.

It is requested that Ashford Borough Council include within any Planning Consent the requirement to provide 'fibre to the premise' (Superfast fibre optic broadband) to all buildings (residential, commercial, community etc) of adequate capacity (internal min speed of 100mb to each building) for current and future use of the buildings, as set out in the above Request Summary.

Implementation

The County Council is of the view that the above contributions comply with the provisions of regulations 122 & 123 of the CIL Regulations and are necessary to mitigate the impacts of the proposal on the provision of those services for which the County Council has a statutory obligation. Kent County Council confirm in accordance with CIL Regulation 123 there are no more than 4 other obligations towards these projects.

Accordingly, it is requested that the Local Planning Authority seek a section 106 obligation with the developer/interested parties prior to the grant of planning permission. The obligation should also include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the Agreement.

The County Council, as Local Education Authority, Local Highways Authority and Statutory Library Authority, should be included as a signatory to any Planning Obligation Deed that is completed in relation to the proposed scheme. The Agreement will subject to sign off by the S106 Officer and appropriate Cabinet Member in order to ensure that the County Council can make appropriate provision for delivery as required under the terms of the agreement. Being a signatory will also enable the County Council to monitor and enforce any obligations and have the required certainty to plan for infrastructure delivery in the interests of both existing and future community.

Would you please confirm when this application will be considered and provide us with a draft copy of the Committee report prior to it being made publicly available? If you do not consider the contributions requested to be fair, reasonable and compliant with CIL Regulations, Regulations 122 & 123, it is requested that you notify us immediately and allow us at least 10 working days to provide such additional supplementary information as may be necessary to assist your decision making process in advance of the Committee report being prepared and the application being determined.

Summary

The county council will be seeking reassurance that an appropriate package of infrastructure is capable of being delivered and the timely delivery of infrastructure is adequately safeguarded. KCC will look to work closely with ABC and the applicants to ensure a viable, timely and sustainable community comes forward with the appropriate infrastructure, strategic and otherwise.

Kent County Council Heritage: Further to my comments of 26 October 2015, the applicant has undertaken additional assessment of the historic environment for this scheme. In addition to desk based work, some selective and targeted trial trenching

has taken place across the site. The trenches were targeted on geophysical anomalies and comprised 42 trenches, although not all were done. I visited the evaluation works and have a basic understanding of the results, but the details of this evaluation should be submitted with this revised outline scheme. As such I recommend that prior to determination of this application, the initial evaluation results are submitted for information.

The assessment of the archaeological potential across the site so far is not sufficient to state that there will be “no impacts of greater than moderate adverse effect” (paragraph 3.3.2 ES Addendum) and I suggest there is still potential for significant archaeology to survive on this site.

Previously I expressed concerns over the limited nature of the assessment of the historic environment. However, in addition to the unreported, limited field trenching, the applicant has provided a geophysical survey of parts of the site; reduced the application area to avoid potential archaeologically sensitive areas indicated by geophysical survey; and submitted additional assessment of the historic buildings and historic landscapes. These are all welcome actions by Wardell Armstrong and do amount to reasonable assessment of the historic environment for the current proposed development.

Although the assessment of heritage issues is fairly robust now, the consideration of the modern and military heritage is still disappointing. Although there is mention of the pillbox off Magpie Hall Road, there is little consideration of its role in a network of defence which would focus on vulnerable routeways and Ashford Airfield. There are pillboxes around the application site, some of which are not on the HER and have not been formally identified. There may be buried structures too, such as gun emplacements, ROC underground bunkers or hides etc. More detailed consideration of the military and modern heritage, would be welcome, especially as this might inform the significance of the pillbox beside the proposed southerly entrance into the development from Magpie Hall Road.

In the DBA, there is no figure showing modern archaeology.

In summary, the applicant has undertaken further assessment of the historic environment. It is still not clear what the impact of this development is on the heritage assets because of the limited nature of archaeological assessment and the limited detail attached to this outline application. However, no further assessment of the historic environment is essential at this stage although it would be preferable to have:

- Results of the targeted field trial trenching; and
- Assessment of military heritage.

If it is decided to determine this application at this stage, I recommend the following conditions are placed on any forthcoming consent:

1. Prior to the commencement of development, the applicant, or their agents or successors in title, will secure and implement of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that historic building features, such as WWII pillboxes, agricultural structures etc, are properly examined and recorded.

2. Prior to the commencement of development, the applicant, or their agents or successors in title, will secure the implementation of

i 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

ii following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority is satisfied that the requirements of this condition (including the timing of compliance) are so fundamental to the development permitted that such details must be submitted prior to the works, other than demolition works, commencing on site. This is because, at the time of granting permission, full details were not yet available but this information is necessary to ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

3. Prior to the commencement of development, the applicant, or their agents or successors in title, will secure the implementation of

i historic landscape survey and assessment in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

ii following on from the historic landscape assessment, any safeguarding measures to ensure preservation in situ of important historic landscape features and/or further historic landscape recording in accordance with a specification and

timetable which has been submitted to and approved by the Local Planning Authority

Reason: To ensure historic landscape features are identified and where possible retained within the development scheme

4. Prior to commencement of development, fencing will be erected, in a manner to be agreed with the Local Planning Authority, about identified heritage assets, such as the WWII pill box, and historic landscape features (as identified by the historic landscape survey); and no works shall take place within the area inside that fencing without the consent of the Local Planning Authority.

Reason: To ensure that important heritage assets are not adversely affected by construction works

5. Prior to commencement of development, the applicant, or their agents or successors in title, will secure the implementation of a Heritage Conservation and Interpretation Strategy in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that heritage of this site is suitably conserved and accessible to the residents and public for the future in accordance with paragraph 141 section 12 NPPF.

Heritage mitigation measures should preferably be put forward as part of any detailed application and these should include long term conservation measures and identification of visionary interpretation where appropriate. There needs to be a robust and integrated strategy for the heritage resource across the entire site.

In addition, it may be considered appropriate to cover long term conservation and management works, and heritage interpretation issues as part of a S106 Agreement and I would be happy to discuss this further.

Historic England: Thank you for your letter of 3 January 2018 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Kent County Council Ecological Advice Service:

Dormice

Dormice have been recorded throughout the site, however we have a number of queries in regards to the mitigation strategy:

- We have concerns that several gaps will be created within the hedgerows on site to facilitate the development. We advise that the locations of the hedgerow gaps (18 in total) that will be created are provided to enable a greater understanding of any potential impacts upon connectivity;
- Clarity on how artificial connectivity measures across roads will maintain connectivity (section 4.6.55). We note that there is potential loss of connectivity and therefore we expect sufficient information to demonstrate that any mitigation measures are achievable;
- Clarity on how the implementation of a sympathetic hedgerow management regime will mitigate any impacts from domestic pets upon dormice;
- We would welcome the submission of a map demonstrating how connectivity will be maintained throughout the site in regards to dormouse as we consider this to be key in determining that the favourable conservation status can be maintained.

Great crested newts

Great crested newts have been identified within 12 ponds, of which 5 are located within the development site. A population of great crested newts have been recorded within the southern section of area 4 as well as within area 4.

Mitigation measures have been provided, and we welcome the 50 metre buffers on all breeding ponds, especially the clear connectivity between ponds 16 and 20 within area 4. We have concerns that a dedicated area for great crested newts hasn't been clearly identified and advise that this area is confirmed. Whilst there are large provisions of green space, we note that these areas include the construction of SUDS basins and other associated infrastructure and have concerns of where any populations will be translocated during the construction stages.

- We advise that the indicative location of the great crested newt receptor site is identified in respect to the three identified meta populations taking into consideration all potential works within the area.

Water voles

Water vole have been observed within Area 2. The 2014 surveys identified water vole to be present at WB7, 7a, 8, 9 and Ditches 5 and 6. The update survey in 2017 found the continued presence of water voles in waterbodies 7 and 9 and Ditches 5 and 6. Mitigation measures include 50 metre buffers surrounding the ponds and 10 metres buffers adjacent to the ditches. We are satisfied with the outlined mitigation measures, however would expect further detailed information via condition of any granted planning application.

Badgers

A total of five badger setts have been identified within the site plan with mitigation measures including 30 metre buffers to ensure that there will not be any impacts. We are satisfied that these buffer zones have been demonstrated within the site masterplan, and that they are achievable.

Reptiles

Reptiles have been recorded throughout the site with area 1 having an exceptional population of slow worms. We are satisfied that there is sufficient provision of landscaped areas within the masterplan to retain the reptile populations across the site. Therefore, we would expect a detailed reptile mitigation strategy via condition of any granted planning application.

Ancient Woodland

We welcome the inclusion of the 15 metre ancient woodland buffer as well as the proposed additional woodland planting adjacent to this area. We have concerns that impacts through increased footfall hasn't been fully addressed and advise that clarity is provided regarding this point. Whilst a 15 metre buffer will provide mitigation for a variety of aspects, we have concerns that increased footfall could lead to increased trampling and potential loss of diversity.

- We advise that further details are submitted in regards to the current footpath networks (and any newly proposed routes) in and around the ancient woodland and which measures will be implemented to ensure that the additional footfall will not have any significant detrimental impacts

Natural England:

Statutory nature conservation sites – no objection Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species – We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be

granted. If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at consultations@naturalengland.org.uk.

Local sites - If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Biodiversity enhancements – This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that ‘Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity’. Section 40(3) of the same Act also states that ‘conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat’.

Landscape enhancements – This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

Sites of Special Scientific Interest Impact Risk Zones – The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on “Development in or likely to affect a Site of Special Scientific Interest” (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Environmental Services: I have read Chapter 6 of the ES addendum on noise and vibration.

Looking at the information given I still feel that Richard Woodcocks comments of 2015 are relevant: E009 – in terms of a scheme to protect internal sound levels from road noise. This is because the final layout and design have yet to be confirmed. Only general outline ideas have been indicated in this current report.

The sound assessment carried out at this stage does indicate that a scheme will be necessary. E028 – in terms of a Code of Construction Management Plan. This is because details are still unknown at this stage, so some generic mitigation proposals have been put forward, but they do not cover all the requirements of this condition.

I note that a wastewater treatment site forms part of the development, the report recommends that the noise from this does not exceed background, which I agree with. As such; I would ask that E007 and E008 are applied in this regard as follows: “E007 – The rating level of noise emitted from the proposed plant and equipment to be installed on the site (determined using the guidance of BS4142:2014 Method for rating industrial and commercial sound) shall not exceed the measured ambient noise level LA90, T during the night time period. For the purpose of the assessment the Authority will accept 23:00-07:00 hours as covering the night time period”.

“E008 – The rating level of noise emitted from the proposed plant and equipment to be installed on the site (determined using the guidance of BS4142:2014 Method for rating industrial and commercial sound) shall not exceed the measured ambient noise level LA90, T during the night time period. For the purpose of the assessment the Authority will accept 07:00-23:00 hours as covering the day time period”.

Reason: to protect residential amenity of the locality

For clarity; Richard also requested E016 in terms of contaminated land, and this should still be incorporated to any permission granted as I have not seen any documents that address this so far.

Having looked at Chapter 7 – Air Quality. At this stage, in agreement with the conclusions of the Air Quality assessment I would also request condition E047 in terms of requiring electric vehicle charging points.

I also note the intention to produce a best practice dust mitigation plan, this could be included in the Code of Construction Management Plan or submitted as a separate document.

Weald of Kent Protection Society: WKPS believes that this major development will put a significant strain on the local infrastructure — roads and schools and particularly medical facilities. For this reason, the development should conform to the requirements of Policy S4 of the draft Local Plan, and the number of proposed houses should be reduced to 320 as envisaged in that Policy.

Southern Water: Please find attached a plan of the sewer records showing the approximate position of a public foul sewers within the site. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note: No development or new tree planting should be located within 3 metres either side of the external edge of the public sewer and all existing infrastructure should be protected during the course of construction works.

No new soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public gravity sewer.

Any works within highway/access road will need to be agreed and approved by SW under NRSWA enquiry in order to protect public apparatus.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

The application submission indicates proposals to construct an on site wastewater treatment plant to be maintained and operated by an Independent Sewerage Undertaker under inset agreement. The foul drainage network on the site therefore will not be adoptable by Southern Water.

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme

- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

Kent Mammal Group:

Water-voles

We agree that additional information is required in the form of a detailed mitigation strategy, if protection of water-voles and their habitats at a favourable conservation status is to be assured. In addition to the mitigation measures outlined in the Environmental Statement (ES), the strategy document should include:

- Details of specifically how the 50m buffer zone around water-bodies 7, 7a, 8 and 9 will ensure no direct impacts, including those likely from humans, dogs and cats. For example, what habitat will be present within the 50m buffer zone, and will this be suitably fenced off from the public and domesticated animals?
- The Water Vole Report mentions that off-site water-bodies were taken into account within the desk study, however, there appears to be no evidence of this having taken place within the report. Given the scale of the proposed development, it is considered proportionate in this case to carry out a desk study of suitable habitat and potential habitat links up to 2-5km from the site. Further, it is advised that the field survey also include areas 200-500m upstream and downstream of the works. This is deemed of particular importance in this case due to the proposed adjacent developments. This is in keeping with the latest guidance (The Water Vole Mitigation Handbook, 2016).
- The Water Vole Report makes reference to an outdated version of the above guidelines from 2011. This may explain why only one survey for water vole field signs was carried out during the 2017 survey season. The latest guidance (Water Vole Mitigation Handbook, 2016) should instead be followed, which states that two surveys should be conducted in most cases, unless a precautionary approach is followed (Section 3.3.10). One should be carried out during mid-April to the end of June, and a second survey during July to September, ensuring they are at least two months apart. The report does not provide any consideration of

the requirement for the second survey or justification for not carrying this out. Insufficient information has therefore been provided and the conclusions reached are premature.

- Paragraph 4.1.4 of the Water-vole Report states that a “substantial buffer of green space would also be retained along Ditch 6 and to the south of Ditch 5”. It is acknowledged that the ES states that a minimum 10m buffer is to be used along watercourses with confirmed water-vole populations. Further detail is nonetheless required, specifying the precise extent of the green space buffer on both sides of Ditches 5 and 6, and how they would be designed to act as suitable mitigation to ensure the water vole population present on site is maintained at a favourable conservation status. This is of particular concern for Ditch 5, which will run adjacent to the proposed new housing in Area 2.
- It is noted that displacement measures are proposed (4.6.23, ES). Displacement of watervoles has regularly been found to be ineffective (Derek Gow pers. comm., 2018). Current guidelines (The Water Vole Mitigation Handbook, 2016) advise that licensed displacement cannot exceed 50m of watercourse length. Further information is therefore required regarding the specific extent of proposed displacement activities before an accurate assessment can be made as to the likely short- and long-term residual impacts to this species.
- Cumulative impacts of other nearby development should be taken into consideration, particularly that of Site Policy S3 Court Lodge, listed under the submission version of the Ashford Local Plan (Dec. 2017); the habitat within the S3 Court Lodge site is directly linked to the habitats found to support water-voles within the S4 site north of Magpie Hall Road.

Hazel Dormice:

The proposed mitigation strategy for dormice is quite alarming, and we strongly advise that it is revised. The method and timing of the vegetation clearance in relation to dormice in Section 4.6.54 of the ES, recommends first clearing above-ground vegetation in summer, when dormice are active, including during September, which is a key breeding month for dormice in Kent; it then goes on to recommend clearance of stumps during winter, when dormice could be hibernating within such features.

Based on the total extent of clearance proposed across the site (and indeed likely in adjacent developments), we would advise that appropriate guidelines are followed for two-phased clearance. This should involve above-ground vegetation clearance carried out during December - February (November and March sub-optimal if weather is mild) and ground level vegetation and stumps are cleared the following May.

The total number of gaps to be created in the hedgerows is said to be up to 18. This should be considerably reduced wherever possible as 18 gaps could have significantly negative impacts on habitat connectivity for dormice. The distances of each gap should also be minimised, with arboreal connectivity maintained by mature trees either side of the gaps, where possible. Whilst the ES states in Section 4.6.55 that potential isolation of dormice across the site will be mitigated for by “provision of artificial connectivity measures across key road crossings”, it is unclear what this means. If this is the main measure proposed to mitigate for habitat fragmentation, far more information is required as to the location and nature of the connectivity measures. It should be noted that there is no published research to suggest that artificial bridges provide effective mitigation for dormice in relation to development activities.

Whilst the hedgerow management proposed in Section 4.6.57 is certainly welcomed, we are unsure as to how this will provide sufficient mitigation against increased disturbance from “pets and people”. The number of dwellings proposed within this and adjacent developments could result in catastrophic levels of disturbance from people, and cats in particular, for the local dormouse population. Far more substantial mitigation is required if these impacts are to be negated, and higher weighting to the cumulative impacts of the wider development plans must also be applied.

Based on the mitigation proposed to date, we strongly disagree with the conclusion reached in Section 4.6.60 that there will be “negligible adverse impacts upon dormouse during construction and operation” and that there will be “minor beneficial impacts in the long-term”, particularly as this is based simply on sympathetic hedgerow management and creation of open green spaces. On the contrary, we would conclude that based on available information, the development is likely to result in a moderate negative impact at District level, with the favourable conservation status of dormice seriously at risk as a result of this development.

