

Application Number	18/00448/AS
Location	Land South of Tilden Gill Road, Tilden Gill Road, Tenterden
Grid Reference	89372/33117
Town Council	Tenterden Town Council
Ward	Tenterden South
Application Description	Application for the approval of reserved matters (access, appearance, landscaping, layout, and scale) pursuant to outline permission ref 14/01420/AS for the erection of up to 100 dwellings, parking, landscaping, open space and associated works
Applicant	Redrow Homes, Prince Regent House, Quayside, Chatham, Kent, ME4 4QZ
Agent	Ms J Hanslip, Urbanissta Ltd, Eastside, London, N1C 4AX
Site Area	5.6 ha

Introduction

1. This application which is a major development is reported to the Planning Committee at the request of the Ward Member Councillor Knowles.
2. Outline planning permission was granted in 2014 on appeal for the erection of up to 100 dwellings including access, parking, landscaping, open space and associated works.
3. This reserved matters application has been submitted pursuant to the outline permission. It seeks to deal with all of the outstanding reserved matters which are access, layout, appearance, landscaping and scale.

Site and Surroundings

4. The site comprises an irregular shaped piece of undeveloped land of approximately 5.6 ha in size. It is located to the south eastern edge of Tenterden where it adjoins the Shubcote Estate which is a series of modern

residential developments dating from the 1950's onwards. **Figure 1** below shows the site and its relationship to the surroundings.

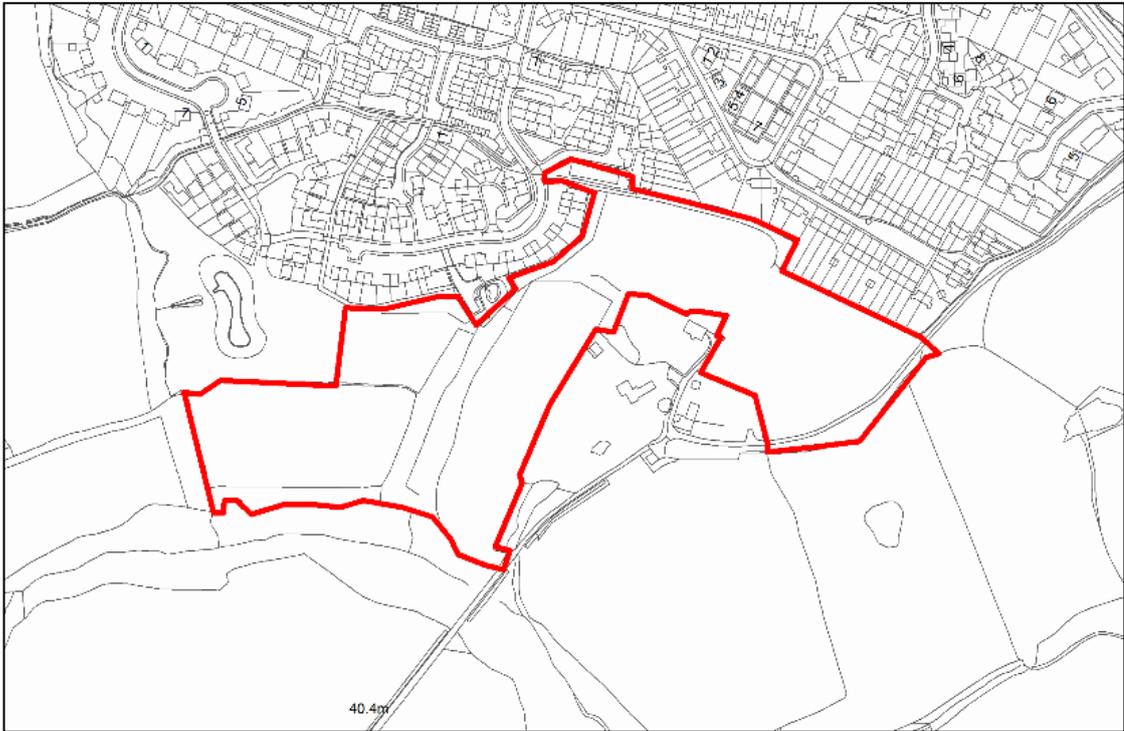


Figure 1: Site Location Plan

5. The character of the existing development to the north of the site is one of modern semi-detached and terraced dwellings and flats, two storey in height and set out along a series of cul-de-sacs very much in accordance with the layout conventions appertaining at the time. In general the modern residential development, whilst pleasant, is of no great architectural character or merit, is not distinctive to the best of the local area and so, again, is very much of its time.
6. The site is bounded to the north by the rear gardens of dwellings along Tilden Gill Road, Shrubcote and Priory Way - and to the east, south and west by open countryside and an area of ancient woodland. The application site is also located on the northern edge of the High Weald Area of Outstanding Natural Beauty.
7. Long views over open countryside characterise the site which comprises rough grassland together with belts of woodland.
8. There are a number of trees in the centre of the site which are protected by virtue of a Tree Preservation Order. A further 14 trees and x 4 groups are also subject of a recent TPO which was served on the 16 November 2018.

9. A group of 4 residential properties, including 2 listed buildings – the former Belgar Farmhouse (now known as Belgar) and a converted barn Weavers Barn/Old Belgar Barn - as well as Belgar Oast House, are positioned in the centre of the southern edge of the site. As such their curtilages are surrounded by the application site on 3 sides. **Figure 2** below shows these constraints and **Figure 3** is an aerial image of the site that shows the woodland within the site and beyond its southern boundary.