Bats

We agree with the comments made by the County Ecologist in October 2015 that insufficient survey effort was employed during the initial bat activity surveys; only three dusk surveys were carried out during 2014, one each during spring, summer and autumn. For a site of this scale, habitats present, and the development proposed, the latest guidance (Bat Surveys for Professional Ecologists: Good Practice Guidelines, 2016) advises one survey visit per transect each month from April to October, including at least one dusk and pre-dawn (or dusk-dawn) survey within one 24-hour period. Automated survey data should be collected from two locations per transect, over five consecutive nights each month from April to October.

Unfortunately, the previous lack of survey effort has not been addressed and in 2017 only one “update survey” was undertaken in June 2017 to ascertain if the habitats and use of the site by bats remained the same. Insufficient survey effort has therefore been employed to assess the potential impacts of the development on foraging and commuting bats, and conclusions reached regarding impacts and suitable mitigation are therefore premature.

It is noted that 115 trees within the site had potential to support roosting bats (classified as either category 1* or 1 trees). These trees were not surveyed further for roosting bats as they are to be retained and are on the site periphery or within retained green space (4.5.28, ES).

We would advise that further surveys are conducted to determine the use of any trees which are immediately adjacent to development activities by roosting bats. Proposed changes in surrounding habitats and noise and light disturbance during both the construction and operational phases could indeed render the bat roosts no longer viable, even if the tree supporting the roost is retained. Given that the 2013 Kent Bat Group records indicate the confirmed presence of 10 bat species, including roosts for all species within 5km, there is a high likelihood that suitable roost sites, including those in trees, would be utilised by bats.

Further, the potential increase in predation risk due to domestic cats has not been explicitly included in the assessment of potential risks to bats, nor have mitigation measures been proposed in this regard. Cats pose a serious threat to bats, as documented by Woods, M. et al. (published in 2003 in Mammal Review 33, 174-188). Section 4.5.53 of the ES states that during the operational phase there is “potential for low level predation from pets”. As no surveys for roosting bats in trees across the site have been carried out (and 115 trees have been determined to have potentially suitable roost features), it is not possible to determine the level of risk posed to the conservation status of bats in the area as a result of increased cat predation. It is also expected that for the number of dwellings proposed within this and adjacent developments, that cat predation could indeed result in much higher predation levels than stated.

In the absence of the information above, we feel that the conclusions reached regarding impact levels on roosting bats is premature.

Badgers

We requested a copy of the confidential badger report, but did not receive a response. As such, we have not been able to comment on the potential constraints and opportunities relating to badgers. We would encourage the council to provide us with this information at the earliest opportunity to allow a full assessment of impacts to badgers to be made in due course.

Other Notable / Priority Mammals

Kent Local Biodiversity Action Plan (LBAP) mammals relevant to this application (and not already mentioned above) include: hedgehog, harvest mouse and brown hare. These are all also NERC Act (2006) Section 41 (S.41) species of priority conservation concern. As such, they should be a material consideration of planning (NPPF).

Harvest Mouse

The arable field margins described in 4.4.11 (ES) indicate the presence of habitat considered optimal for harvest mice. The suitability of the habitat is further enhanced by the amount of boundary ditches along these grassy arable field margins. Further suitable habitat may be present in the grass at the base of hedgerows, as described in 4.4.15 (ES). The potential presence of this LBAP and S.41 species has not been taken into consideration in the proposals as it should be to ensure compliance with relevant planning policies.

Brown Hare

The Extended Phase 1 Habitat Survey Report (November 2017) states in Table 3 that there were no records returned for brown hare. However, the 2013 Ecological Appraisal report states in Section 4.4.8 that “brown hare are known to exist within the search area” and Appendix 3 clearly shows brown hare records, including one from Kingsnorth in 2007. The 2013 report is quoted as saying that the site is “attractive” for brown hares, but then with no further explanation is considered to be of “lower [importance] at the parish / neighbourhood level”. The impact of the development is considered to be “minor adverse”. No explanation of how this conclusion was reached has been provided in the original report. The 2017 report (Table 3) states that “the presence of suitable habitat in the wider landscape makes it unlikely that the conservation value of this species will be significantly impacted by development of the site”. Given the extensive amount of development proposed in adjacent suitable habitat, we would advise that this is insufficient explanation as to the concluded impact level on brown hare, and further clarification is advised. Following this, appropriate mitigation should be applied as relevant.

Hedgehog

Hedgehogs are considered in Table 3 of the 2017 report. Whilst consideration has been given to direct harm to hedgehogs during hedgerow removal, no consideration is given to the impacts of the development on hedgehog populations in terms of habitat fragmentation and loss of habitat, which may both lead to significant negative impacts on the local conservation status of hedgehogs. This should be taken into account both within the scheme of the proposed development individually and the

potential for cumulative impacts with other nearby schemes. Further mitigation is recommended.

Cumulative Impacts

Section 4.9 of the ES states that “there will not be any significant cumulative impacts on ecology arising from the development of Kingsnorth Green in combination with other developments in the surrounding area.” We strongly disagree with this statement; the proposed Local Plan includes extensive areas of habitat currently of high suitability to support a range of legally protected and notable mammal species. The species-specific value of this combined area in the regional context is not sufficiently addressed. It is likely that the mammal species occurring within the Kingsnorth Green site, also occur within other nearby, extensive developments, including that proposed immediately to the west at Court Lodge.

The vast increase in human disturbance, off-lead dogs, cat predation, noise and light pollution, and habitat fragmentation, likely to result from the combined proposed developments will undoubtedly have a significant negative impact on wildlife, including legally protected bats, dormice and water voles. These cumulative impacts have failed to be adequately addressed in each species account and thus the conclusion reached in Section 4.9 of the ES is premature.

Conclusion

On the basis of the above, we cannot agree with the conclusion reached that the proposed development will result in a “minor beneficial impact for notable habitats and protected species” (Section 5.1.4, Extended Phase I Habitat Survey Report, November 2017). We advise that the above issues are taken into consideration, with further information sought from the developer’s ecology team prior to reaching a planning decision on this application.

Ramblers Association: Whilst it is good to see that the latest plans show all the public rights of way on their present routes, I see no indication of their proposals to accommodate the PROWs within their proposed 'network of footpaths'. We acknowledge the impact that this proposed development will have on the PROW network, but cannot comment further at this stage as there is no information on how the PROW in question will be dealt with.

Kent Police: The original application was responded to on 16 September 2015, the details remain applicable.

The Design and Access Statement (DAS) should conform to the Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2013 and demonstrate that the design helps create an accessible and safe

environment while minimising crime and disorder and fear of crime as detailed in the National Planning Policy Framework.

The KDI advises and BREEAM compliance requires the applicant/agent to consult and seek advice from the local Designing Out Crime Officer (DOCO), Crime Prevention Design Advisor or a suitably qualified security specialist. This is to design out the opportunity for crime in accordance with SBD guidance during or prior to the Outline Proposals stage (RIBA stage 2) or equivalent. If the agent/applicant intends to apply for SBD or BREEAM points, they are strongly advised to contact the DOCO to discuss the development before completing the application form, submitting the planning application or completing a DAS.

To meet SBD requirements, doorsets and windows must be tested and certified by a recognised 3rd party certification authority. Approved Document Q building regulations for doorsets and window specifications only require products tested to PAS 24 2016 so please check if applying for SBD.

Having reviewed the on line plans and documentation, the applicant/agent has not yet demonstrated that they have considered crime prevention and have attempted to apply the seven attributes of CPTED in their submitted on-line plans or DAS.

To date we have had no communication from the applicant/agent and there are other issues that may need to be discussed and addressed including a formal application for BREEAM and SBD if appropriate.

These include:

Green Spaces, Play areas, LEAP and Allotments

Parking

Frontages

Surveillance Opportunities

Cul-de-Sacs linked by paths and other permeability

Lighting

There is merit in pre-application meetings prior to submission of a planning application to discuss issues and any formal applications e.g. Crime Impact Statements (CIS), BREEAM, SBD and SBD National Building Approval Scheme. We would welcome a meeting with the applicant/agent to discuss Crime Prevention in detail, any notes from the meeting may be passed back to Planning as part of our full response to this application.

If the applicant fails to contact us, this may have an effect on the development with regards to SBD and BREEAM, as awarding these items retrospectively can prove difficult and costly. This could also have knock on effects for the future services and duties of the Community Safety Unit (CSU) and local policing.

If this planning application is to be approved and no contact has been made with the DOCO team by the applicant/agent, then we request that a Condition is included to ensure our involvement to address crime prevention. The use of a condition will also meet both our and Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998 and show a clear audit trail for Design for Crime Prevention and Community Safety.

Consultation responses to further amended technical information

Kent County Council Highways: The applicant has unfortunately not modelled the impact of the Court Lodge development through the proposed priority junction with Ashford Road that will be formed from Site S5.

As a result of this the Highway Authority has had to enter into a separate discussion with the promoters of the Court Lodge development as it is apparent that neither party is talking with each other to find an access solution that can work for both sites. The modelling results for the Site S5 junction with Ashford Road from the Court Lodge site are based on an agreed trip assignment as part of the Local Plan process with half of future residents travelling in a northbound direction from the Court Lodge site exiting the site from the Pound Lane direction would use Pound Lane, Chart Road and Britannia Lane. The requirements for the widening of Pound Lane to cater for the increase in traffic will need to be discussed as part of the Court

Lodge planning application in due course.

The modelling results for the S5 site access junction with Ashford Road that the Highway Authority have received from the Court Lodge promoters does however show that the junction will operate within capacity with just a simple priority junction being provided rather than a right hand turn lane with a maximum queue of 2 vehicles wishing to run right in the PM peak and a maximum RFC of 0.40. As such a simple priority junction is acceptable to cater for both the proposed development and the Court Lodge development.

In relation to the requested Section 106 contribution towards the Romney Marsh Road / Ashford Road / Malcolm Sargent Road the scheme plan can be found in the Romney Marsh Road roundabout technical note submitted as part of the Waterbrook Park Planning Application - 18/00098/AS. The technical note also sets out the traffic movements from other contributing developments and can be found below:

<http://planning.ashford.gov.uk/Planning/IDOX/default.aspx?docid=1661488>

The cost of the scheme at £6,181,391 is set out in a Cost Plan by Allen Dadswell Consultants which the Highway Authority can supply the applicant with a copy of if requested.

I subsequently now have no objections to the application subject to the following conditions / required Section 106 Agreement:

Planning Conditions

1) Submission of a Construction Management Plan before the commencement of any development on site to include the following:

(a) Routing of construction and delivery vehicles to / from site

(b) Parking and turning areas for construction and delivery vehicles and site personnel

(c) Timing of deliveries

(d) Provision of wheel washing facilities

(e) Temporary traffic management / signage

2) The reserved matters details shall show adequate land, reserved for parking to meet the needs of the development and in accordance with Ashford Borough Council's adopted Residential Parking and Design guidance SPD or any adopted guidance or policy which may have superseded it. The approved area shall be provided, surfaced and drained in accordance with the approved details before the buildings are occupied and shall be retained for the use of the occupiers of, and visitors to, the premises. Thereafter, no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on the land so shown as to preclude vehicular access to this reserved parking area.

3) No dwelling shall be occupied until space has been laid out within that dwelling for bicycles to be parked undercover in accordance with details that shall have been submitted to and approved by the Local Planning Authority. Such cycle parking facilities shall subsequently be retained for residents

4) Completion of the following works between a dwelling and the adopted highway prior to first occupation of the dwelling:

(a) Footways, with the exception of the wearing course;

(b) Carriageways, with the exception of the wearing course but including a turning

facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

5) Prior to the occupation of any dwelling hereby permitted the Ashford Road Site Area 1 Access Junction and associated visibility splays as shown in drawing number 30292_5510_008C Revision C shall be implemented and opened to vehicular traffic.

6) Prior the commencement of Area 2 or by the 151st dwelling (whichever is sooner) the Pound Lane / Church Hill / Ashford Road signal junction and associated double yellow line parking restrictions as shown in drawing number 30292-5510-006 Revision D shall be implemented and opened to vehicular traffic. The signalisation scheme shall also include the closure of Pound Lane to vehicular traffic (to the west of Riverside Close) and re-routing of vehicular traffic through the Site 5 to Ashford Road as shown in drawing number 30292_5510_007 Revision C.

7) Prior the commencement of Area 2 or by the 151st dwelling (whichever is sooner) the Magpie Hall Road / Ashford Road / Steeds Lane junction realignment as shown in drawing number 30292_5510_004 Revision F shall be implemented and opened to vehicular traffic.

8) Prior to the occupation of any dwelling hereby permitted in Area 2 or Area 3 the site access junctions with Ashford Road and associated visibility splays as shown in drawing number

30292_5510_009 Revision C shall be implemented and opened to vehicular traffic.

9) Prior to the occupation of any dwelling hereby permitted in Area 3 served off Bond Lane or Area 4 the site access junctions and associated visibility splays shall be implemented, Bond Lane shall be widened in part and closed as a through route to vehicular traffic as shown in drawing number 30292_5510_010 Revision B.

10) Prior to the occupation of any dwelling hereby permitted in Area 4 the site access junction with Steeds Lane and associated visibility splays as shown in drawing number 30292_5510_011 Revision B shall be implemented and opened to vehicular traffic.

11) Prior the commencement of Area 2 or by the 151st dwelling (whichever is sooner) a new pair of bus stops, raised kerbs and shelters shall be provided along Ashford Road between Areas 1 and 2. These details shall be submitted approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

12) Prior to the commencement of Area 2 or by the 151st dwelling (whichever is sooner) the existing bus stop and shelter on Ashford Road to the north of the Magpie

Hall Road / Steeds Lane junction shall be moved in a northerly direction in accordance with details to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. A new southbound bus stop, raised kerb and shelter shall also be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

13) Prior the occupation of the 1st dwelling a detailed travel plan with modal share targets over a 5 year period, an action plan to achieve these targets and sanctions if the modal share targets are not met shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority.

Section 106 Contributions

Bus services - Section 106 contributions will be required towards improvements to bus services between the site and Ashford Town Centre. These contributions are required over a 5 year period and a total of £400,000 is required, broken down as follows: £120k in year 1, 100k in year 2, £80k in year 3, £60k in year 4 and £40k in year 5. These contributions should be paid directly to Kent County Council so a new service can be tendered accordingly.

Romney Marsh Road Roundabout - £1,871,058 towards a junction capacity improvement at this roundabout based on the proposed 195 movements from the development. This contribution is required prior to the commencement of Area 2 or by the 151st dwelling (whichever is sooner).

Residential Travel Plan - £5,000 monitoring fee (£1,000 per annum to monitor the proposed travel plan).

INFORMATIVE:

Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst

some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-eNquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Kent County Council Heritage: I can confirm that I have received a report on Pre-determination Targeted Evaluation across the site by Oxford Archaeology. I have also received an assessment of the pill box off Magpie Hall Road with proposals for retention and enhancement. These are all acceptable.

I can confirm that I would be happy for heritage issues to be addressed through conditions and recommend the following conditions are placed on any forthcoming consent:

- 1 *Prior to the commencement of development, the applicant, or their agents or successors in title, will secure and implement of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.*

Reason: To ensure that historic building features, such as WWII pillboxes, agricultural structures etc, are properly examined and recorded.

- 2 *Prior to the commencement of development, the applicant, or their agents or successors in title, will secure the implementation of*
 - i *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*
 - ii *following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority*

Reason: Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority is satisfied that the requirements of this condition (including the timing of compliance) are so fundamental to the development permitted that such details must be submitted prior to the works, other than demolition

works, commencing on site. This is because, at the time of granting permission, full details were not yet available but this information is necessary to ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

- 3 *Prior to the commencement of development, the applicant, or their agents or successors in title, will secure the implementation of*
- i historic landscape survey and assessment in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and*
 - ii following on from the historic landscape assessment, any safeguarding measures to ensure preservation in situ of important historic landscape features and/or further historic landscape recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority*

Reason: To ensure historic landscape features are identified and where possible retained within the development scheme

- 4 *Prior to commencement of development, fencing will be erected, in a manner to be agreed with the Local Planning Authority, about identified heritage assets, such as the WWII pill box, and historic landscape features (as identified by the historic landscape survey); and no works shall take place within the area inside that fencing without the consent of the Local Planning Authority.*

Reason: To ensure that important heritage assets are not adversely affected by construction works.

- 5 *Prior to commencement of development, the applicant, or their agents or successors in title, will secure the implementation of a Heritage Conservation and Interpretation Strategy in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.*

Reason: To ensure that heritage of this site is suitably conserved and accessible to the residents and public for the future in accordance with paragraph 141 section 12 NPPF.

I know these are all pre-commencement conditions and I would be happy to discuss the requirements further as necessary. Perhaps the applicant could consider an Archaeological Framework Strategy which could combine these conditions although discharge may be more problematic.

I also recommend that:

Heritage mitigation measures should preferably be put forward as part of any detailed application and these should include long term conservation measures and identification of visionary interpretation where appropriate. There needs to be a robust and integrated strategy for the heritage resource across the entire site.

In addition, it may be considered appropriate to cover long term conservation and management works, and heritage interpretation issues as part of a S106 Agreement and I would be happy to discuss this further.

Kent County Council Ecological Advice Service: We have reviewed the additionally provided information in response to our comments provided on the 15th February. We consider that the provided information has satisfied our previous concerns and therefore consider that the provided ecological information is sufficient. We advise that if planning permission is granted, the following conditions are suggested:

Site Wide Biodiversity Mitigation Strategy

“Prior to the commencement of development (including site clearance) a site wide Ecological Mitigation Strategy (EMS) detailing the habitat and species mitigation for all Phases shall be submitted to, and approved in writing, by the Local Planning Authority. The EEMS should be based on the information contained in the ecological documents submitted with the planning application and should detail how the required ecological mitigation measures are to be implemented, managed, phased and maintained in the long term.

The EEMS submitted to the Local Planning Authority for its approvals shall include detailed proposals for the delivery of all components of the EEMS and the timing of such delivery; and a interim management plan and monitoring programme for all habitats and species affected during the construction period to ensure that populations of species affected by the development are conserved and wherever possible, enhanced.

Reserved Matters

The submission of Reserved Matters shall, include a biodiversity statement and particulars demonstrating that it has incorporated provision for the elements of the EEMS as detailed within condition XXX and that the application is in accordance with the EEMS as approved by the Local Planning Authority.”

Biodiversity Enhancement Strategy

Within 3 months of works commencing a site wide Biodiversity Enhancement Strategy (EDS) addressing ecological enhancement strategy for the site shall be submitted to, and approved in writing, by the local planning authority. The EDS shall include the following:

- a) Details of the enhancements to be incorporated in to the site
- b) Map showing the location of the enhancements
- c) Time table of when the enhancements will be implemented by.

The Biodiversity Enhancement Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter. Each application for the approval of the Reserved Matters shall, demonstrate that the ecological enhancements will be incorporated in to the site.

Reason: To enhance biodiversity.

Landscape and Ecological Management Plan – suggested condition wording

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. 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) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason Biological communities are constantly changing and require positive management to maintain their conservation value. The implementation of a LEMP will ensure the long term management of habitats, species and other biodiversity features.

NHS Canterbury and Coastal CCG: The proposed development will create a new population of circa 1300 that will impact on Kingsnorth surgery. The building is at capacity and we have just got agreement from the governing body to extend the premises. The landlords Assura, are leading on the project. In spatial terms, 1300 people equates to 108sqm which at a project cost of £3000 per square metre equates to £325,000. If we add 30% project development costs this comes to £423,000. The usual way the NHS requests planning contribution is to multiply the population increase by a factor of £326 per person in recognition of build cost. This would come to £423,000. I would thus suggest the appropriate request for funds is £423,000.

Southern Water: We would suggest that the new charging mechanism changes the picture. Looking at the location of SWS' network in the vicinity of the proposed development, this suggest that the cost of the off-site sewer connecting to the network would be reasonable as there appears to be a practical point of connection in Steeds Lane. Irrespective of the location of this sewer, it is likely that SWS will drain the development to the new pumping station that will serve Chilmington Green, the additional cost associated with this will be met by SWS. If this is the case and it is intended that houses will be occupied before SWS completes the pumping station (May 2021), then SWS would consider a temporary connection in Steeds Lane.

Neighbour representations

807 neighbours consulted on the original submission, 110 letters of objection received. Issues are summarised below:

- Premature in advance of the Local Plan process
- Impact on Listed Buildings
- There must be separation between the new and the heart of the village

- Development will destroy the identity of Kingsnorth as a village, merging it with Ashford
- Plans do not show the watercourse at the rear of Mill House
- Development is not needed
- The “Restricted Development Area” is not controlled by the applicants
- Will place strain on existing services
- Development should be proportionate to Kingsnorth as it is
- Existing developments should be built out before allowing the development of further green fields
- The Church Hill junction is already very dangerous as are other local roads
- Increase in traffic and impact on local roads
- Increase in flooding
- The existing pumping station cannot cope with current demand
- Proposal is unsustainable
- Impact on ecology and wildlife
- There is sufficient capacity for additional housing in the town
- Contrary to Human Rights Act
- Infrastructure cannot cope with the additional traffic
- Loss of land for growing crops
- No provision for additional GP services or at the William Harvey Hospital
- Impact on local schools
- Light pollution should be kept to a minimum
- Council should take the views of local residents into consideration over the people who will benefit financially

- Impact on archaeology
- Increase in noise, light and traffic pollution
- There are other more appropriate sites in the Local Plan
- Not enough open space within the development
- Existing hedges and trees should be retained
- A new village green is not required
- Recycling facilities are unlikely to be maintained by the Council
- Devaluation of existing houses
- Impact on train services which are already over-stretched
- Houses should be two storeys maximum as anything taller would be out of keeping with the character of the village
- The site is not allocated in the current Core Strategy
- Impact on existing properties in Bond Lane
- Existing power supplies are inadequate
- Density of housing is too great
- There are 11,000 unoccupied homes in Kent and Sussex so there is no need for new housing
- Kingsnorth is one of the oldest villages in Kent
- Style of housing proposed is not suitable for Kingsnorth
- The roads leading to the motorway are already congested
- Loss of footpaths
- Dangerous to build below pylons
- The proposals do not integrate with the existing village
- Impact on the conservation area

- Will have a detrimental visual impact
- Impact on the foundations of existing properties due to the high water table
- The population of Kingsnorth has increased 70% between 2000 to 2011 – 6,709 to 11,245 – any further large scale development will change the character of the village for ever
- Other parts of Ashford should take their share of housing
- If development is allowed it should be on a smaller scale with a buffer between it and the village
- Ashford is no longer a growth area and there is no need for a third urban extension
- These are a disparate set of plots which bear no relation to each other
- Development in Kingsnorth was dismissed in 2008
- Too far to walk into Ashford as is stated in the Planning Statement submitted with the application
- The Environmental Impact Assessment downplays the impacts
- Impact on Greensand Way
- No need for an additional school
- Area 4 should be rejected outright
- There should be a buffer around all the existing houses
- Court Lodge is a more suitable development site
- The ES does not make an assessment of alternative site locations
- The applicants' justification for Kingsnorth relies on the finding of the Core Strategy Inspector's Report, but does not consider it in totality
- The applicants' overstate the contribution this development will make to the five year housing supply
- The status of the Local Plan is a material consideration

- The ES provides insufficient information in respect of transportation and flood risk
- The land use arrangement is clearly led by constraints including land ownership and is, as a consequence, discordant
- Will result in the loss of the buffer between Park Farm and Church Hill and Finn Farm Road
- Absence of analysis to support the applicants' assumption that the development is sustainable
- The application does not demonstrate compliance with ABC's planning policies, the NPPF or NPPG
- There is information missing from the application

837 neighbours consulted on the amended application, 46 letters of objection received. Issues are summarised as follows:

- The sites should be masterplanned with Court Lodge
- Will increase flooding to existing properties
- Impact on wildlife
- The section of Ashford Road between the two proposed roundabouts must be downgraded as proposed
- There should be no high density development close to Bond Lane
- Devaluation of property
- Kingsnorth will lose its identify as a village and the rural character will be destroyed
- Roads are inadequate to accommodate the additional traffic
- Increased traffic will e dangerous to pedestrians and cyclists
- Existing services are overstretched to beyond capacity
- There is so much development in Ashford already
- Who will be responsible for the maintenance of the landscaping

- This part of Ashford has already experienced a huge amount of large-scale development
- Increase in pollution
- Will result in urban sprawl
- No need for this additional housing as Ashford is no longer a growth area
- Brownfield sites should be development first
- Insufficient employment in the local area to justify the extra housing – it will only be a satellite for London
- Amended plans do not address previous objections
- Density in Area 1 is too high and dwellings too tall
- Loss of privacy for existing homes
- Promised relief road is not included in the proposals
- Increase in noise from traffic for existing residents
- Roads are already being used for the parking of lorries
- Access to the town centre and motorway is already difficult at peak times
- Existing properties need to be protected during construction
- Lack of school places
- Impact on archaeology
- Increase in light pollution
- Development is contrary to PPS7: Sustainable Development in Rural Areas
- Development is contrary to several ENV policies in the Local Plan
- The Bond Lane development does not fit cohesively with the rest of the areas which have access from Ashford Road
- The land east of Bond Lane should be a buffer and become part of the Ashford Green Corridor

- Loss of views
- Destruction of landscape
- No housing should be taller than 11m
- Housing in Area 4 should be a maximum of 8m
- Impact on Greensand Way
- Loss of farmland
- It is premature in advance of the Local Plan being adopted
- Pound Farmhouse, which is listed, is shown incorrectly shown on the plans
- Integrity of the village should be preserved with buffer zones
- Impact on the roads around Area 4, which is already used as a rat-run to get to J10
- Impact on listed buildings and their settings
- Loss of trees
- There is already a shortage of water

One letter of support in general but which states that Pound Lane should have a buffer, like for Church Hill. The burden on utilities, surface water drainage, health facilities and the road network should be robustly considered.

Planning Policy

25. 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.
26. The new Ashford Local Plan to 2030 has now been submitted for examination. Following this, the Local Plan Inspectors issued a post-hearings advice note on 29th June 2018 which sets out the elements of the Submission Local Plan that they consider require amendment in order to be found sound. In the context of paragraph 48 of the NPPF, this note provides a material step

towards the adoption of the Plan and the weight that should be applied to its policies in decision-making. Where the Inspectors have not indicated a need for amendment to policies in the Plan, it is reasonable to assume that these policies are, in principle, sound and should therefore be given significant weight. Where policies need to be amended as a consequence of the Inspectors' advice, significant weight should be attached to the Inspectors' advice in the application of those policies.

27. On 13 September, the Council commenced consultation on the main modifications to the draft plan.
28. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

GP12 – Protecting the countryside and managing change

EN9 – Setting and entrances to towns and villages

EN10 – Development on the edge of existing settlements

EN27 – Landscape consideration

EN31 – Important habitats

EN32 – Important trees and woodland

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 – Standard of construction of sewerage systems

CF21 – School requirements for new housing development

Local Development Framework Core Strategy 2008

CS1 – Guiding principles to development

CS2 – The Borough wide strategy

CS6 – The Rural Settlement Hierarchy

CS8 – Infrastructure contributions

CS9 – Design quality

CS10 – Sustainable Design and Construction

CS11 – Biodiversity and Geological Conservation

CS12 – Affordable housing

CS13 – Dwelling mix

CS15- Transport

CS18 – Meeting the Community's Needs

CS20 – Sustainable Drainage

Tenterden and Rural Sites Development Plan Document 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 development

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

Ashford Local Plan to 2030 (Submission Version December 2018)

SP1 – Strategic Objectives

SP2 – The Strategic Approach to Housing Delivery

SP6 – Promoting High Quality Design

S4 – Land north of Steeds Lane and Magpie Hall Road (Full copy of policy S4 and supporting text is appended as S4).

S5 – Land south of Pound Lane (Full copy of policy S5 and supporting text is appended as S5).

HOU1 – Affordable Housing

HOU6- Self and Custom Built Development

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

TRA7 – The Road Network and Development

TRA8 – Travel Plans, Assessments and Statements

ENV1 – Biodiversity

ENV3a – Landscape Character and Design

ENV4 – Light Pollution and Promoting Dark Skies

ENV5 – Protecting Important Rural Features

ENV6 – Flood Risk

ENV7 – Water Efficiency

ENV8 – Water Quality, Supply and Treatment

ENV9 – Sustainable Drainage

ENV13 – Conservation and Enhancement of Heritage Assets

ENV15 – Archaeology

COM1 – Meeting the Community's Needs

COM2 – Recreation, Sport, Play and Open Space

COM4 – Allotments

COM4 – Cemetery Provision

IMP1 – Infrastructure Provision

IMP4 – Governance of Public Community Space and Facilities

Supplementary Planning Guidance/Documents

Affordable Housing SPD 2009

Residential Parking and Design Guidance SPD 2010

Sustainable Drainage SPD 2010

Landscape Character SPD 2011

Residential Space and Layout SPD 2011

Sustainable Design and Construction SPD April 2012

Public Green Spaces & Water Environment SPD 2012

Dark Skies SPD 2014

SPG6 – Providing for Transport Needs Arising from South Ashford Study and Erratum.

Informal Design Guidance

Informal Design Guidance Notes 1 - 4 (2015)

Government Advice

National Planning Policy Framework (NPPF) 2018

30. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-

- 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
31. The Submission Local Plan is a material consideration and the emerging policies should be attached some weight in decision-making. Paragraph 48 of the NPPF states:

“Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater weight that may be given);
- The degree of consistency of the relevant policies in the emerging plan to this framework (the closer the policies in the emerging plan to the policies in the framework, the greater the weight that may be given).

National Planning Policy Guidance (NPPG)

Other Government Policy

Technical Housing Standards – Nationally described space standards.

Assessment

32. The main issues for consideration are:
- (a) 5 Year Housing Land Supply and Status of the Emerging Development Plan and the Principle of the Development
 - (b) Location and Sustainability

- (c) Highway issues
- (d) Visual Amenity
- (e) Residential Amenity
- (f) Heritage and Archaeology
- (g) Biodiversity and Ecology
- (h) Trees and Landscaping
- (i) Affordable Housing
- (j) Self-build/Custom-build
- (k) Drainage and Sewerage
- (l) Have impacts identified in the ES been satisfactorily addressed
- (m) Whether Planning Obligations are Necessary

(a) 5 Year Housing Land Supply, Status of the Emerging Development Plan and the Principle of the Development

- 33. The site the subject of the application is not allocated for development in the current Development Plan, which comprises the Core Strategy and the Tenterden and Rural Sites DPD. The proposed development is therefore contrary to the current Development Plan.
- 34. At the time of the submission of this application originally in 2015, the Council had recognised that it was unable to demonstrate a 5 year supply of housing until 2018/19.
- 35. The Council has recently however, had the opportunity to demonstrate a deliverable five year housing land supply in accordance with paragraph 73 of the NPPF, at the Local Plan Hearings. This is based on a robust assessment of the realistic prospects of housing delivery on a range of sites in the adopted Development Plan, the Submission Local Plan to 2030 and other unallocated sites taking account of recent case law, the respective deliverability tests and the associated national Planning Practice Guidance and the detailed evidence base that supports the Submission Local Plan.
- 36. The Local Plan Inspector's recent advice to the Council confirms that following the completion of the Local Plan Examination Hearing sessions on 13 June,

they have concluded that there is a 5-year housing land supply.

Consequently, for the purpose of assessing applications for housing, the 'tilted balance' contained within para. 11 of the NPPF (where schemes should be granted permission unless the disadvantages of doing so significantly and demonstrably outweigh the benefits) does not need to be applied.

37. The Local Plan was submitted for examination in December 2017. The hearing stage of the Local Plan examination was completed on the 13 June 2018. If the Plan is found to be 'sound', the Council may adopt the Plan as soon as practicable following receipt of the Inspector's report unless the Secretary of State intervenes. Once adopted, the Local Plan 2030 will form the main part of the statutory development plan for the borough. Formal adoption is expected in early 2019.
38. The emerging Local Plan policies should now be afforded significant weight in the planning balance.
39. On 29 June 2018, the Council received the Local Plan Inspectors' post hearing advice (document reference ID/10). This document, in paragraphs 14-17 summarises the Local Plan Inspectors' conclusions on Housing Land Supply matters following the completion of the Local Plan Examination Hearing sessions on 13 June. This confirms that the Inspectors have found that a 5-year housing land supply exists of 7,730 dwellings (after discounting various proposed allocations which they propose omitting from the Local Plan), and they have concluded that there is a 5-year housing land supply in the Ashford Borough. Therefore, this no longer needs to be considered.
40. The submission Local Plan of December 2017 proposes to allocate this site for housing development. The site covers allocations S4 and S5. S4 (Land north of Steeds Land and Magpie Hall Road) seeks to provide an indicative capacity of 400 dwellings, and S5 (Land south of Pound Lane) seeks to provide an indicative capacity of 150 dwellings. SP1 of the submission Local Plan identifies a number of strategic objectives, which include focussing development at accessible and sustainable locations and making sure development is supported by the necessary infrastructure. Policy SP2 sets the strategic approach to housing delivery by allocating housing sites, the majority of which will be at Ashford and its periphery.
41. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the adopted Development Plan unless material considerations suggest otherwise. Section 70 of the Town and Country Planning Act 1990 is concerned with the determination of applications with regard to the provisions of the development plan, so far as they are material and any other material considerations.