Figure 2: Locations of the listed buildings and TPO's

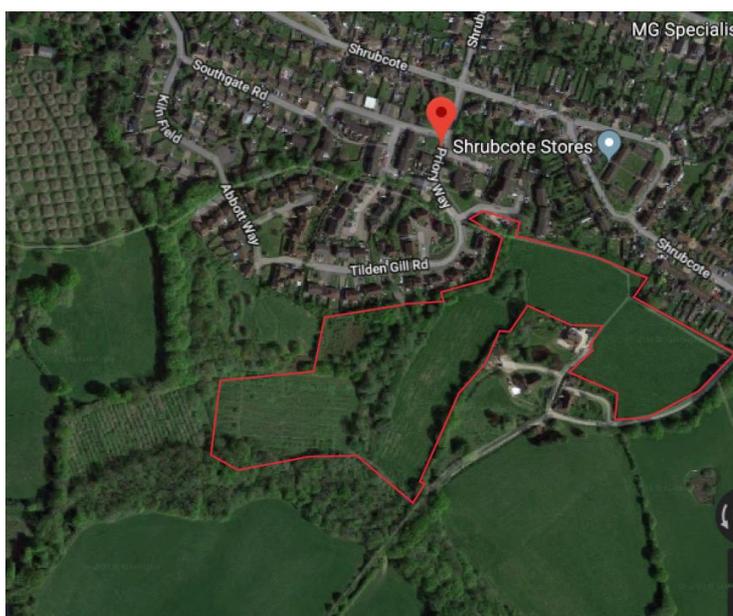


Figure 3: Site Location Aerial Map

Proposal

10. Reserved matters approval is sought for access, appearance, landscaping, layout, and scale, pursuant to outline permission ref 14/01420/AS for the erection of 100 dwellings, parking, landscaping, open space and associated works.
11. The proposed development has the benefit of outline planning permission granted in 2016 on appeal for a residential development of 'up to' 100 dwellings. The proposal would provide 35% affordable dwellings.



Figure 4: Illustrative approved outline layout

12. Upon granting outline planning permission, the Planning Inspector took account of the illustrative layout supplied by the outline permission application that showed how the site could be laid out. The Inspector noted that the quantity of development proposed in relation to the size of the site could be achieved without harming the nearby designated and non-designated heritage assets and would not be unacceptably harmful to the visual and environmental character and appearance of the area.
13. At the time of the appeal a Statement of Common Ground was agreed between the applicant and Kent County Council Ecology and Biodiversity. This set out a number of parameters relating to ecological mitigation matters which has driven elements of the detailed layout now proposed.
14. The outline planning permission is also subject to a s106 legal agreement. In terms of formal and informal open space, sports provision and play space off-

site contributions to mitigate scheme impacts are to be provided including contributions towards informal green space improvements to the north west of the site at Abbots Way which is an existing area of open space.

15. The proposals have been amended during the course of this application with the most recent changes being received in October 2018. The amendments seek to address outstanding concerns in relation to layout, housing design, detailing and materials. The amendments also seek to overcome objections raised by technical consultees. Additional information has also been submitted in relation to ecology matters and drainage. A full re-consultation has been carried out as a result.
16. Access to the development is proposed off Priory Way, through an area of hardstanding that has served as a car park for many years and is owned by the Borough Council. A sale has been agreed between the applicant and the Council for this land and it has recently been fenced off to allow the applicant to take vacant possession. At the time of writing this report this land is still understood to be within the ownership of the Borough Council.
17. The proposals include the provision of an emergency access to the access track to the east of the site that leads to the aforementioned group of buildings at Belgar (and beyond). This would provide access for emergency vehicles from Appledore Road but would be secured by lockable bollards to prevent any non-emergency vehicular use.
18. Landscaped areas would be maintained by a management company.
19. A substation and pumping station are also proposed on the far eastern and southern side of the site. The proposed site layout is shown as **Figure 4** below. As can be seen, it involves a central access point from the existing development to the north around which a number of homes would be located. The estate road would then branch westwards and eastwards. The westward element moves southwards on declining land levels to an area occupied by an existing pond and trees. Homes would be located fronting that road and around the pond which would be retained as part of an on-site surface water SuDS system. West of that pond, homes would be clustered in a former orchard. Turning to the eastern branch of the estate road, this would serve homes on either side of the road with the road culminating in an area adjacent to the aforementioned track bordering the site. The northern side of this estate road involves land forming the rear garden of existing homes and a public right of way runs through this area.



Figure 4: Proposed Site Layout

Density

20. Given the site area of approximately 5.6 hectares, the proposals would result in a density of approximately 19dph and allows for spaces between dwellings and in some cases larger gardens which is intended to reflect the character of the surrounding area. The density also allows for some areas of open space which would serve as a combination of amenity areas, ecological mitigation and SuDS.

Housing Mix

21. The scheme comprises the mix as shown in **Figure 5** below:

2 bed private ownership	10
3 bed private ownership	25
4 bed private ownership	30
Total	65

2 bed affordable rented	12
3 bed affordable rented	9
Total	21

2 bed affordable shared ownership	12
3 bed affordable shared ownership	2
Total	14

Figure 5: Housing Mix

22. Dwellings are all proposed to be two storeys in height and comprise a mixture of detached, semi-detached and terraced properties. X 3 flat blocks are also proposed between 2 and 3 storeys in height.
23. 35% of the development is proposed as affordable housing which equates to 35 dwellings. These are proposed to take the form of semi-detached and terraced housing and flats. 21 units would be affordable rented properties and there would be 14 shared ownership units which is in accordance with the requirements of the S106 agreement.