42. The National Planning Policy Framework is one such material consideration. As set out above, the Framework indicates that the weight to be attached to existing policies in the development framework will depend according to their degree of consistency with the Framework. Paragraph 48 of the NPPF states that Local Planning Authorities may give weight to relevant policies in emerging plans according to:
 - a) The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) The degree of consistency of the relevant policies in the emerging plan to the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight may be given).
43. The emerging Local Plan 2030 continues to pursue a hierarchical approach towards the distribution of housing development across the borough in a planned and sustainable way.
44. It states that the principal opportunities for new growth lie on the edge of the built up area Ashford through carefully managed and planned growth. Here, there are locations adjoining the town that could accommodate new development without undermining the wider environmental objectives of the Plan.
45. As such, the Plan proposes a realistic scale of development on the periphery of Ashford through the allocation of a number of sites which have the ability to be well integrated with the existing town and / or committed schemes. This approach has been influenced by a number of important factors, including the implementation of the Chilmington Green development across the Plan period, the availability of additional motorway junction capacity that is due to be created by the construction of the proposed M20 Junction 10a and the need to ensure a consistent supply of available housing sites to cater for different elements of the market. Kingsnorth is one of these sites.
46. Within the emerging plan, the application site is identified under site policies S4 and S5 as being suitable for residential development. The draft allocation is confirmation of the fact that the Council considers the principle of residential development on the site is acceptable and sustainable in principle.
47. Emerging policy S4 states the following:

Land north of Steeds Lane and Magpie Hall Road is proposed for residential development, with an indicative capacity of 400 dwellings. Development proposals for this site shall be designed and implemented in accordance with an agreed masterplan for the general layout and delivery of development and related infrastructure on the site. The masterplan shall include details of the following elements:-

- a. Design and layout principles – a series of models or codes that set out the prevailing scale and form of the urban environment to be created in each of the three separate areas of the site (north of the cricket ground; east of Bond Lane and west of Ashford Road). This will include the mean net residential densities to be created in each area as well as road hierarchies, streetscape treatments and building height to street width ratios.*
- b. Highway access proposals – details of junction arrangements on Ashford Road, Steeds Lane and Bond Lane.*
- c. Traffic management – details of any traffic / speed management measures proposed on any adopted highway within the site.*
- d. Ecology – Appropriate species and habitat surveys will be carried out. ~~details of which~~ **Results** will inform ecological mitigation measures to be provided on the site and proposals for their future implementation, maintenance and monitoring **in accordance with policy ENV1**. Particular attention to the conservation and enhancement of Isaacs Wood (Ancient woodland) will be required.*
- e. Landscaping and open space – details showing where strategic areas of landscaping and open space will be provided, including the retention of a significant open buffer area between the northern extent of the built part of the development and Kingsnorth village as shown on the policies map; and between the eastern extent of the built part of the development and the site boundary.*
- f. Drainage – the layout and treatment of surface water drainage through the use of SuDS should be provided as an integral part of the landscape design and open space strategy along with acceptable maintenance arrangements and, west of Ashford Road, be compatible with drainage proposals serving the proposed Court Lodge development. The development should provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider and provide future access to the existing sewerage infrastructure for maintenance and upsizing purposes.*

- g. *Pedestrian / cycleway routes - provide a network of pedestrian and cycle routes throughout the development with connections to existing rural routes and public rights of way and to the new development at Court Lodge.*
- h. *Community facilities – Public open space and suitably equipped play areas needed to serve the development, taking the opportunity to create a sense of the heart of the community being based around the cricket field at the main traffic corridor – Ashford Road. A local convenience store should be located here in a way that can take advantage of passing trade. A specific set of projects related to the scale of needs arising from the development will be identified in consultation with the local community and the cricket club. **It is expected that the cricket field will be retained for community use.***

In addition, the development shall also:-

- i. *Provide a proportionate financial contribution to the delivery of Highway England's scheme for a new Junction 10a **and any other off-site highway improvement measures identified through agreed transport modelling in accordance with policy TRS8.***
- ii. *Provide a link road from the Ashford Road to the boundary with the adjoining Court Lodge Farm development*

48. Emerging policy S5 states the following:

Land south of Pound Lane is proposed for residential development. The capacity of the site will be determined following a comprehensive masterplan exercise, but is proposed with an indicative capacity of 150 dwellings. Development proposals for this site shall:-

- a) *Retain the southern part of the site free from built development, with the creation of pedestrian and cycleway links across the land from Ashford Road to the western site boundary.*
- b) *Provide primary vehicular access from Ashford Road and a secondary access to Pound Lane. **Proposals to close Pound Lane to through-traffic, providing access to this development only, and the signalisation of the Pound Lane / Ashford Road / Church Hill junction shall be considered as part of the traffic mitigation proposals for the development.** Proposals shall also enable the ability to provide a **direct** vehicular connection to the boundary with the adjoining Court Lodge Farm development.*

- c) *In addition to the pedestrian and cycleway connection in (b) above, provide a network of pedestrian and cycleway links through the built part of the site including a connection to the site boundary with the adjoining Court Lodge development.*
- d) *Provide a landscaping plan for the site, ~~to be agreed by the Borough Council,~~ to create a significant visual **break separation** with the adjoining Court Lodge development and to screening to the houses and gardens of any adjoining residential properties.*
- e) *Be subject to a full Flood Risk Assessment, to be ~~agreed by~~ **prepared in consultation with** the Environment Agency and the Borough Council.*
- f) ***The layout and treatment of surface water drainage through the use of SuDS should be compatible with drainage proposals serving adjacent development. The development should provide a connection to the nearest point of adequate capacity in the sewerage network. In collaboration with the service provider and provide future access to the existing sewerage infrastructure for maintenance and upsizing purposes.** The layout and treatment of surface water drainage will need to ensure that there is no adverse flooding or drainage effects to any neighbouring properties.*

In addition the development shall also:

- I. **Provide a proportionate financial contribution to the delivery of Highway England's scheme for a new Junction 10a and any other off-site highway improvement measures identified through agreed transport modelling in accordance with policy TRA8.***
 - II. **Provide proportionate financial contributions to deliver, improve, extend or refurbish existing or planned local recreational, educational and community facilities, as appropriate, in accordance with policies COM1 and COM2.***
49. The Main Modifications to the Local Plan 2030 were published for public consultation in September 2018. The Main Modifications to policies S4 and S5 above are shown in **bold** and crossed out.
50. The Inspectors made no specific further comments in relation to policies S4 and S5. It is therefore reasonable to assume that they consider the policy to be sound and therefore acceptable in principle with the exception of these minor changes.

51. In relation to weight to therefore be attributed to policies S4 and S5, for the reasons set out in the remainder of this report, the proposed development is considered to comply with the relevant criteria contained within the site specific policy. Policies S4 and S5 are considered to be material considerations to be given significant weight in the determination of this application. Further, this site will make a contribution to the Council maintaining a 5-year housing land supply. The specific S4 and S5 policy criteria is tested in the subsequent sections of this report and subject to compliance with these criteria, the development proposed can be considered to be acceptable in principle.

(b) Location and Sustainability

52. Paragraph 79 of the NPPF seeks to direct housing development away from isolated locations.
53. The sites, whilst outside of the built confines as defined within the Development Plan and in particular policies TRS1 and TRS2, is not considered to be isolated in planning terms.
54. The site is located close to the existing village of Kingsnorth where there is a school, medical centre, pub, village hall and church within reasonable walking distance. There is also a network of public footpaths that provide access to the surrounding countryside and villages. There is also an existing bus service providing access to a variety of onward destinations, including the station in the town centre. Kent County Council has asked for S106 contributions towards upgrading some footpaths to cycleways and for the upgrading of the existing bus service which will help further in terms of making this a sustainable location for the new residents.
55. Furthermore, the site is located adjacent to another site allocation in the Local Plan (S3 – Court Lodge), which is a larger allocation of 950 dwellings, but which is also to provide a local centre and primary school. Footpath and / or vehicular routes will be expected to be provided between the sites, so in time, this site will have access to a wider variety of services than it does now. This is a material factor that weighs in favour of the proposal.

(c) Highway issues

56. 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. Policy TRA7 of the emerging Local Plan

states that developments 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. Policy TRA8 of the emerging Local Plan requires planning applications to be submitted with a Transport Assessment depending on the scale of the proposal and the level of significant transport movements generated. The NPPF also states that development should ensure that a safe and suitable access can be achieved for all people.

57. Access arrangements consist of the detail of the means of access to the site being submitted and not full details of accesses within the site, which will be for consideration at reserved matters stage.
58. The primary access to Area 1 (Policy S5 – Land south of Pound Lane), will be from Ashford Road. This access is to connect with the proposed secondary access off Pound Lane and is to be a start of a potential link to the adjoining Court Lodge development with land safeguarded for its future delivery, all of which are requirements of Policy S5. Furthermore, the land for the road link to Court Lodge is proposed to be safeguarded through an obligation in the S106 Agreement. A segregated shared (cycle and pedestrian) use path is also proposed along this access. It can be seen from the consultation responses in the report that this access was the subject of discussion between Kent Highways, the applicant and the developers of the adjacent site, Court Lodge. Kent Highways requested modelling to be carried out to ascertain whether or not traffic volumes would require this access to be a dedicated right hand turn. This has now been carried out for both Area 1 and Court Lodge combined, and it has been determined that this is not required. Kent Highways is satisfied with the simple priority junction that is proposed.
59. The Transport Assessment submitted with the application states that most trips from the proposed development would be drawn north of the application site to places including Ashford international/domestic railway station, M20 junction 10, proposed M20 junction 10a, town centre and the Outlet. It states therefore that the Ashford Road/Church Hill/Pound Lane priority crossroads is immediately to the north of the application site is a key junction.
60. The existing configuration of this junction means that visibility at the side roads is restricted and it is known to have limited capacity, so an upgrade is required. The proposals therefore include converting this junction to a traffic signal controlled junction. Kent Highways has no objection to this arrangement.
61. Primary Access to Area 2 (the south west part of the site) is proposed off Ashford Road with land reserved for the future connection to Court Lodge to the west. It is also designed to accommodate bus infrastructure which will also

- safeguard a future requirement for a bus route through to Court Lodge. A segregated shared cycle and pedestrian path is also proposed along this access road.
62. Magpie Hall Road is also proposed to be realigned in the south east corner of Area 2 to connect with Ashford Road further north of the existing crossroads. Removing Magpie Hall Road from the existing crossroads addresses the existing restricted visibility, tight turning radii and vehicle conflict issues at the junction. With Magpie Hall Road displaced from the crossroads, Steeds Lane forms a T junction with Ashford Road. Kent County Council has no objection to this arrangement.
63. The primary access to Area 3 is a priority T junction with the access road giving way to Ashford Road. Two access only routes into Area 3 are also proposed off Bond Lane. The southernmost access junction also provides an access to Area 4 across Bond Lane, but traffic will be prevented from accessing Steeds Lane and Church Lane directly from this access. The access route to the north is to serve a small proportion of the 225 dwellings proposed in Area 3 which will result in a minimal amount of traffic using this access.
64. As part of the proposals, Kent Highways have stated that Bond Lane should be closed to through traffic. Physical barriers will therefore be placed to prevent development traffic travelling along Bond Lane to Steeds Lane and Church Hill.
65. The main access to the north and west of Area 4 is off Bond Lane, with access to the south of the site from Steeds lane. The total number of dwellings in Area 4 is 45, and it is anticipated that most of this will use the Bond Lane access. No road link is proposed between the part of Area 4 accessed off Bond Lane and the part of Area 4 accessed off Steeds Lane. The physical barriers on Bond Lane would meant that Steeds Lane and Church Hill cannot be accessed directly from the proposed Area 4 Bond Lane access. Instead, traffic would travel through Area 3 to its primary access off Ashford Road to access the wider road network.
66. Members will see from the report that Highways England is still concerned about crash data and the impact of the development on the Orbital roundabout.
67. Firstly in respect of crash data, the additional information has been submitted and Kent Highways is satisfied with the outcome. The information has also been given to Highways England and their views will be provided in the Update report.

68. Secondly in respect of the impact of the development on the Orbital roundabout, the Statement of Common Ground between Highways England and Ashford Borough Council for the Local Plan Examination, confirmed that they both agreed that the assessment of the impacts of Local Plan development in 2030 satisfactorily demonstrates that the residual cumulative traffic impacts of the Local Plan proposals (which includes this site) over the Plan period do not require any further mitigation works on the Strategic Road Network over and above those required in connection with existing planning permissions, including the improvements to the Orbital roundabout (the Bellamy Gurner scheme) which are scheduled to commence in late spring/early summer next year. Highways England has been asked to confirm that they now have no remaining objections in light of this, and their views will be reported on the Update Report. The recommendation to approve the application is subject to the Highways England withdrawing its current objection.
69. Both policies S4 and S5 requirement the developments to provide a proportionate financial contribution to the delivery of Highway England's scheme for a new Junction 10a, and this will be secured through a S278 Agreement between the developer and Highways England, the requirement for which will be an obligation in the S106 Agreement.
70. The development would be able to provide parking in accordance with the Council's Residential Parking SPD and the updated standard in TRA3 of the Local Plan 2030. Details of parking can be secured by condition and will be shown in detail when reserved matters applications are submitted to the Council.
71. Kent Highways and Transportation has been consulted and raise no objections to the proposed infrastructure works and new accesses. They have requested upgrades to some of the footpaths including a financial contribution. They have also requested a contribution to upgrade the bus services and to the improvement of the Malcolm Sargent roundabout.
72. The proposed development would comply with the requirements of the development plan policies CS1 and CS15 and the emerging policies SP1, TRA7 and TRA8 in terms of highway safety and capacity issues as well as pedestrian safety.

(d) Visual Amenity

73. Ashford Borough Local Plan 2000 Saved Policy GP12 seeks to protect the countryside and to respond to the need for carefully managed change. Policy TRS17 of the Tenterden and Rural Sites DPD similarly sets out the necessary requirements to achieve in terms of protecting and enhancing the particular

landscape character within which it is located. Emerging policy ENV3a requires development to be designed in a way which complements the particular type of landscape in which it is located, and policy ENV5 seeks to protect important rural features.

74. There would be an impact on the landscape character and an urbanising effect from the construction of up to 550 dwellings, on the setting of the village of Kingsnorth and the surrounding countryside. For this reason, the relevant emerging policies in the Local Plan seek to provide buffers and strategic landscape and open space in order to mitigate the visual impacts.
75. The land covered by emerging policy S4 – land to the north of Steeds Lane and Magpie Hall Road is predominantly in agricultural use with scattered homes and clusters of houses, with a more linear form of development along Ashford Road. The predominant character is one of gently undulating farmland rising towards the north of the site to a small ridge from which there are good views of the surrounding countryside. To the north of the site there are more trees with a strong field pattern which is an important part of the wider setting of the Kingsnorth Village Conservation Area. To the south, the more formal landscape of the cricket field and the cluster of homes at the southern end of Bond Lane contrast with the mainly agricultural land around on both sides of Ashford Road.
76. The northern extent of built development needs to be carefully controlled so that development sits below the ridge line that lies south of Kingsnorth village, with the ridge and the space between it and the village itself forming a strategic open buffer to protect the setting of Kingsnorth and create a sense of separation from the new development. The protection and enhancement of existing landscaping in this area is a key policy objective and should be reflected in landscaping proposals for the development of the site.
77. To the east of Bond Lane, the setting is more rural and a significant and the emerging policy requires a buffer between the eastern extent of the built part of the development and the site boundary. A buffer is also required between Isaac Wood, which is an Ancient Woodland, and the built development.
78. The land to the north of the properties in Magpie Hall Road is ecologically sensitive and forms part of the drainage areas from the higher land to the north, so development potential here is more limited.
79. The application is in outline form, but a Masterplan forms part of the Design & Access Statement which is based on the four Parameter Plans submitted for approval. One of the Parameter Plans is for Land Use and this identifies housing areas, green spaces, SUDS, buffer zones, the Ancient Woodland buffer zone, the primary access corridor, woodland, and footpath and cycle

links. The area at the northern part of the site remains free of development as is shown on the proposals map in the Local Plan 2030 and referred to in paragraph 74 above. In the eastern part of the site, woodland is proposed between the built development and the rear of the properties in Stumble Lane providing a visual buffer and preventing coalescence between the two settlements. A 15m buffer to the Ancient Woodland is shown on the Masterplan with a further separation on top of that. This is to be welcomed. I am satisfied that the policy requirements in terms of landscape buffer zones are met.