Parking

24. In total 243 allocated parking spaces are proposed with a further 44.5 (unallocated parking and visitor) spaces proposed. Allocated parking is largely on plot or in parking courts with unallocated spaces and visitors parking designed into the street.
25. A number of garages are also proposed, although these are not counted towards the required number of allocated parking spaces (given the propensity for garages (with doors) to be utilised as domestic storage areas rather than for parking of vehicles. Garages are therefore viewed as an additional resource by the Council under the terms of the existing Residential Parking and Design Guidance SPD 2010.

Character/design and detailing

26. The proposed dwellings are part of Redrow's 'Heritage' brand.
27. The palette of materials proposed has been amended to address concerns raised. Most notably the use of grey roof tiles has been omitted. A 'red' and 'sunrise blend' tile of a clay tile size and appearance is proposed and these are grouped together in two main character areas. Two different types of brick are proposed – a red and a multi stock. An amended hanging tile that better reflects a traditional Kent hanging tile has also been recently confirmed.
28. Two main character areas are proposed: broadly on an east and west basis. Area 1 would be characterised by a multi stock brick with weatherboarding and red tiles. Area 2 would favour a red brick with some cladding and tile hanging. A sunrise blend tile would be used.
29. The use of render has been deleted in response to my concerns and the extent of weatherboard has been increased throughout the site in an attempt to better reflect the traditional Tenterden vernacular.
30. The applicant has introduced picket fencing to properties along the 'main street' estate road again to better reflect the Tenterden historic character.
31. None of the proposed dwellings would have chimneys weather just as features articulating the roof line or as functional components of heating. The applicant has advised that this is largely a commercial decision. **Figure 6** below shows some typical street scenes.





Figure 6: Example of proposed street scenes

Condition 05 of the outline permission

32. Condition 05 of the outline planning permission refers to the arboricultural report dated 6 November 2014. The condition states that no trees shall be removed other than those specified for removal within the report. Written approval is required for any additional change to this agreed position.
33. A new tree survey and arboricultural Impact assessment was undertaken by the applicant in 2017. This identifies a number of additional trees (T98, T99, T102 and G102) to be removed in order to facilitate the development. These trees, whilst the subject of a TPO, have been assessed to be of a poor quality.
34. The updated tree report also identifies the removal of 31 individual trees, 5 groups and part of an additional group together with part of the old orchard. The applicant proposes to mitigate these losses through additional tree planting.
35. This reserved matters submission also seeks to obtain approval for these additional tree works in accordance with the requirements of Condition 05 of the outline consent.
36. In support of the application, the following information has been submitted by the applicant and is summarised below:

Design and Access Statement (October 2018 version)

DA1.1 The site is located within a sustainable location 0.5 miles from the town centre of Tenterden where there are bus stops offering regular services. The nearest access to the national rail network is in Headcorn, 8 miles to the North West.

DA1.2 The context of the area comprises a variety of buildings of differing styles and materials, many of which are modern and predominantly 2 storey. A few have rooms in the roof. Houses are largely set back from the road with modest front gardens. Windows in the vicinity of the site are timber and uPVC. Bricks are red or multi stock with tiles being a mixture of red/brown and there are examples of tile hanging.

DA1.3 The layout has evolved in response to site constraints and the developer's requirements. The layout represents a clear structure with ease of access and permeability to the surrounding footpaths and roads.

DA1.4 Access to the site would be via a new junction. The alignment of the road and landscaping has been considered in relation to the topography. Safe pedestrian routes would be provided and safe turning for service and emergency vehicles.

DA1.5 Density would equate to approximately 19 dph.

DA1.6 Trees and hedges located within the site would be retained with further planting proposed to complement the existing.

DA1.7 Houses are proposed to be 2 storey with the flat blocks at 2.5 and 3 storey. The scheme includes single storey garages. Dwellings would be a mix of 1-4 bed units.

DA1.8 Parking would be accommodated in accordance with the Council's parking standards. Generally the majority of the detached properties would benefit from a garage and 2 other parking spaces.

DA1.9 Refuse collection points have been incorporated into the scheme together with refuse vehicle turning heads.

DA1.10 The dwellings have been designed to take account of local distinctiveness. Buildings would take a simple form. Key buildings are proposed in key locations. Roofs would be steep pitched and of hipped construction with bonnet or half round hip tiles. White eaves and fascia boards are proposed with black rainwater goods. Facing materials would comprise red bricks, tile hanging and weatherboard. Windows would be white uPVC.

Planning Statement (updated version June 2018)

PS1.1 The objective of the development is to provide a sustainable development of new family homes set within a high quality landscape that protects and enhances the environment and provides a mix of homes for the local community.

PS1.2 The development has been designed to high standards of sustainable development both in location, mix, design and construction, to minimise the carbon footprint.

PS1.3 The site is sustainably located within Tenterden which provides a wide range of goods and services including supermarkets, schools, shops, leisure facilities, places of worship and sports facilities.

PS1.4 The site is located near to two grade II listed buildings and a non-designated heritage asset (Belgar Farmhouse, Belgar Barn and Belgar Oast). The development would not affect the setting of the Belgar group of buildings.

PS 1.5 In granting outline planning permission, the principle of the development on the site has now been accepted. The outline permission was accompanied with a Unilateral Undertaking. The payments set out in this would be phased in accordance with the triggers that are set out within the agreement. 35% affordable housing is proposed.

PS 1.6 The outline masterplan created a scheme built on enhancing the local community whilst protecting and enhancing the countryside and the adjacent AONB. This scheme proposed a spacious arrangement of dwellings with large landscaped gardens connected by a series of links. The tree lined southern site boundary would be retained and enhanced.

PS 1.7 Application to discharge the planning conditions related to the outline permission will be submitted in due course following the determination of the reserved matters application. (Condition 06 has been submitted for discharge and approved. This related to the Construction Management Plan and was required to be submitted to enable a European Protected Species Licence to be obtained from Natural England).

PS 1.8 The layout has been significantly informed by ecological matters and the requirement to retain areas of the site for ecological purposes.

PS 1.9 Through pre-application discussions, design review and client review the layout submitted has been through several iterations. Further alterations were made during the course of the application to take account of statutory consultee comments and ABC's officer's comments.

PS 1.10 A Statement of Common Ground between Kent Highways and the applicant agreed out the outline appeal stage confirmed that one access point was required into the site. Access would be from Priory Way at the Junction with Tilden Gill Road, through the existing car park which the applicant has recently taken ownership of from the Council. 13 car parking spaces are proposed to be re-provided at the site access to mitigate the removal of the existing car park.

Extended Phase I Habitat Survey (revised 04 October 2018)

E 1.1 This type of survey provides information relating to habitats within the site and identifies potential for and, if apparent, evidence of use by protected species within the site. In addition, it provides recommendations for further surveys if required.

E 1.2 The site was originally subject to surveys in 2014 and further updated in 2017 and 2018. Surveys have been carried out in relation to bats, badgers, great crested newts (GCN), reptiles, dormice and breeding birds.

E 1.3 No rare or endangered botanical species or habitats have been identified.

E 1.4 Suitable terrestrial habitat for great crested newts is present within the Site and presence/likely absence surveys were undertaken. Desk study records of GCN presence were also taken into account. A *Medium* population of GCN was considered to be present in the local landscape and pond network. There were no changes in site conditions during the update 2017 survey that are likely to affect this evaluation. A European Protected Species (EPS) mitigation licence from Natural England is required to permit the work.

E 1.5 Terrestrial habitat for reptiles was identified in 2014 and an *Exceptional* population of slow worms was found, as well as a *Good* population of common lizard and grass snake. The former orchard and former arable fields have become more suitable for reptiles and the proposals have altered to include the re-landscaping however the mitigation strategy is still fit for purpose.

E 1.6 Trees with potential bat roost features have been identified. In 2014, a common pipistrelle was recorded emerging from one of these trees (T7) during a June emergence survey, however this field maple is not due to be affected by the proposed development. Three willow trees are due for removal (T9, T10, T11) and two bat emergence surveys (May-September) are required to determine whether a roost is present.

E 1.7 On 15th May 2018 the first survey was undertaken and no bats emerged from the trees in question and a second survey is due in early June. Aside from the results of the two emergence survey, a supervised soft-felling

approach will be required for these trees. An EPS licence may be required pending the results of the June emergence survey.

E 1.8 Badger activity has been recorded in and around the site, including a well-used latrine within the site and a sett with two entrance holes on the southern boundary. The design layout avoids impacting this sett and precautionary advice has been given to maintain foraging and commuting routes.

E 1.9 Suitable dormice habitat is present but there was no confirmed presence recorded during 2014 surveys.

E 1.10 An ecological management plan has been devised to maintain and enhance biodiversity.

Ecological Management Plan

EMP 1.1 The strategy aims to enhance the site for all biodiversity including plants, invertebrates, reptiles, amphibians, bats, badger, birds and small mammals. The principal species that are targeted as part of this plan are great crested newt and reptiles. It is proposed that the mitigation measures would provide a range of biodiversity benefits.

EMP 1.2 Monitoring is proposed to be carried out to determine whether the mitigation, habitat enhancement and habitat creation measures have been successful and whether the management recommendations within are being carried out successfully. In the event that monitoring finds a failure in mitigation or management, then remedial measures are proposed.

Arboricultural Impact Assessment

AIA 1.1 This report looks at the effect of proposed development on trees within influence of the application site.

AIA 1.2 The previously submitted tree survey information prepared for the site (outline application) is out of date. . The information has been replaced, including additional work not included at the time of the original application.

AIA 1.3 The site does not occur within a Conservation Area, but does contain trees protected by a Tree Preservation Order.

AIA 1.4 To implement the development proposals it will be necessary to remove 31 individual trees, 5 groups of trees, and partially remove on further group and one area of dilapidated orchard. The removals major on lower quality components, and have been the focus of a site meeting between Aspect and the LPA's tree officer during November 2017. The principal difference between the currently proposed layout and the approved, is the agreed removal of an additional 2 Willows.

Statement of Community Involvement

SCI 1.1 The applicant has carried out a programme of stakeholder engagement and consultation to seek feedback from residents, councillors and other stakeholders on the proposals for the site.

SCI 1.2 An online consultation was carried out between 12th the January - 26th January 2018. There were a total of 65 respondents, with all responses coming digitally via the website or by email. Around 25 percent of respondents agreed with the proposals as set out in the consultation and on the project website (www.homesfortenterden.co.uk). Ahead of the consultation, leaflets were distributed to 508 addresses in the immediate vicinity of the site off Tilden Gill Road.