80. In Area 2, to the west of Ashford Road and north of Magpie Hall Road, the built development is to the north and east of the site, with the land to the south and south west being used for SUDS and attenuation ponds and green space. This enables a future link to the Court Lodge development to the west and is in compliance with the Proposals Map in the Local Plan 2030, which seeks to keep development in the northern part of Area 2.
81. Turning to Area 1, which is covered by Policy S5 – Land South of Pound Lane, here the land is arable, rising gradually from north to south towards a shallow ridge that runs west to east wither side of Ashford Road. The Policy requires the land to the south to be kept free of development to provide for the physical separation of Kingsnorth village from new developments to the south and to allow for the open space to form part of a broader swathe of open space that runs south of Kingsnorth to the east (to the north of Policy S4), to the extension of Discovery Park to the west. As proposed, the development here is at the centre of the site with open space to the north and south. A landscape buffer is shown between the site and the adjoining allocation site at Court Lodge and the detail of this will need to be assessed at the reserved matters stage to ensure that the separation required by the policy can be achieved.
82. Design of the houses is not to be considered at this stage, but heights and densities are. The density parameter plans show densities ranging from 10 dwellings to the hectare, up to 25 dwellings to the hectare. Putting this into context, the density parameter plans for the Chilmington development ranged from 10 dwellings to the hectare up to 45 dwellings to the hectare. The highest densities here are located at the three sites closest to Ashford Road – Areas 1, part of Area 2 and part of Area 3. Towards the edges of the built development, the densities become lower, with the lowest at the very edges of Areas 2, 3 and 3.
83. The proposed storey heights reflect the proposed densities. In the lower density areas, houses will be 1 – 2 storeys and in the medium and high density areas, houses will be 1 – 3 storeys. Whilst the density and storey height plans give comfort about the maximum parameters and scale of

development, the detailed applications that follow the grant of this outline application will ensure that good place making is achieved that reflects the adjacent development where appropriate or the creation of new character areas for these sites. To that end, I propose imposing a condition that requires the applicant to undertake detailed masterplanning exercises, to include stakeholders, which will shape how the reserved matters applications are formulated. The condition will state that no reserved matters applications are to be submitted until the detailed masterplanning exercise has been carried out and the results agreed. In this way, the visual appearance of the individual parcels and how they sit within the wider landscape can be assessed thoroughly and appropriately mitigated. The Design and Access Statement (DAS) submitted with the application demonstrates how the three areas in the policy S4 site (Areas 2, 3 and 4) will achieve distinct characters and urban forms. Whilst the DAS only provides supporting information to the application and is not an “approved” document, it demonstrates how the requirements of policy S4a) can be achieved, and a condition can be attached accordingly.

(e) Residential Amenity

84. Paragraph 17 of the NPPF identifies a set of core land use planning principles that should underpin decision making. One of these principles is that planning should always seek to ensure a good standard of amenity for all existing and future occupants of land and buildings.
85. Turning to Area 1 first, which is the subject of Policy S5 – land south of Pound Lane, there are a small number of residential properties along Pound Lane and Ashford Road which abut the boundary of the site. Satisfactory distances could be maintained between the proposed and existing dwellings. Taking this and the proposals for landscaping and screening which are required by policy S5, I am satisfied that the development of this site can be achieved without causing demonstrable harm to the amenities of neighbouring properties through loss of privacy, light, immediate outlook or by having an overbearing presence. Similarly the relationships between the proposed new homes would be acceptable.
86. Turning to Areas 2, 3 and 4, which are the subject of Policy S4 – Land north of Steeds Lane and Magpie Hall Road, there are instances here where there are existing houses that abut parts of the boundaries. However, as with Policy S5, I am satisfied that the requirements of this policy in terms of landscaping, will maintain the amenities of existing dwellings, and in actual fact, the number of houses that abut areas where there will be housing development, are few.
87. The three proposed new accesses from Ashford Road have all been positioned to be located away from existing residential properties, so they will not result in any additional disturbance to those properties directly. The two

proposed new accesses off Pound Lane are opposite existing houses in Pound Lane, but given that the aim of these accesses is to divert traffic from using Pound Lane to get to the existing crossroads at Pound Lane / Ashford Road / Church Hill, it is likely that the amount of traffic using the accesses will to a large degree be offset by a reduction in the amount of traffic that uses Pound Lane at present.

88. The proposed works to realign the Magpie Hall Road / Ashford Road / Steeds Lane crossroads will be likely to result in a net benefit for those properties on Magpie Hall Road immediately to the west of the junction, as Magpie Hall Road will be diverted away from their frontages.
89. The remaining accesses off Bond Lane and Steeds Lane are away from existing residential properties and the only one off Bond Lane to Area 3 which is opposite properties in Bond Lane, is an access only route, so will only take limited traffic amounts.
90. Apart from the accesses, the vehicular activity associated with the proposed development will be contained within the development areas, so I do not consider that it will result in any demonstrable harm through undue noise and disturbance.
91. The reserved matters will have to demonstrate that the houses have gardens that would comply with the Council's Residential Space and Layout SPD, together with emerging policies HOU12 and HOU15. In addition, internal space standards which would be required to comply with national standards would also need to be considered at that stage.
92. An important part of residential amenity is the provision and management of public community space and facilities within a new development. Emerging policy IMP4 seeks to ensure that proposals that will deliver substantial community space and facilities are required to be supported by a governance strategy which will need to be agreed with the Council. This strategy will need to set out which facilities are to be delivered and by when and how they will be managed over time to an acceptable standard. Table 1 sets out the capital costs of providing facilities on site, and a condition is suggested which will require the design and delivery of these spaces. The S106 will cover triggers and will also require the applicants to enter into a management regime that is acceptable within the terms of Policy IMP4.
93. Given the above, I am satisfied that the development would not result in harm to the residential amenity of neighbouring or future occupiers and would comply with the requirements of part d) of emerging policy S5 which requires development to screen the houses and gardens of adjoining dwellings. The

development is therefore in accordance with the NPPF as well as that emerging policy.

(f) Heritage and Archaeology

94. Ashford Local Plan 2030 submission policy ENV13 states that proposals which protect, conserve and enhance the heritage assets of the Borough will be supported, and policy ENV15 seeks to protect the integrity of archaeological and historic sites and their settings. The NPPF states that where heritage assets are to be affected by development, local authorities should require the applicant to describe the significance of the assets affected, including the contribution made to the significance of the asset by its setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Designated heritage assets protected by statutory legislation include listed buildings and conservation areas. Sections 66 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 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. Section 72 of the Act states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. In determining applications, the NPPF stipulates that great weight should be given to the assets conservation and that substantial harm to or loss of a Grade Listed Building should be exceptional.
95. The NPPF states furthermore that developments where substantial harm to or loss of significance of a heritage asset should be assessed against specific tests and should deliver substantial public benefits which outweigh any loss or harm. Less than substantial harm to a designated asset would require public benefits including the securement of an optimum viable use.
96. The Environmental Statement (ES) submitted with the application deals with the effect of the development on heritage assets and assesses the significance of the heritage assets. There are 31 listed buildings within 1km of the site, 9 of which are within 100m of the site boundaries. Kingsnorth Village Conservation Area is located some 500 metres to the north of Areas 3 and 4, centred on Church Hill and St Michaels and All Angels Church. The ES contains an assessment of the original boundaries of those properties, looking at historic records, together with a record of how the village of Kingsnorth has evolved to what it is now. It states that there was one Listed Building originally within the site boundary, Goatley Farmhouse, but it was demolished in the last quarter of the 20th century.

97. The ES considered the impact on 22 heritage assets (19 of which are Listed Buildings and 3 of which are Non-Designated Heritage Assets) having reviewed the amended Masterplan (the 2017 amendment for 550 houses). It concluded that in respect of 16 of those properties, the effect of the development is “neutral”. There is a “slight adverse” impact on four of the properties, and a “slight to moderate adverse” impact on the remaining 2. The impact on the Kingsnorth Conservation Area was also assessed and this was concluded as being “no greater than slight adverse”. None of the effects identified would equate to substantial harm and all of the identified effects would equate to less than substantial harm.
98. The ES concludes that to minimise the harm identified, screen planting to the boundary should be used to screen views of the proposals from the Conservation Area, Mumford House, Taylor Farm and Bond Farm. I am satisfied with the results of the ES in respect of the impact of the proposal on listed buildings and the Conservation Area and that the required mitigation can be secured at reserved matters stage.
99. In terms of archaeology, the site is situated in an area of high potential associated with prehistoric and Roman activity. To the north and east especially are Iron Age funerary sites which can be located specifically due to special landscape and topographical attributes. Westhawk Farm, a Scheduled Roman small town, is situated to the north at a nodal point of several Roman roads. One of these linking Roman roads passes to the west of the application site. Much of the application site comprises fields of historic farm holdings and there has been little development in this area. The proposed development will have a major impact on buried and upstanding archaeology and on the historic buildings and historic landscape. With the potential impact being great, there needs to be a robust and clear assessment of all aspects of the historic environment.
100. Kent County Council’s senior Archaeological Officer has been consulted and has assessed the information submitted in respect of archaeology. She has raised no objections to the development but has requested that further archaeological assessment is carried out which can be secured by planning conditions, as per her recommendation. She has also requested a financial contribution towards heritage interpretation and for a part-time community archaeologist for two years, which are included in the S106 Heads of Terms.

(g) Ecology and Biodiversity

101. Ashford Borough Local Plan 2000 saved policy EN31 seeks to limit the impact of development on important habitats and to provide long term protection where appropriate. Guiding Principles Policies CS1 (a), (d) and (K) of the Core Strategy 2008 identify objectives of ensuring protection of the natural

environment and integration of green elements enhancing biodiversity as part of high quality design. Against these overarching objectives, Policy CS11 of the Core Strategy specifically requires development proposals to avoid harm to biodiversity and geological conservation interests, and seek to maintain and, where practicable, enhance and expand biodiversity. This is also reflected in policy ENV1 of the emerging Local Plan 2030, and is referred to specifically in policy S4 – Land north of Steeds Lane and Magpie Hall Road.

102. The site has a number of habitat constraints including the Whitewater Dyke to the west and north of the site, hedgerows and woodlands. The proposals seek to respect all areas of wildlife importance and sensitivity, and to include green buffers, wildlife corridors and wildlife habitats. Following consultation with KCC Ecology and Biodiversity, I consider that ecological and biodiversity impact issues can be subsequently mitigated through the use of planning conditions and by ensuring that applications for reserved matters include the spatial implications of mitigation as a clear design layer influencing the site layout.

(h) Trees and Landscaping

103. Ashford Borough Local Plan 2000 saved policy EN32 protects important trees or woodlands. The site is primarily farmland with field boundaries lined by hedgerows and trees, with a large cluster of trees in Isaac Wood (an Ancient Woodland, also covered by a TPO) at the eastern edge of the site. As part of the application, a Hedgerow Assessment was submitted which surveyed 53 hedgerows – there are 41 present within the site and the remaining 11 were either used to inform the assessment or were part of the previous survey data (for the application as originally submitted for a larger development).
104. The Hedgerow Assessment found that over one third of the hedgerows within the site were species-rich and comprised an aggregate of five or more woody species. Under half of the hedgerows (17 out of 42) were classified as “important” in terms of the relevant legislation. All hedgerows are listed as UKBAP and LBAP priority habitats.
105. The importance of hedgerows as wildlife habitats in their own right, but also as forming vital corridors for the movement of wildlife is recognised in the report. As such and in accordance with the NPPF, the hedgerows will be retained on site wherever possible and will only be broken to provide the primary access corridor. These breaks are at the main entrances to the sites but also within, where the main roads will be located. This is inevitable in order to facilitate the development but the report states that to offset any losses, defunct hedgerows within the site will be gapped up and they will be planted with at least six native shrub species of local provenance, based upon existing content of the hedgerows on site.

106. In addition to the hedgerows the farmland has many mature, large oaks providing a significant visual amenity and character. The reserved matters will expect to identify significant trees which can be retained and the housing will be expected to be designed around them, without compromising them in the future.

(i) Affordable Housing

107. The emerging local plan policy requires 30% affordable housing on this site, with a split between social rented (10%) and other forms of affordable housing (20%, including a minimum of 10% shared ownership). This would be addressed in the legal agreement and the applicant is in agreement with this.
108. The Design & Access Statement indicates that the housing would be a mix of detached, semi-detached and terraced housing. This would ensure an acceptable housing mix as required by Policy CS13 and HOU18 and can be secured by condition.

(j) Self and Custom Built Development

109. Policy HOU6 of the submission Local Plan 2030 seeks to support the principle of self and custom build development as an opportunity to bring choice to the housing market as well as enabling local people to design and build their own home that will meet their bespoke needs. The policy requirement is that on sites delivering more than 20 dwellings, the proposals must supply no less than 5% of dwelling plots for sale to self or custom builders. A condition is suggested that requires the reserved matters applications to comply with this policy.

(k) Flooding, drainage and sewerage

110. Policy CS20 states that 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. This is also reflected in both S4 and S5 which apply to these sites.
111. A Flood Risk Assessment (FRA) has been submitted with the application and this states that the site is predominantly located within Flood Zone 1 and at low risk of flooding from rivers. There is a small area along the northern boundary in Area 1 which is located in Flood Zone 2, with a low to medium annual probability of river flooding. The FRA states that this is considered to be related to Whitewater Dyke, a tributary to the East Stour in Ashford, which flows in a northerly direction approximately 500m to the west of the site.

112. All development will be located in Flood Zone 1, according to the Environment Agency's current Flood Map and there will therefore be no effect on flood flow routes or floodplain storage.
113. No built development is to be located in Flood Zone 2 and to reduce the risk of surface water flooding in other parts of the site identified on the Environment Agency's Map (in Areas 1 and 2), these areas will be incorporated into the public open space.
114. The SUDS strategy for the site states that runoff will be restricted to pre-development Greenfield rates and on-site attenuation will be provided for all events up to and including the 1 in 100 year event, including an allowance for climate change. Both KCC and ABC Drainage have no objections to the proposed SUDS scheme in principle, although it is noted that a more substantial reduction in runoff than Greenfield rate should be achieved. The conditions suggested will cover these matters.
115. Foul water flows from the development cannot be accommodated within the current public sewerage system due to existing capacity constraints. The costs of a new foul sewer requisition were previously stated by the applicant to be prohibitive, so the applicant investigated an alternative option to provide a new on-site Wastewater Treatment Works, under an inset Agreement, which would be operated by a fully licensed Sewerage Undertaker regulated by Ofwat.
116. The response from Southern Water to the amended application was made in January this year, and since that time, Southern Water has put forward a proposal for new off-site sewers and pumping stations which they will design and deliver that will take discharge to an existing connection point along the Southern Orbital Road with adequate capacity. From there it will drain to the Bybrook WWTP which as members are aware, was upgraded in 2014 to cater for all the growth in the Core Strategy. Forming part of these wider proposals, Hodson Developments is in the process of providing a new gravity sewer across the Chilmington Green site to the south of Phase 1 along the route of Chilmington Green Road, to Stubbs Cross, where Southern Water will provide a catchment chamber. Southern Water will connect to the catchment chamber as part of the off-site network improvements and the timing of the upgrade will coincide with the Chilmington Green housing trajectory and can accommodate all the Local Plan 2030 allocations in the south of Ashford, the application site being included.
117. Members will see from the latest response from SWS, they state that it is likely that the development could be drained to the new pumping station that will serve Chilmington Green in the long term, but as a temporary measure if necessary, they would consider a temporary connection to Steeds Lane. The

applicants have confirmed that this is acceptable to them and the on-site Wastewater Treatment Works no longer forms part of the application.

(I) Have impacts identified in the Environmental Assessment been satisfactorily addressed

118. An Environmental Statement was submitted with the original larger application in 2015, and was subsequently amended to take into account the amendments made to the application as a result of the Local Plan process and subsequent allocation. The Environmental Impact Assessment establishes the baseline for the study against which potential impacts of the proposed development have been considered; it then identifies any “significant” effects and where those are identified, proposes measures to avoid or reduce such impacts. Where residual impacts remain, they are identified.
119. In terms of land use and soils, the original ES found that 20.3ha of the application site was classified as “Best and Most Versatile” agricultural land, but concluded that the effect was not significant. The amended ES found that the proposed amendments will not result in the loss of any additional land above the levels already assessed within the 2015 ES. In addition, the amendment would provide benefits due to reduced area of land developed, and the reduced volume of the soil to be excavated and removed from the site. Therefore, the original assessment remains valid as a worst-case scenario and no further assessment is considered necessary.
120. The impact on archaeology and heritage assets is discussed in paragraphs 94 to 100 above.
121. Turning to landscape and visual impact assessment, the original ES concluded that the main impacts on the landscape character of the site would result from the change of use from agricultural land to housing and landscaped green space, with the removal of some small sections of hedgerows. However, this impact would be limited to the site and immediate surrounding area. It stated that while there are long distance views of the site from the north, the majority of views are screened by the surrounding properties. It stated that mitigation in the form of landscaped green space and additional planting will create beneficial impacts over time and all the additional planting will be carried out as one undertaking at the start of construction, allowing it to mature.
122. The amended ES states that the overall extent of built development and number of houses has been reduced. The addition of a possible Wastewater Treatment Works in Area 2 however was not assessed in the original ES, but it is considered that it will be viewed in the context of the adjacent

transmission tower. In addition, a planting scheme will be included in the detailed design to reduce the potential impact on the landscape.

123. The original ES found that no widespread potential sources of pollution had been identified on site and that the construction phase will be managed to ensure that the risk of contamination is minimised. The amended ES updated the baseline information but concluded that the conclusions reached in the 2015 ES remained the same and no further assessment was considered necessary.
124. In terms of water resources the 2015 ES considered the potential for the proposed development to affect local surface water or groundwater. Disturbance to soils during construction could increase the amount of surface water run-off, however, surface water will be suitably managed during construction to reduce these risks. Surface water runoff is proposed to be managed through the use of SUDs. No additional mitigation measures were considered to be required in terms of foul water disposal.
125. The amended ES took into account new guidance from the Environment Agency, and proposed an on-site Waste Water Treatment Works due to the prohibitive cost of requisitioning a sewer. The ES proposed mitigation measures for surface water, including a Construction Environment Management Plan, to ensure that risks of spills and leaks are minimised. It concluded that the SUDs strategy proposed forms part of the proposed design of the site and no additional mitigation measures are required.
126. With regard to noise impacts, the 2015 ES concluded that the significance of noise and vibration effects from construction activities was considered to be minimal with mitigation measures in place. The increase in traffic noise was considered to be minimal and mitigation measures can be included at the detailed stage to ensure noise impacts from proposed non-residential uses are reduced to an acceptable level. The assessment also concluded that the noise levels from the proposed development would not be significant and once mitigation measures have been implemented, the residual noise levels would meet noise standards and not have a significant impact on future residents.
127. The amended ES concluded that the significance of noise and vibration effects from earthworks and construction is considered to be negligible with site specific mitigation measures in place. However, the construction operations may have a short term, slight to moderate impact at existing sensitive receptors located in the immediate vicinity of the construction phases over the Proposed Development. The increase in road traffic noise due to the operations of the Proposed Development on completion in 2030, at the existing sensitive receptors adjacent the local road network in the

immediate vicinity of the Proposed Development, will be negligible. Therefore this impact is not considered to be significant and mitigation measures are not required. The results of the baseline noise survey and noise prediction calculations indicate that the noise levels at the Proposed Development should not be a determining factor in granting planning permission in accordance with current guidance. Once the mitigation measures detailed in the Mitigation section of this chapter have been implemented, the residual impact of road traffic noise from vehicles travelling along major roads and the Proposed Development access roads will meet all the required internal and external noise standards and will have a negligible impact on any future residents. With mitigation measures in place it is considered that the impact of the proposed Wastewater Treatment Works on the existing and proposed sensitive receptors will be negligible.

128. The 2015 ES considered the effects of dust during construction and with specific mitigation measures implemented on site it concluded that the effects would not be significant. The potential impacts of the traffic generated by the development on air quality were also assessed and this was found to be minimal and not significant. The amended ES concluded the Proposed Development will not lead to an unacceptable risk from air pollution, or to any breach in national objectives, or to a failure to comply with the Habitats Regulations as required by national policy. There are no material reasons in relation to air quality why the proposed scheme should not proceed, subject to appropriate planning conditions.
129. In terms of ecology, the 2015 ES established that the proposed development would not affect the nature conservation of the sites. The proposals would result in the loss of some habitats, however the loss would not be significant. The proposals will also lead to the creation of new habitats. The proposals could significantly impact upon great crested newt, water vole and dormouse. However, mitigation measures have been included in order to reduce these impacts. With these mitigation measures in place, the proposals are considered unlikely to result in significant negative impacts upon the ecology of the site. The amended ES concluded that no significant adverse impacts will result from the proposed development. Mitigation and enhancement measures will be undertaken which are likely to lead to an overall slight increase in the ecological value and diversity of habitats within the site. As a consequence, this assessment has established the development of the site will comply with planning policies, including the NPPF, as well as relevant species and habitat legislation.
130. With regard to Climate Change, the 2015 ES stated that the negative impact of potential increases in temperature can be reduced through mitigation measures including building design and tree planting. The implementation of mitigation measures will ensure that the risk of flooding posed by the

development is low. The production of greenhouse gases during the development, and their impact on the climate will be reduced by including good transport links and energy efficient buildings. The amended ES stated that the assessment of impacts of climate change on the project within the 2015 ES is still valid, and no further assessment is required.

131. Finally the 2015 ES considered Residual and Cumulative Impacts. It concluded that the majority of residual impacts, following the implementation of mitigation measures, have been assessed as not being significant. The only residual impacts are potential visual and landscape impacts on the site and surrounding area. However, the impacts identified in the assessment are not unusual or excessive for a scheme of this size. Furthermore, mitigation in the form of advance planting and landscaped green space will help over time to successfully fit the proposed development into the local landscape. In terms of cumulative impacts, it would result in a loss of BMV, but as this constitutes 1.2% of the high quality agricultural land in the Borough it is not considered to be significant. It would also contribute to the cumulative physical loss of archaeological remains within the region. However, this would be offset by the contribution made to archaeological understanding of the area through excavation and recording.
132. The amended ES did not identify any other cumulative impacts.

(m) Planning Obligations

133. Emerging policies S4 and S5 require contributions to community facilities and infrastructure. 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
134. I recommend the planning obligations in Table 1 be required should the Committee resolve to grant permission. I have assessed them against Regulation 122 and for the reasons given consider they are all necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development. Accordingly, they may be a reason to grant planning permission in this case.

135. The development would trigger a requirement to provide 30% affordable housing.
136. KCC has requested a contribution towards projects for primary and secondary education and contributions towards projects for community learning, youth, libraries, social care and heritage interpretation.
137. KCC Highways has requested contributions towards improved bus services, improvements to the Malcolm Sargent Roundabout, footpath improvements and the monitoring of the Travel Plan.
138. The Council has identified projects for off site contributions in accordance with the Public Green Spaces and Water Environment SPD although some projects are still to be confirmed. The Council has also identified the need for the developers to provide a management plan for the long-term stewardship of the public realm and open spaces.
139. The NHS Canterbury and Coastal and NHS Ashford Clinical Commissioning Groups have requested a contribution towards an extension to Kingsnorth Surgery.
140. The applicant is required to enter into a S278 with Highways England for a contribution towards the construction of the M20 J10A.

Table 1

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
1.	<p><u>Affordable Housing</u></p> <p>Provide not less than 30% of the units as affordable housing, comprising 10% affordable / social rent units and 20% Affordable Home Ownership Products (including a minimum of 10% shared ownership) 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</p>	<p>Up to 165 units comprising:</p> <p>10% affordable / social rent units and 20% Affordable Home Ownership Products (including a minimum of 10% shared ownership.</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 the Affordable Housing SPD, 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)	
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>2. <u>Children's and Young People's Play on site</u></p> <p>Provision on site of a children and Young Peoples play facility plus door step play.</p>	<p>£541 per dwelling for capital costs (Areas 2, 3 and 4)</p> <p>£663 per dwelling for maintenance (subject to agreeing details of the maintenance regime).</p>	<p>Upon occupation of 75% of the dwellings in Areas 2, 3 and 4.</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, emerging policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use children's and young people's play space and the play space to be</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>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>
3.	<p><u>Children and Young People's Play off-site</u></p> <p><u>Project in Kingsnorth to be determined.</u></p>	<p>£649 per dwelling for capital costs in Area 1.</p> <p>£663 per dwelling for maintenance</p>	<p>Upon occupation of 75% of dwellings in Area 1.</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, emerging policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>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>
4.	<p><u>Outdoor Sports</u></p> <p>Contribution towards local outdoor sports provision off site. Project to be confirmed at either Court Lodge or</p>	<p>£1,589 per dwelling for capital costs</p> <p>£326 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings.</p>	<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</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
	Chilmington sites.			<p>CS1, CS2 and CS18, Tenterden and Rural Sites DPD policy TRS19, emerging policies COM1, COM2 and IMP1, 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>
5.	<p><u>Strategic Parks</u></p> <p>Contribution towards local strategic parks provision. Project to be confirmed at</p>	<p>£146 per dwelling for capital costs</p> <p>£47 per dwelling for</p>	Upon occupation of 75% of the dwellings.	<p>Necessary as strategic parks are required to meet the demand that would be generated and must be maintained in order to continue to</p>

Planning Obligation			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
Chilmington.	maintenance		<p>meet that demand pursuant to Core Strategy policies CS1, CS2, CS18 and CS18a, Tenterden and Rural Sites DPD policy TRS19, emerging policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use 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. <u>Informal/Natural Space</u> <u>On-site provision of 2.65ha</u>	On basis of 550 dwellings, a minimum of 2.65hectares of informal/natural public open space to be provided on site to the value of £362 per dwelling for capital costs. and £325 per dwelling for maintenance as per play areas.	Upon occupation 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, emerging policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use informal/natural green space and the space to be provided would be available to them.</p> <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</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				period is limited to 10 years.
7.	<p>Allotments Contribution towards – project to be confirmed on site</p>	<p>£258 per dwelling for capital costs</p> <p>£66 per dwelling for future maintenance as per play areas.</p>	<p>Upon occupation 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), emerging policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use allotments and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the</p>

Planning Obligation			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
			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.
8.	<p><u>Cemeteries</u></p> <p>Project to be confirmed</p>	<p>£284 per dwelling for capital costs</p> <p>£176 per dwelling for maintenance</p>	<p>Upon occupation of 75% of the dwellings.</p> <p>Necessary as cemeteries 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, Ashford Local Plan 2030 Submission Version policies COM1 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will require cemeteries and the</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				cemetery provided would be available to them. Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.
9.	<u>Community Building</u> Off site contribution towards an existing facility in Kingsnorth, exact project to be determined.	£1,870.83 per dwelling for capital costs £528.33 per dwelling for maintenance.	Upon completion of 75% of the dwellings.	Necessary as community facilities 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), emerging policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>the NPPF.</p> <p>Directly related as occupiers will use community buildings 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>
10.	<p><u>Primary Schools</u></p> <p>Contribution towards the new 2FE Primary School at Court Lodge</p>	<p>£4,535.00 per 'applicable' house</p> <p>£1,134.00 per 'applicable' flat</p>	<p>First 50% of the sum on 25% of homes occupied with the remainder on full occupation.</p>	<p>Necessary. The proposal would give rise to an additional 154 primary school pupils. There is no spare capacity in the locality and pursuant to Core Strategy policies CS1, CS2 and CS18, Tenterden</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>and Rural Sites DPD policy TRS19, saved Local Plan policy CF21, emerging policies COM1 and IMP1, Developer Contributions/Planning Obligations SPG, Education Contributions Arising from Affordable Housing SPG (if applicable), KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as children of occupiers will attend primary school and the facilities to be funded would be available to them.</p> <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.
11.	<p><u>Primary School Land</u></p> <p>Contribution towards the land at Court Lodge should this prove necessary.</p>	<p>£2,363.93 per 'applicable' house</p> <p>£590.98 per applicable flat</p>	<p>First 50% of the sum on 25% of homes occupied with the remainder on full occupation.</p>	<p>Necessary. The proposal would give rise to an additional 154 primary school pupils. There is no spare capacity in the locality and pursuant to Core Strategy policies CS1, CS2 and CS18, Tenterden and Rural Sites DPD policy TRS19, saved Local Plan policy CF21, emerging policies COM1 and IMP1, Developer Contributions/Planning Obligations SPG, Education Contributions Arising from Affordable Housing SPG (if applicable), KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<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 because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.</p>
12.	<p><u>Secondary Schools</u></p> <p>Contribution towards the new secondary school at Chilimington</p>	<p>£5,091.60 per 'applicable' house</p> <p>£1,272.90 per 'applicable' flat</p>	<p>First 50% of the sum on 25% of homes occupied with the remainder on full occupation.</p>	<p>Necessary. The proposal would give rise to an additional 110 secondary school pupils. Capacity at the local secondary school within the vicinity will have to increase to meet the demand generated and pursuant to Core Strategy policies CS1, CS2 and CS18, saved Local</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>Plan policy CF21, Ashford Local Plan 2030 submission version policies COM1 and IMP1, Developer Contributions/Planning Obligations</p> <p>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</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				based on the number of dwellings and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.
13.	<p><u>Community Learning</u></p> <p>Provision of additional IT equipment and additional services at Adult Education centres local to the development</p>	£34.45 per dwelling	Upon occupation of 75% of the dwellings	<p>Necessary as more IT equipment required to meet the demand generated and pursuant to Core Strategy policies CS8 and CS18, Tenterden and Rural Sites DPD policy TRS19, emerging policies COM1 and IMP1, KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as occupiers will use IT equipment which will be funded and will be available to them.</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				Fairly and reasonably related in scale and kind considering the extent of the development and because the amount calculated, is based on the number of dwellings
14.	<p><u>Youth Services</u></p> <p>To provide outreach working and IT equipment</p>	£27.91 per dwelling	Upon occupation of 75% of the dwellings	<p>Necessary for youth services to meet demand that would be generated (3.6 clients) and pursuant to Core Strategy policies CS8 and CS18, Tenterden and Rural Sites DPD policy TRS19, emerging policies COM1 and IMP1, KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as occupiers will use the community learning and skills service.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount calculated, is</p>

Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)
			based on the number of dwellings.
15.	<p><u>Libraries</u></p> <p>Contributions for additional bookstock, shelving and service reconfiguration at Stanhope and Ashford libraries and for the new mobile library service in the area.</p>	£108.32 per dwelling	<p>Upon occupation of 75% of the dwellings</p> <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, emerging policies COM1 and IMP1, 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>
16.	<p><u>Social Care</u></p>	£77.58 per dwelling	<p>Upon occupation of 75%</p> <p>Necessary as additional social care facilities required to meet the</p>

Planning Obligation				Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
	Contribution to the provision of social care services at the new Chilmington Green Community Hub	Delivery of 6 Wheelchair Adaptable Homes as part of the affordable housing on the site 7.58 per household	of the dwellings	<p>demand from additional occupants that would be generated pursuant to Core Strategy policy CS18, Tenterden and Rural Sites DPD policy TRS19, saved Local Plan policy CF19, emerging policies COM1 and IMP1, and guidance in the NPPF.</p> <p>Directly related as occupiers will use social care 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>
17.	<u>Health Care</u>	£423,000	Upon occupation of 75%	Necessary as additional healthcare facilities required to meet the

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
	Payment to the CCG for Extension to Kingsnorth Surgery		of the dwellings.	<p>demand from additional occupants that would be generated pursuant to Core Strategy policy CS18, saved local plan policy CF19, emerging policies COM1 and IMP1, 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>
18.	<p><u>Archaeology</u></p> <p>To provide heritage interpretation measures and funding for a part time community archaeologist for 2 years.</p>	<p>£60,000 for heritage interpretation measures</p> <p>£40,000 for a part time community archaeologist for a</p>		<p>Necessary in order to interpret heritage across the site pursuant to policies CS1, CS5 and CS9 of the Core Strategy, policy ENV13 of the Ashford Local Plan 2030 and guidance in the NPPF.</p> <p>Directly related to the important</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
		period of two years.		archaeology and history relating to this site. Fairly and reasonably related in scale and kind considering the extent of the development.
19.	<u>Bus Services</u> Improvements to bus services between the site and Ashford Town Centre to be paid to KCC.	£400,000.00	£120,000 in year 1 £100,000.00 in year 2 £80,000.00 in year 3 £60,000.00 in year 4 £40,000.00 in year 5	Necessary in order to meet the demand generated by the development and in the interests of sustainability pursuant to Core Strategy policies CS1, CS2, CS15 and CS18 and emerging policies TRA1 and IMP1 and guidance in the NPPF Directly related as occupiers will travel and the bus service will be available to them 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.

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
20.	<p><u>Romney Marsh Roundabout</u></p> <p>Contribution towards junction capacity improvement</p>	[£1,871,058.00]	Prior to the commencement of Area 2 or by occupation of the 151 st dwelling (whichever is sooner)	<p>Necessary in order to meet the demand generated by the development and in the interests of of highway safety pursuant to Core Strategy policies CS1, CS2, CS15 and CS18 and Ashford Local Plan 2030 submission version policies TRA1, IMP1 and IMP2 and guidance in the NPPF.</p> <p>Directly related as occupiers will travel and the roundabout 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 traffic generated.</p>
21.	<p><u>Junction 10A</u></p> <p>Contribution towards construction of junction 10A of the M20</p>	£1,917,916.00 based on 5.5 DUs plus index linking.	Section 278 agreement to be completed before the grant of planning permission.	<p>Necessary in order to meet the demand generated by the development and in the interests of highway safety pursuant to Core Strategy policies CS1, CS2, CS15</p>

Planning Obligation			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
To be paid through an agreement with Highways England under section 278 of the Highways Act 1980.		Payment of the contribution as per the section 278 agreement	and CS18, Urban Sites and Infrastructure DPD policy U24, emerging policies TRA1 and IMP1 and guidance in the NPPF Directly related as occupiers will travel and the new junction will be available to them. 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 relevant trips
22. <u>Closure of Bond Lane</u> Bond Lane to be closed in accordance with the Transport Assessment via a S278 Highway Agreement with Kent County Council		Section 278 agreement to be completed before the grant of planning permission.	Necessary in order to ensure the proposals comply with the Transport Assessment. Directly related as occupiers will travel and will benefit from the package of transport measures. Fairly and reasonably related in scale and kind considering the extent of the development.