SCI 1.3 Contact was made with local ward members, Councillor Knowles and Councillor Clokie. A meeting was held with Cllr Knowles in January 2018. Councillor Clokie and Councillor Burgess, chair of the Planning Committee, declined the opportunity to meet with Redrow.

SCI 1.4A meeting was held with the Belgar residents group on 24th January 2018, to discuss the latest revised plans for the development, the consultation programme, and the details of the outline planning consent.

Surface Water Drainage Technical Note (October 2018)

SWD 1.1 The technical note provides details of the drainage survey carried out to confirm the existing flow control on the existing surface water drainage from Belgar Farm development and what effect this has on the proposed surface water strategy.

SWD 1.2 Foul water from the development will be collected via a system of piped drainage and directed towards a new pumping station proposed to be constructed towards the southern portion of the site. It is proposed that all foul water pipes are to be adopted by Southern Water.

SWD 1.3 The proposed foul water pumping station is to be designed to adoptable standards and adopted by Southern Water.

SWD 1.4 It is proposed that there will be a dedicated access track and turning head for the pumping station to facilitate any required access and maintenance.

Heritage Statement

HS 1.1 The application site comprises an area of land located to the SE of Tenterden. Tenterden first grew in prominence during the thirteenth century due to the wool trade. It was not until the late twentieth century that Tenterden was

subject to eastern expansion. Given this twentieth century context, the application sites south eastern environs presently represent the logical potential for twenty-first century expansion.

HS1.2 Despite not being subject to any heritage designation itself, the application site nevertheless abuts the curtilage boundary of a Grade II listed farm complex – comprising two individually designated properties. As such, current proposals have been consciously evolved to achieve the provision of additional housing without effecting negative impingement upon the setting of the heritage assets.

HS1.3 Proposals aim to implement a considered and high quality design, ensuring that the setting of the listed buildings are both preserved and enhanced without adversely any special inherent interest to these. This has been achieved by ensuring that all proposed built form is sufficiently set back from relevant boundaries (where practically possible), in conjunction with extensive buffer planting; thus reducing the potential for directly impinging impacts upon setting.

HS1.4 Enhanced landscape screening is proposed to these important boundaries and throughout the wider scheme more generally to ensure that any views of the new development are softened and/or broken up. Otherwise it is proposed that a semi-rural approach into Tenterden will be maintained, although it is pertinent to reiterate that this approach – and therefore the settings of Belgar Farm and its associated barn have already been subject to extensive alteration following the late twentieth century residential growth.

HS1.5 Proposals can therefore be seen to have responded to not only the relevant Act but also the wider regulatory context. The NPPF sets out that the LPA should take account of the desirability of new development making a positive contribution to local character and distinctiveness. Proposals will therefore respond positively to the historic context and would achieve a high standard of design and layout that would not adversely impact upon either the listed buildings or their settings.

Design South East Design Review

DR 1.1 This application was subject to a design review with Design South East in December 2017. The Panel's report is attached as **Annexe 2** to this report.

Planning History

18/00858/AS - Variation of conditions 5 (tree works) and 08 (highways improvements) on planning permission reference 14/01420/AS. This application was withdrawn at the applicant's request. The additional tree works are proposed to be dealt with under the reserved matters application subject of this committee report.

15/01187/AS – Full planning permission granted for the erection of a two storey block of 4 flats, with associated car parking and external works. This proposal which relates to part of the current application site (the area of access) has not been implemented.

14/01420/AS – Outline planning permission was granted by the Planning Inspectorate for the erection of up to 100 dwellings, parking, and landscaping, open space and associated works. (During the course of this appeal the outline application was amended to remove access as an outline matter. This subsequently became a reserved matter).

14/0001/EIA - Screening opinion in respect of proposals for residential development of the site. The LPA concluded that an EIA was not required for the proposed development. As part of the current application a further screening opinion has been undertaken. It is the Council's view that the proposed development does not require an EIA.

Consultations

273 Neighbours consulted, **5** letters of objection received. Issues summarised below:

- The development would result in additional traffic and congestion.
- There are already cars regularly parked on the roads causing junction visibility problems.
- There should be another access from Appledore Road to serve the development.
- The loss of the parking area on priory way will be an inconvenience and displace a number of cars.
- Services are already overstretched.
- There has been insufficient public consultation.
- There is new housing in Tenterden being built now that has yet to be sold. Another 100 houses are not needed.
- The site access is poor.
- The proposals would have a negative impact upon wildlife.
- The doctor's surgery and schools will not be able to cope with the additional residents.

- The Council lost the outline appeal because of its failure to demonstrate a 5 year housing land supply. That position has now changed and this housing is therefore not needed.

[HoDM&SS comment: The development has the benefit of outline planning permission. As such it is not possible for the Council to revisit the principle of the development but it is correct that the 5-year housing land supply was a significant issue considered at the appeal. The Tilden Gill site, with the benefit of the outline permission, now forms part of the Council's 5 year housing supply.]

- The proposed parking would not be adequate. Even though it meets KCC guidelines these are unrealistically low.
- The town does not provide adequate employment opportunities.
- Public transport provision in the area is poor.
- The proposed density is not low and the gardens are not generous.
- The development would result in the loss of one of the last green areas in Tenterden.
- The increase in traffic movements will be dangerous for pedestrians.
- Cars will be queuing at the crossroads where many elderly residents live nearby.
- The development would put an increased demand on water demand. This will reduce the pressure and supply. Weather conditions this year have already had an impact.
- The number of HGVs will likely cause damage to vehicles and create duct and other disruption. Who will pay the compensation for damage or cleaning?
- The boundary adjacent to Belgar farmhouse should have an increase buffer strip in order to protect its setting.

Belgar Residents' Group: Object stating the following;

Arboriculture: The original tree report is out of date. A new report should be considered as things on site will have changed. It should also consider trees along the boundary outside of the site. Root protection areas would be compromised as a

result of the layout.

[HoDM&SS comment: A new arboriculture report has been provided with this application. The applicant's arboriculturalist also engaged with the Council's tree officer at the pre application state to look at the condition of the trees on the site. The outline permission also required the tree works to be carried out in accordance with the approved arboricultural report.

Boundary Treatments: The proposed fencing would not be adequate along the boundary. ABC's cabinet report agreed the inclusion of a buffer strip along the site boundary. This should be a meaningful buffer.

[HoDM&SS comment: The amended plans show a mixture of boundary treatments along this part of the site boundary. Soft landscaping is also proposed.

Heritage: No acceptable heritage assessment has been submitted with the RM application. The setting of the heritage assets would not be enhanced.

Drainage: The Belgar properties do not have modern drainage. The proposals are not clear about how drainage would be dealt with.

House types: The proposed style of housing is out of character with Tenterden. A style more in keeping with the listed buildings would be more appropriate. Redrow should be able to do better.

Tenterden Town Council: Objects for the following reasons:

1. The style of housing is out of character with the area.
2. The buffer strip is not sufficient.
3. Boundary treatments are inadequate.
4. A play park should be included within the development as the proposed access is located adjacent to one which is dangerous.

[HoDM&SS comment: The outline permission secured off site play contributions rather than on site provision.

5. The flats should be located nearer to the access into the site.

[HoDM&SS comment: This layout alteration was put to the applicant but has not been taken forward in the amendments submitted]

Tenterden and District Residents' Association: Object. Comments are summarised as follows:

1. There is no relevance to using the 'arts and crafts' style for Tenterden. A meaningful and detailed study of the local vernacular architecture is required and the materials and detailing need to be interpreted in a high quality and convincing manner.

2. The 3-storey flats at the south-east end of the proposed development will have a negative impact on the adjacent AONB and should be relocated towards the entrance to the site.
3. The protective buffer zone adjacent to the listed setting of Belgar is insufficient.

KCC Flood and Water Management (SuDS): Holding objection whilst awaiting an updated strategy and additional information.

[HoDM&SS comment: This has now been received and further comments received – see re-consultation response]

KCC Highways and Transportation: Requests further information and amendments to the scheme.

[HoDM&SS comment: Amendments received. See re-consultation response.

ABC Project Office (Drainage): Comments as follows:

The application has been reviewed in conjunction with comments from Kent County Council's Flood Risk Project Officer (In their capacity as Lead Local Flood Authority). It is understood that a pre-application meeting has taken place with KCC and it has been agreed that further information is to be submitted with regards to the surface water management proposals. As such, further comments shall be made once this additional information is forthcoming.

KCC Public Rights of Way: Comments as follows:

Public footpath AB36 will be directly affected by the development. The walked route is not the definitive footpath route. If a diversion is therefore required this should be considered at an early stage.

As a result of the development a section of footpath AB36 will become enclosed behind houses which do not overlook the route. To incorporate AB36 within the development, ensuring the permeability and natural surveillance required; AB36 should run within a wide corridor of green space.

Environment Agency: No objections and no comments to make.

KCC Biodiversity and Ecology: No objection stating that the proposed mitigation can be implemented within the site layout. Also comment that the information submitted within the ecological management plan is acceptable and advise that it must be implemented as soon as the habitats have been established.

High Weald AONB Unit: Comments as follows:

The AONB unit recognises that the proposal already has the benefit of outline planning permission. It is considered that the flats are poorly located and should be relocated closer to the access.

Requests that a condition requiring a management plan for open spaces and drainage systems be attached to any permission.

River Stour Internal Drainage Board: No comments.

Romney Marsh Internal Drainage Board: No objections stating the following:

The site is located outside of the Stour IDBs district and as it is believed to drain eventually to the Romney Marsh. The proposal will not affect RSIDB interests. Surface water should be managed in accordance with ABC's SuDS Policy, with details agreed with KCC's SuDS Team and ABC's own Project Engineer.

Kent Police: No objections but request that the applicant contacts Kent Police to discuss crime prevention measures.

Kent Fire and Rescue: No objections stating that the means of access is considered satisfactory.

ABC Housing Manager (Affordable Housing): Comments as follows:

There should be a balanced, tenure-neutral mix rather than a cluster of properties on the development. Additionally, properties should meet the Nationally Prescribed Space Standards.

Weald of Kent Protection Society: Objects. Comment are summarised below:

1. There should be a 10-15 metre buffer strip between the development and the ancient woodland and a similar buffer along the Belgar farm boundary.
2. The arts and crafts design approach would not reflect the location.

Ashford Access Group: Comment that paths should comply with regulations regarding widths and wheelchair accessibility. Also dropped kerbs and textured paving should be carefully alienated.

Re- consultation (carried out after the receipt of amended plans October 2018)

273 Neighbours consulted, **4** additional letters of objection received. Issues are summarised below:

- The development would generate additional traffic that would pass through Shrubcote,

- Why are no garages being built? Residents need them for storage purposes.

[HoDM&SS comment: Some integral garages are proposed but have not been counted as a parking resource given the tendency of many residents to not use them for parking vehicles].