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
23.	<p><u>Residential Travel Plan Monitoring Fee</u></p> <p>Contribution towards KCC's cost of monitoring compliance with the Travel Plan</p>	£5,000.00	£1,000 per anum	<p>Necessary in order to ensure the Travel Plan is 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>
24.	<p><u>Footpath Upgrade</u></p> <p>Contribution towards the creation of a cycle link to Church Hill</p>	£26,000.00	Occupation of 100 units	<p>Necessary as the proposed development would generate an increase in cyclists accessing facilities in the locality. Cycleways must be maintained in order to continue to meet demand pursuant to Core Strategy policies CS1, CS2 and CS18, Ashford Local Plan 2030 submission version policies COM1 and IMP1, Public Green Spaces and Water Environment SPD and</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				<p>guidance in the NPPF. Directly related as occupiers will use the cycleway and this will be funded and 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>
25.	<p><u>Footpath Upgrade</u></p> <p>Contribution towards the upgrading of AW318 and AW319 to cycleway</p>	<p>Amount to be confirmed for capital cost and maintenance</p>	<p>Occupation of 200 units</p>	<p>Necessary as the proposed development would generate an increase in use of the adjacent Public Rights of Way, specifically footpaths AW318 and AW319. Public footpaths must be maintained in order to continue to meet demand pursuant to Core Strategy policies CS1, CS2 and CS18, Ashford Local Plan 2030 submission version policies COM1 and IMP1, Public Green Spaces and Water Environment SPD and</p>

Planning Obligation			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
			guidance in the NPPF. Directly related as occupiers will use the cycleways and they will be funded and available to them 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.
26. <u>Monitoring Fee</u> Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking.	£1,000 per annum until development is completed	First payment upon commencement of development and on the anniversary thereof in subsequent years	Necessary in order to ensure the planning obligations are complied with. Directly related as only costs arising in connection with the monitoring of the development and these planning obligations are covered. Fairly and reasonably related in scale and kind considering the extent of the development and the obligations to be monitored.

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
27.	<p><u>Setting up of management company</u></p>	<p>Management company for the community space and facilities to be established.</p>	<p>Prior to the submission of a Reserved Matters submission.</p>	<p>Necessary in order to ensure that the community space and facilities are supported by a governance strategy pursuant to Ashford Local Plan submission version policy IMP4</p> <p>Directly related as occupiers will use the community space and facilities</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development</p>
28.	<p><u>Link between Policy S5 and Court Lodge</u></p> <p>To safeguard the land for the road linking Policy S5 to Court Lodge to ensure the land is not used for any other purpose other than as a road</p>	<p>Safeguard the land for a road</p>	<p>Prior to the submission of a Reserved Matters submission for any land within Policy S5, land shall be identified for a vehicular connection to Court Lodge and no development shall be carried out which would prejudice the provision of the road.</p>	<p>Necessary in order to provide a vehicular connection to the boundary with the adjoining Court Lodge Farm development pursuant to Ashford Local Plan submission version policy S5.</p> <p>Directly related as occupiers will travel and the link road will be available to them.</p> <p>Fairly and reasonably related in</p>

	Planning Obligation			Regulation 122 Assessment
	Detail	Amount(s)	Trigger Point(s)	
				scale and kind considering the extent of development
29.	<p><u>Quality monitoring</u> Contribution towards the Council's cost of monitoring</p>	<p>£20,000 per annum until development is completed.</p>	<p>First payment upon commencement of development and on the anniversary thereof in subsequent years until the development is complete.</p>	<p>Necessary in order to ensure a high quality development is achieved pursuant to policy CS9 and Ashford Borough Council 2030 policy SP6.</p> <p>Directly related as only costs arising in connection with quality 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.</p>

Human Rights Issues

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

Working with the applicant

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

Conclusion

143. The site is not allocated for development in the adopted development plan.
144. However, the site is allocated for development in the emerging Local Plan under policies S4 and S5. The emerging plan has been through its examination and the Inspectors’ post-hearings advice letter received which does not propose any significant changes to / deletion of these policies. As such, policies S4 and S5 are a significant material consideration, and the fact that the propose development complies (subject to the conditions and planning obligations recommended) with the relevant criteria contained in the site specific policies and other relevant policies in the current plan weighs in favour of granting planning permission.
145. Other material considerations include the benefits associated with the scheme which include its ability to help 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 including enhancing the vitality of an existing community by virtue of its sustainable location close to Kingsnorth, delivery of affordable housing, and economic benefits from construction and occupation.
146. I conclude that the proposed development, subject to the approval of the reserved matters and subject to the imposition of conditions, would not result in material harm to landscape character and neighbour amenity. The proposed development would be appropriate and would sit comfortably within its contextual setting.

147. The development, subject to control through planning conditions, would not harm matters of ecological interest, highway safety, heritage assets or result in unacceptable flood risk.
148. Surface water drainage can be adequately dealt with in accordance with the requirements of the NPPF, adopted development plans, SPDs and emerging Local Plan 2030. Foul sewerage (to be completed).
149. My assessment of the various issues above, indicate that minimal harm would arise as a consequence of residential development here and any incremental harm can be easily mitigated through the imposition of conditions. When balanced alongside the potentially positive social and economic impacts arising from the proposal, in my view the proposal would represent sustainable development. Sustainable development is at the heart of the NPPF and should be seen as the golden thread running through decision taking.
150. Whilst the proposal fails to accord with the adopted development plan in terms of the location of new housing, the proposed development complies with the relevant criteria contained in emerging site specific policies S4 and S5 which seek to allocate it in the Local Plan 2030 as a site for residential development as well as other relevant policies in the adopted plan. This is, in my opinion, a significant material consideration. As such and taking into account the points made in my Assessment, I recommend that planning permission should be granted subject to the prior completion of a S06 Agreement. The site represents a valuable contributor to the 5YHLS.
151. A mix of dwelling types is proposed, and 30% affordable housing would be provided, in line with the emerging Development Plan.
152. Kent County Council has been consulted on the application and raise no objections to the proposal in terms of highway safety or impact on the surrounding highway network.

Recommendation

- (A) Subject to the withdrawal of the objection from Highways England, and**
- (B) Subject to the expiry of the site notice and no further representation of any significance being made, and**
- (C) No further representations being received from those with an interest in the land raising any new issues not covered in this report, and**
- (D) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations as detailed in Table 1, in terms agreeable the Head of Development Management and**

Strategic Sites or the Joint Development Control Manager in consultation with the Head of Legal and Democratic Services, with delegated authority to either the Head of Development Management and Strategic Sites or the Development Control Manager to make or approve minor changes to the planning obligations and planning conditions (for the avoidance of doubt including adding additional planning conditions or deleting conditions) as she sees fit,

(E) Grant Outline Planning Permission subject to planning conditions, including those dealing with the subject matters identified below, with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 1st October 2018.

1. Standard outline condition A
2. Standard outline condition B
3. Development carried out in accordance with the approved plans
4. Phasing plans to be submitted
5. Development in accordance with the ES
6. Detailed masterplan workshop to be undertaken prior to the submission of first RM application
7. Construction Environment Management Plan
8. Parking details to be submitted
9. Bicycle storage
10. Pound Lane/Church Hill/Ashford Road signal junction to be provided prior to the commencement of Area 2 or by occupation of the 151st dwelling, whichever is earlier.
11. Magpie Hall Road/Ashford Road/Steeds Lane junction realignment to be provided prior to the commencement of Area 2 or by occupation of the 151st dwelling, whichever is earlier.
12. Visibility splays on Ashford Road to be provided prior to the occupation of any dwellings in Area 2 or 3.
13. Visibility splays and Bond Lane widening to be provided prior to occupation of any dwellings in Area 3.
14. Steeds lane access and visibility splays to be provided prior to occupation of any dwelling in Area 4.
15. Bus stops, raised kerbs and shelter to be provided on Ashford Road prior to commencement of Area 2 or by occupation of 151st dwelling, whichever is earlier.

16. Existing bus stop and shelter on Ashford Road to be moved north prior to commencement of Area 2 or by occupation of 151st dwelling whichever is earlier.
17. Travel plan to be submitted prior to occupation of first dwelling.
18. Detailed plans of footway upgrades to be submitted.
19. Details of external appearance
20. Level thresholds
21. Hard and soft landscaping to include advance planting
22. Landscape management plan
23. Landscaping implementation to include advance planting
24. Design and implementation of public community space and facilities.
25. Protection of trees
26. Details of earthworks
27. Detailed SUDs strategy to be submitted.
28. No infiltration to the ground permitted.
29. Verification report to be submitted.
30. Details of foul drainage to be submitted.
31. High speed fibre optic broadband to be provided.
32. Archaeology – programme of building
33. Archaeological field evaluation
34. Historic landscape assessment
35. Fencing to protect heritage assets.
36. Heritage Conservation and Interpretation Strategy.
37. Site wide biodiversity mitigation strategy
38. RM to include biodiversity statement
39. Biodiversity Enhancement Strategy
40. Landscape and Ecological Management Plan
41. Internal sound levels – residential
42. Noise rating level – night
43. Noise rating level – day
44. Electric charging points
45. Space standards
46. Refuse

47. Broadband
48. Reserved matters application to include footpath and cycleway links
49. Reserved matters to comply with DAS (character areas)

Notes to Applicant

1. S106 Agreement
2. Working with the Applicant

Working with the Applicant

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

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

In this instance

- was provided with pre-application advice,
- The applicant was provided the opportunity to submit amendments to the scheme/ address issues.
- The application was dealt with/approved without delay.
- 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 15/00856/AS.

Contact Officer: Sue Head

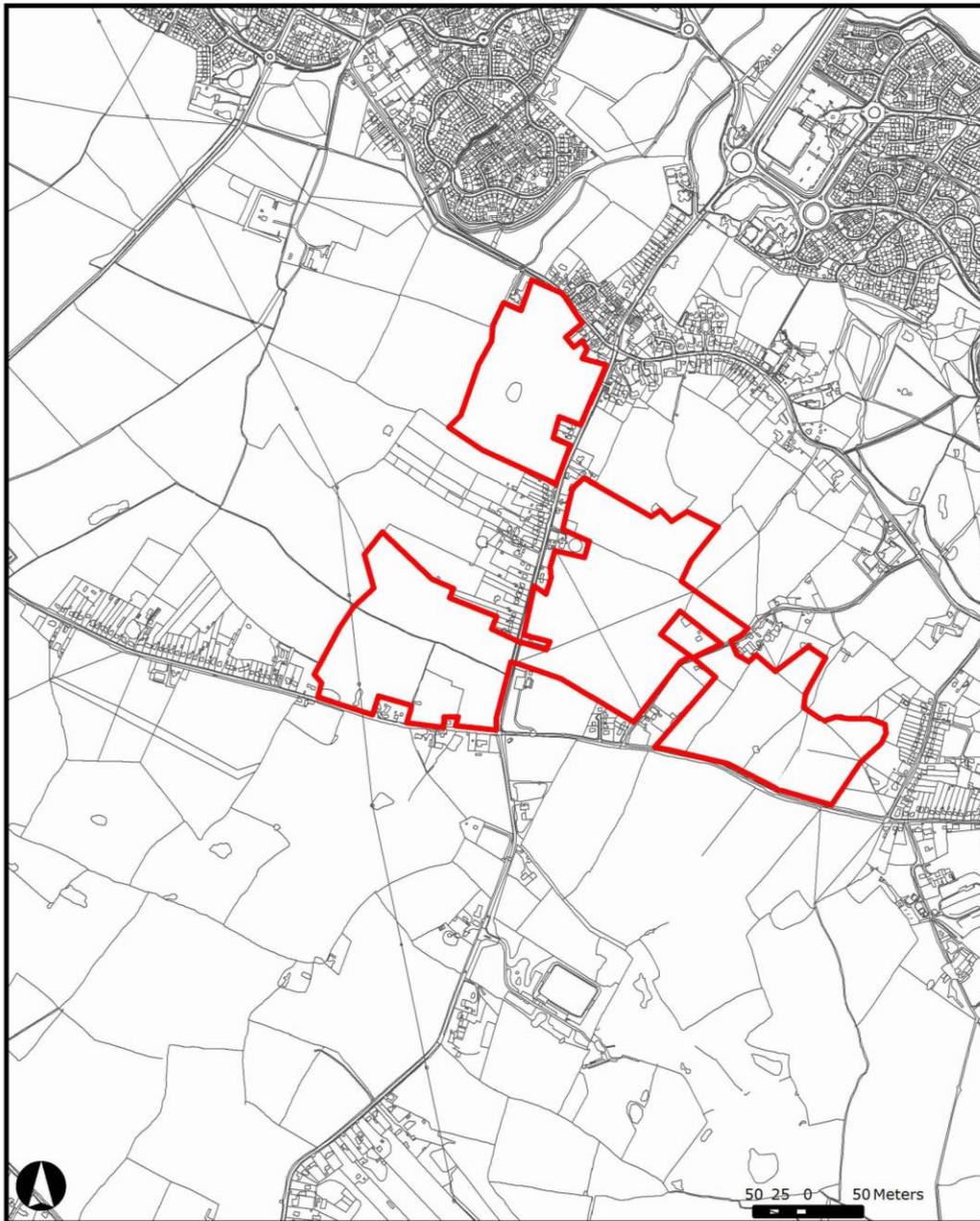
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Annex 1



Ashford Borough Council



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Land at Pound Lane, Magpie Hall Road, Bond Lane and, Ashford
Road, Kingsnorth, Kent