- The pedestrian access point between Tilden Gill and Abbot Way should be staggered to prevent illegal use by motorbikes.
- Concerns that the construction of the new access will cause disruption for residents.
- Residents do not want this development in any shape or form.

[HoDM&SS comment: This application is a reserved matters application and therefore the site already has planning permission in principle for a development of housing].

Belgar Residents' Group: Object. Comments are summarised below:

1. The revisions relate to some of the detailed issues around materials specifications and other details, but the fundamental design of the scheme has not changed.
2. No changes have been made to the configuration of development on the western boundary of the Belgar settlement. This is the boundary that is closest to the listed building of Belgar Farmhouse and the layout as proposed would have a detrimental impact on the setting of the listed building.
3. The revised landscape plans continue to show little detail regarding the planting along the western boundary, relying on the planting that already exists within the Belgar property, which is outside of the applicant's control. The development should provide its own buffer zone, with suitable planting, along this boundary to protect the setting of the listed buildings at Belgar.

Belgar Residents Group (additional comments received 28 Nov 2018):

Objection comments summarised as follows:

1. Having met with the developer it is clear that the decision to position 5 dwellings close to the boundary with Belgar Farm is a commercial decision to allow the building of 100 dwellings. It appears that the developer is not minded to move these units unless the planning authority requires them to do so despite strong objections from neighbours.
We discussed with them the directive given at Appeal for them to respect the setting of the listed building.
2. The sale of the land for the access by ABC requires the provision of a buffer strip along the Belgar Farm boundary. This is a condition of the sale of the land.
3. The listed buildings and their settings must be protected.

4. The trees along the boundary also need to be protected (now subject to a TPO).
5. We highlighted the need to protect the trees on the western boundary (particularly given that they are now subject to TPO's).
6. The tree protection areas are not being respected by the design and layout.
7. The neighbouring dwelling currently has a noisy biomass boiler located within the garage which would be close to one of the proposed new dwellings.
8. The depth of the proposed buffer strip is not defined in the cabinet report (June 2017). This should be at least 10 metres but ideally 15.

[HoDM&SS comment: The agreed buffer strip width is 30cm.

Tenterden Town Council: Objects for the following (summarised) reasons:

1. Redrow have not made any changes to the configuration of the development on the western edge of the Belgar Settlement regarding elevations.
2. The Town Council requests a suitable buffer strip on the perimeter of the development, especially around the existing Belgar site. ABC made the inclusion of this buffer strip a condition of agreeing to sell land to the developer. The new buffer strip should run right round the whole Belgar settlement: the barn, the Oast and the farmhouse. Currently Redrow propose to build 5 houses right on the western boundary, within the buffer strip. The buffer strips should be a minimum of 15 meters wide.

[HoDM&SS comment: The land sale was the subject of a report 15th June 2017 to the Cabinet by the Head of Housing. The agreed terms of the land sale by the Council do propose that an area of land along the boundary with Belgar Farm is provided as a new buffer strip. The requirement, however, is only for a 30cm buffer. This 30cm strip involves the southern boundary of the site as well as the boundary around the Belgar group of buildings: this is shown in **Figure 7** below (marked yellow) At the time of writing this report contracts have not been signed and the land sale is therefore not completed.

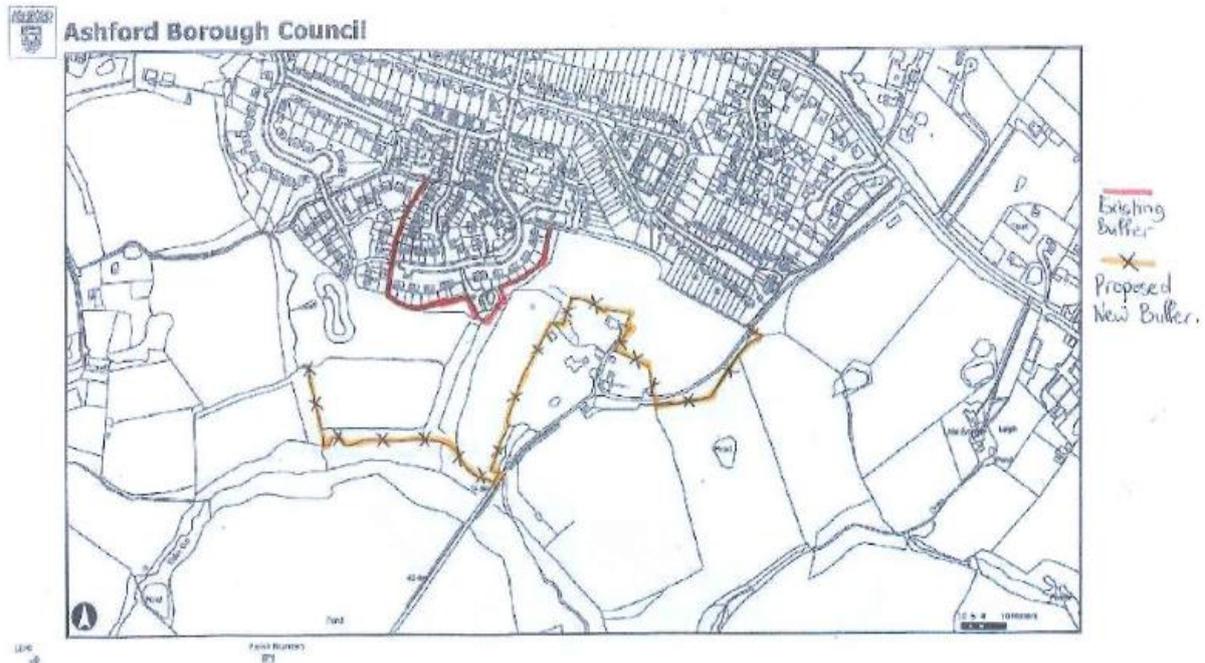


Figure 7: the 30cm buffer strip (shown yellow)