15/00856/AS

Appendix

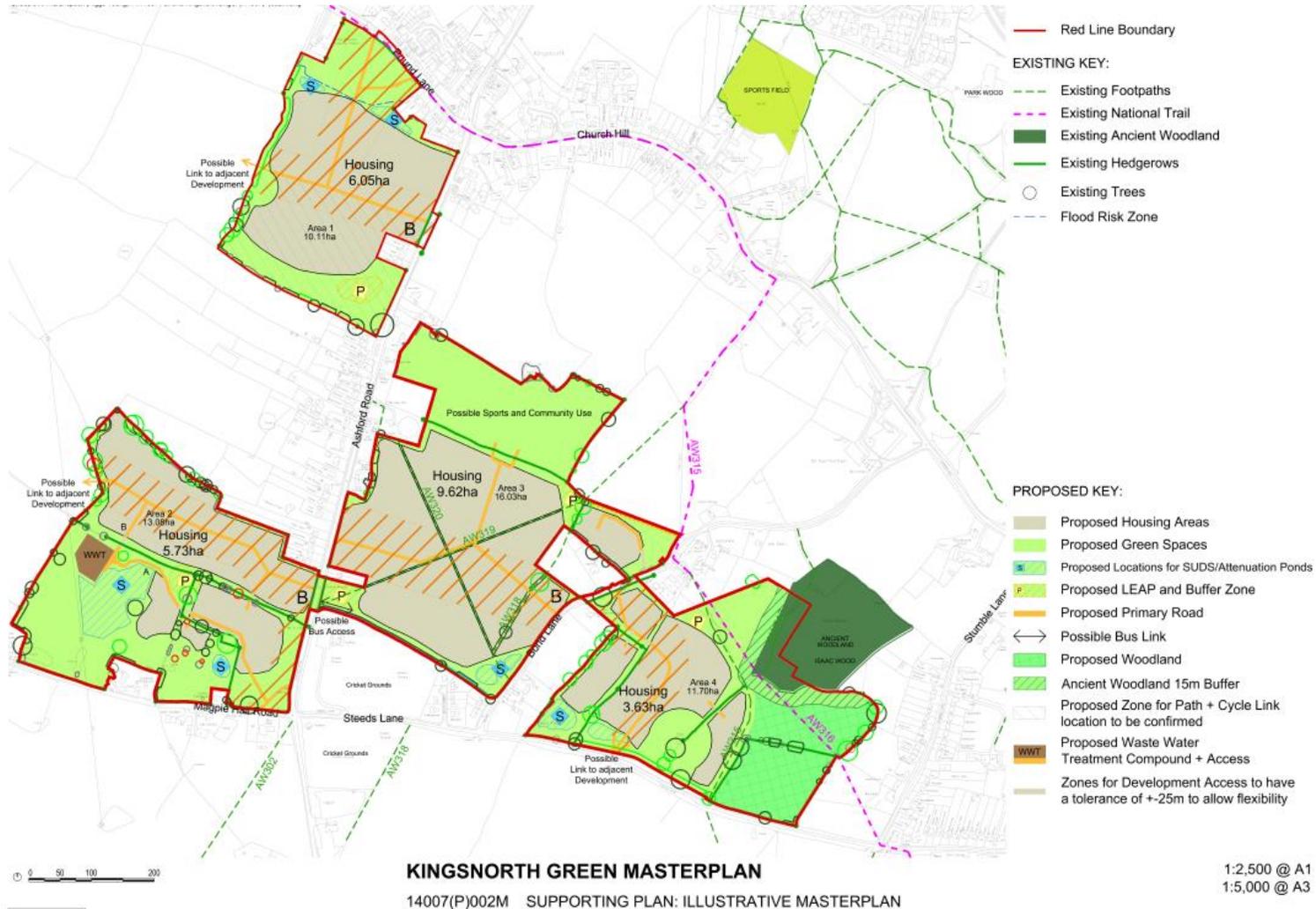


Figure 1
 Kingsnorth
 Green
 Masterplan
 14007 (P) 002M

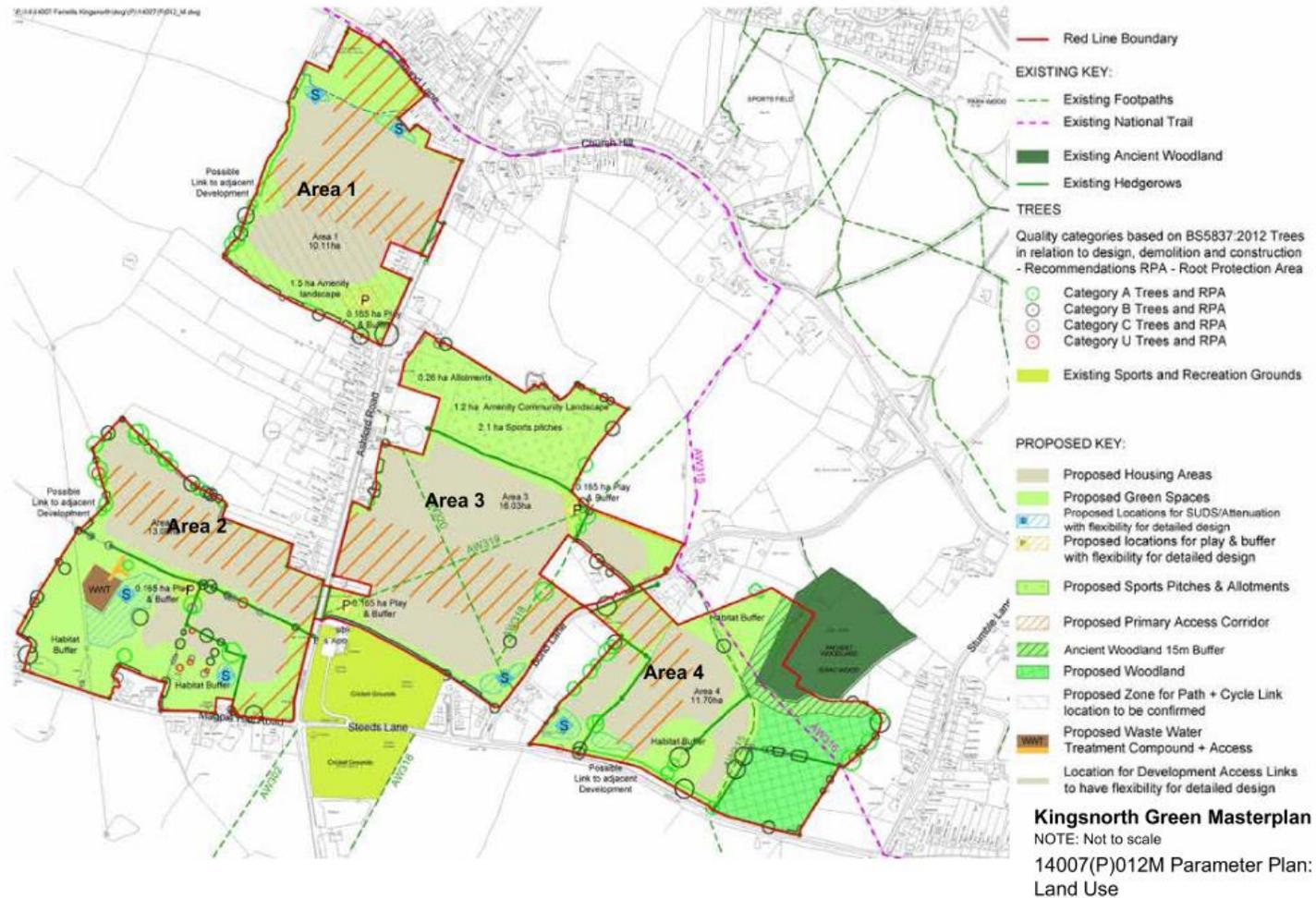


Figure 3 Masterplan 14007 (P) Parameter Plan: Lane Use

Policy S4

4.44 This site lies to the north of the Steeds Lane/ Magpie Hall Road axis and either side of the Ashford Road. The site is in predominantly agricultural use with scattered homes and clusters of houses with a more linear pattern of development along Ashford Road adjoining the site. The predominant character is one of gently undulating farmland rising towards the north of the site to a small ridge from which there are good views of the surrounding countryside. To the north of the site there are more trees reflecting a stronger field pattern and sense of enclosure. This area is an important part of the wider setting of Kingsnorth village Conservation Area. To the south, the more formal landscape of the cricket field and the cluster of homes at the southern end of Bond Lane contrast with the mainly agricultural land around on both sides of the Ashford Road.

4.45 The main highway framework is the crossing of the north/ south Ashford Road and the east / west Steeds Lane/ Magpie Hall Road whilst towards the eastern side of the site, Bond Lane is a pleasant meandering rural lane.

4.46 This site is proposed for residential development with an indicative capacity of 400 dwellings, although a final site capacity should be determined following a detailed and comprehensive site masterplanning exercise that should inform any planning permission for development on the site. Masterplanning of this site shall need to take account of any emerging proposals for Sites S3 and S5 in this Plan, in particular the approach to the provision of infrastructure and services in the area. There is potential for residential development in three distinct parts of the site. The land north of the cricket ground forms the principal area of new development but smaller, secondary areas west of Ashford Road and east of Bond Lane can also contribute to the creation of a new settlement which has different and varied characters as part of it and which are part of a wider vision for how the area in general can be brought forward in a sustainable, high quality way.

4.47 The importance of avoiding coalescence in this area is emphasised elsewhere in this Plan, and so the northern extent of built development here needs to be carefully controlled. Development should sit below the ridge line that lies south of Kingsnorth village, with the ridge and the space between it and the village itself forming a strategic open buffer to protect the setting of Kingsnorth and create a sense of separation from the new development. The protection and enhancement of existing landscaping in this area is a key policy objective here and should be reflected in landscaping proposals for the development of the site.

4.48 In the area north of the cricket ground, the opportunity exists for a mix of residential densities but within an overall mean net density of around 20 dph. This should reflect a rural, village style character that would be appropriate in this location whilst allowing for some pockets of slightly higher density commensurate with many village layouts.

4.49 To the east of Bond Lane the setting is more rural and a significant and well defined gap of open countryside is needed between the area proposed for development and the community at Stumble Lane to avoid the areas coalescing. The Ancient Woodland at Isaac Wood forms a natural and visual boundary to the site and it will be important that there is a significant landscaped and open buffer between the woodland and the built footprint here. Consequently, low density homes in large plots are appropriate in the range 10 – 12 net dph.

4.50 To the north of the properties in Magpie Hall Road, the land is ecologically sensitive and forms part of the drainage areas from the higher land to the north, so development potential here is more limited. This land also directly links to the areas proposed for ecological and drainage mitigation associated with the neighbouring Court Lodge Farm site and the wider extension of Discovery Park (policy S3). Therefore, development is proposed north of the watercourse that passes through this area, to be accessed from a new road which will include provisions for buses, pedestrians and cyclists, that will eventually link through to the proposed Local Centre at Court Lodge. Development will help to animate this route and should wrap around the contours avoiding the higher ground to the north. Development here should also be at relatively low residential densities reflecting the characteristics of existing properties on Ashford Road and Magpie Hall Road.

4.51 Given the size and varying nature of different parts of the site and the need for great care in designing the relationship with neighbouring uses and countryside, the masterplan for the site needs to define the precise developable areas of the site and these will form the basis for setting actual net residential densities. Initially, masterplanning will need to establish a reasonable relationship between each area of new development and existing homes – for example, by sensitively designing and locating public open spaces and surface water drainage areas. More widely, the masterplanning will establish the detailed form of the place and the way its layout relates to the cricket ground at its heart. A comprehensive masterplan will help to build confidence for existing residents about those areas that will be developed and those that will be protected for the long term.

4.52 A landscape strategy will be needed as a key part of the masterplan. It will set out where public space and play areas will be provided; where landscape buffers are to be created, their scale and the planting proposals therein; the location of sustainable drainage features; areas of protected habitat; footpath links to the wider area and a viable, long term management plan for all these areas.

4.53 There are several listed buildings close to the boundary of the site (two on Ashford Road, two on Magpie Hall Road and two on Bond Lane). Their settings need to be preserved. There may also be archaeological constraints on the site and therefore, a historic landscape survey and assessment will be needed.

4.54 The primary vehicle accesses to the site should be from Ashford Road. Traffic management measures put in place as part of this development at points north and south of the development area to mark the entrance to this enlarged community to control speeds and improve the environment of the main thoroughfare should be considered. This will enable junctions onto the Ashford Road to be of a less intrusive scale and design. The highway access created to serve development to the north of Magpie Hall Road will need to be designed to serve as the start of a road linking to the adjoining proposed Court Lodge development area. Land will need to be reserved and funding made available to complete the construction of this road to the site boundary. This will help to improve the road network in the area and spread traffic movements around the south of the town.

4.55 Similarly a package of traffic management measures will be needed on the more minor roads – Magpie Hall Road; Steeds Lane and Bond Lane – to help manage and limit traffic flows to levels that are appropriate given their rural nature and lack of pavements/ lighting, etc. Within the development itself, a network of routes should be established to inform a less urban character commensurate with the generally lower density and village-style form of development.

4.56 Provision of sports and leisure facilities will be required to meet the community needs arising from the development. This could be met in part through improvements to the existing cricket club and its facilities.

4.57 Public rights of way cross the site linking to Kingsnorth village to the north and the wider countryside to the south-east and west. A network of footpaths and cycleways is needed within the site and linking to the wider area, including links in an east-west direction to the Court Lodge site. Similarly, the layout of roads within the site should take account of the potential opportunities for future bus services to create connections with Court Lodge and Chilmington to the west and the Town Centre and Station to the north.

4.58 The scale of development allocated here in this Plan will not support local shopping on its own but the passing trade along Ashford Road provides an opportunity for a local convenience shop to serve new and existing residents. The detailed location and access arrangements for a suitable site fronting the Ashford Road will be established at the masterplanning stage. Similarly, the present scale of development would not support the provision of a new primary school as part of this allocation but proportionate contributions will be required.

4.59 Given the location, number of units proposed and size of the site, 30% of the dwellings shall be provided as affordable housing, in accordance with Policy HOU1.

4.60 In allocating this site, it is acknowledged that a more sustainable form of development that would sustain its own services and facilities may be achieved by a greater scale and extent of development in the future. The land south of Steeds Lane presents an opportunity to extend this allocation in the future so that a new Local Centre to complement that to be created at Court Lodge Farm may be formed, and a more self-sufficient scale of development achieved with a more distinctive identity and character of place created. The masterplan for the site required by this policy should also acknowledge the potential future expansion of this area, particularly in establishing potential connectivity and the treatment of the boundary with Steeds Lane. The potential of the area south of Steeds Lane should be considered as part of the formal review of this Local Plan.

Policy S4 - Land north of Steeds Lane and Magpie Hall Road Land north of Steeds Lane and Magpie Hall Road is proposed for residential development, with an indicative capacity of 400 dwellings. Development proposals for this site shall be in designed and implemented in accordance with an agreed masterplan for the general layout and delivery of development and related infrastructure on the site. The masterplan shall include details of the following elements:-

a) Design and layout principles – a series of models or codes that set out the prevailing scale and form of the urban environment to be created in each of the three separate areas of the site (north of the cricket ground; east of Bond Lane and west of Ashford Road). This will include the mean net residential densities to be created in each area as well as road hierarchies, streetscape treatments and building height to street width ratios.

b) Highway access proposals – details of junction arrangements on Ashford Road, Steeds Lane and Bond Lane.

c) Traffic management – details of any traffic / speed management measures proposed on any adopted highway within the site.

d) Ecology – Appropriate species and habitat surveys will be carried out, details of which will inform ecological mitigation measures to be provided on the site and proposals for their future implementation, maintenance and monitoring.

e) Landscaping and open space – details showing where strategic areas of landscaping and open space will be provided, including the retention of a significant open buffer area between the northern extent of the built part of the development and Kingsnorth village as shown on the policies map; and between the eastern extent of the built part of the development and the site boundary.

f) Drainage – the layout and treatment of surface water drainage through the use of SuDS should be provided as an integral part of the landscape design and open space strategy along with acceptable maintenance arrangements and, west of Ashford Road, be compatible with drainage proposals serving the proposed Court Lodge development. The development should provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider and provide future access to the existing sewerage infrastructure for maintenance and upsizing purposes.

g) Pedestrian / cycleway routes - provide a network of pedestrian and cycle routes throughout the development with connections to existing rural routes and public rights of way and to the new development at Court Lodge.

h) Community facilities – Public open space and suitably equipped play areas needed to serve the development, taking the opportunity to create a sense of the heart of the community being based around the cricket field at the main traffic corridor – Ashford Road. A local convenience store should be located here in a way that can take advantage of passing trade. A specific set of projects related to the scale of needs arising from the development will be identified in consultation with the local community and the cricket club. In addition, the development shall also:- i. Provide a proportionate financial contribution to the delivery of Highway England’s scheme for a new Junction 10a. ii. Provide a link road from the Ashford Road to the boundary with the adjoining Court Lodge Farm development. Particular attention to the conservation and enhancement of Isaacs Wood (Ancient woodland) will be required.

Policy S5

4.61 This site lies to the south of Pound Lane and west of Ashford Road. It is flat, arable land that provides part of the setting of the village of Kingsnorth, which lies to the north and east. The site also adjoins the proposed Court Lodge Farm site allocation to the west (see policy S3).

4.62 The land rises gradually from north to south towards a shallow ridge that runs west – east either side of Ashford Road. Development of the site will need to take account of the strategic context provided by the nearby Court Lodge Farm and Steeds Lane/Magpie Hall Road proposed allocations and, in particular, the key objective of avoiding coalescence of development areas. Masterplanning of this site shall need to take account of any emerging proposals for Sites S3 and S4 in this Plan, in particular the approach to the provision of infrastructure and services in the area. To this end, the southern part of the site should remain free from development

so that it may form part of a broader swathe of open space that runs south of Kingsnorth (to the east) to the extension to the Discovery Park (to the west) and provides for the physical separation of Kingsnorth village from new developments to the south. This area should be publically accessible with pedestrian and cycleway links created across it that will form part of a wider pedestrian / cycleway network linking Discovery Park in the west to the land south of Kingsnorth village in the east. A landscaping strategy for the site should reflect this requirement and the need to provide some visual separation from the adjoining proposed development at Court Lodge Farm.

4.63 The principal access to the site should be gained from Ashford Road with a secondary access to Pound Lane. The potential for vehicular access directly west to the proposed Court Lodge site should not be prejudiced in any proposed layout on this site, and pedestrian and cycleway links should be provided to the site boundary to achieve connectivity to the proposed Court Lodge Local Centre in due course. The potential for signalling the Pound Lane / Church Hill / Ashford Road crossroads and closing the western arm to vehicles should be investigated once the link from Ashford Road to Pound Lane has been delivered.

4.64 The Whitewater Dyke flows close to the northern boundary of the site and a full Flood Risk Assessment will need to be undertaken to inform a detailed layout for development on the site. Similarly, given the topography of the site, proposals for sustainable drainage systems will need to form part of the layout on the site to ensure that runoff conditions are at least no worse than in an undeveloped state.

4.65 It is important that the amenities of the residents of the handful of existing properties on the southern side of Pound Lane are protected in the layout and orientation of any new development. This should mean that there is adequate separation and screening provided as part of any development on this site.

4.66 The proximity of the site to Kingsnorth village, the Park Farm District Centre and the proposed Court Lodge Farm Local Centre means that it would not be necessary for this site to accommodate additional new local recreational, educational or community facilities. However, proportionate financial contributions to deliver, improve, extend or refurbish existing or planned facilities as appropriate will be sought to mitigate the additional demands generated by development here. Informal and publically accessible open space should be provided as part of the undeveloped land at the southern end of the site.

4.67 It will be important for development here to pay regard to the nature of nearby existing and planned housing in terms of establishing an appropriate scale and density. To the north of Pound Lane, Riverside Close accommodates a series of mainly terraced properties whilst the nature of the properties on Pound Lane itself and along Ashford Road tends to be mainly detached or semi-detached. In

accordance with policy HOU1, 30% of the dwellings on this site shall be provided as affordable housing and there should be a mix of dwelling types and sizes to reflect the nature of the surrounding area.

Policy S5 - Land South of Pound Lane

Land south of Pound Lane is proposed for residential development. The capacity of the site will be determined following a comprehensive masterplan exercise, but is proposed with an indicative capacity of 150 dwellings.

Development proposals for this site shall:-

- a) Retain the southern part of the site free from built development, with the creation of pedestrian and cycleway links across the land from Ashford Road to the western site boundary.**
- b) Provide primary vehicular access from Ashford Road and a secondary access to Pound Lane. Proposals shall also enable the ability to provide a vehicular connection to the boundary with the adjoining Court Lodge Farm development.**
- c) In addition to the pedestrian and cycleway connection in (b) above, provide a network of pedestrian and cycleway links through the built part of the site including a connection to the site boundary with the adjoining Court Lodge development.**
- d) Provide a landscaping plan for the site, to be agreed by the Borough Council, to create a significant visual break with the adjoin Court Lodge development and to screening to the houses and gardens of any adjoining residential properties.**
- e) Be subject to a full Flood Risk Assessment, to be agreed by the Environment Agency and the Borough Council. The layout and treatment of surface water drainage will need to ensure that there is no adverse flooding or drainage effects to any neighbouring properties. In addition the development shall also: i. Provide a proportionate financial contribution to the delivery of Highway England's scheme for a new Junction 10a.**