3. The developer's ecology agents have erected herpetosure reptile fencing, with a view to collecting and clearing the site of Great Crested Newts. Natural England have confirmed this work should only be carried out between February and October and no newts should be captured when temperatures drop below 5 degrees. Any open traps should be checked every 24 hours. The Belgar residents have confirmed that the traps were open all weekend, with no checks made and temperatures have dropped given the time of year. ABC should monitor the developer's activities regarding the traps and ensure that Kent County Council Biodiversity & Ecology department also do so.

[HoDM&SS comment: The ecological mitigation works that have been recently taking place on the site are subject to a licence from Natural England. The concerns raised have been reported to KCC Ecology and Biodiversity who have in turn spoken with the applicant ecologists who are caring out this work. KCC Ecology have confirmed that they are satisfied that the works being carried out are acceptable and there is no risk to protected species].

4. The developer has not been in contact with either the residents who are affected by the development or Councillors and the TC are therefore disappointed. The Town Council would like there to be a condition imposed that, before the site layout is finalised and building work starts, the applicant must hold a proper consultation with affected residents and the town council and incorporate into the proposed development the outcome of those consultations.

[HoDM&SS comment: A meeting has subsequently taken place between the developers and the Belgar Residents group and at the time of writing this report it is understood that a further meeting is due to take place between the developer and the Town Council and other residents.

Southern Water: No objection stating that they have undertaken more detailed network modelling as part of a network growth review. The results of this assessment, (to current Modelling procedures and criteria), indicates that the additional foul sewerage flows from the proposed development will not increase the risk of flooding in the existing public sewerage network. Southern Water can therefore facilitate foul sewerage disposal to service the proposed development. A formal application will be required to be submitted for a connection to the public sewer. Southern Water requests an informative relating to this.

KCC Ecology: No further comments to make. This is based upon further additional information provided by the applicant's ecologist that demonstrates that the amended layout will not significantly impact or alter the implementation of the protected species mitigation which has been previously agreed.

Natural England: No additional comments to make.

Kent Wildlife Trust: Raise objection stating the following:

1. There are a considerable number of minor alterations that together represent a significant loss of green space, and we wish to reiterate the concerns expressed by KCC Ecology.
2. On-site trapping works were being undertaken at the end of October. The submitted Great Crested Newt and Reptile Strategy, states that "the installation and removal of fencing and pitfall traps, newt trapping, reptile trapping and destructive searches will all be carried out during the active period which is mid-March to mid-October pending weather conditions and outside of the period of night frosts". The observations of our member suggest that mitigation measures are being undertaken inappropriately and outside agreed time scales.

[HoDM&SS comment: The ecological mitigation works that have been recently taking place on the site are subject to a licence from Natural England. The concerns raised have been reported to KCC Ecology and Biodiversity who have in turn spoken with the applicant ecologists who are carrying out this work. KCC Ecology have confirmed that they are satisfied that the works being carried out are acceptable and there is no risk to protected species].

KCC Flood and Water Management: No objections but request a condition requiring a verification report for surface water drainage to be submitted prior to occupation of any units. Further comments are providing relating to the information that they would ask to be submitted pursuant to condition 04 of the outline permission. This information is required to be submitted prior to the commencement of development.

ABC Project Office (Drainage): No objections subject to the condition proposed by KCC (as the Lead Local Flood Authority) being imposed on any approval of reserved matters.

ABC (Refuse): No objections subject to bin pull distances not exceeding 25 metres (10m for communal bins). Advises that if roadways within the development will be unadopted then an indemnity will need to be sought.

[HoDM&SS comment: Drawing number 6107-SK-024 Rev P06 shows that all roads are proposed to be adopted with the exception of an area of land in front of plots 29-32]

Weald of Kent Protection Society: Object for the following reasons:

1. There should be a balanced mix of housing and no clusters of affordable housing.
2. The proposed new houses (in particular plot 46) is located too close to the heritage assets with an insufficient buffer.
3. A substantial buffer should be introduced to protect the setting of the listed buildings. WKPS will continue to object until this is provided.

Kent Police: Comment that whilst there are many positive Crime Prevention through Environmental Design (CPTED) elements to the application they would encourage the developer to contact Kent Police to discuss avoiding potential conflict, opportunities for crime, anti-social behaviour and nuisance.

Kent County Council Highways and Transportation: No objection stating the following:

1. Street lighting - It is likely that any remaining street lighting matters can be discussed through the adoption process.
2. The applicants have proposed various on street parking bays throughout the site. According to the submitted parking and adoption plans various on street parking bays are shown as allocated rather than visitor bays. To reduce confusion for future occupiers and to rationalise future maintenance, the highway authority maintains that visitor parking bays alongside the public highway should be unallocated and included within adoptable areas.
3. Many of the proposed on street allocated bays are located on private drives. The HA insists that the bay shown as allocated opposite number 98, located on the main spine road through the site, must be changed to a visitor bay and maintained as public highway. The remaining allocated bays throughout the site appear acceptable.

[HoDM&SS comment: The applicant has confirmed that they are seeking to address this point – which might simply related to numbering for proving purposes as opposed intended allocation to a plot - and propose to submit an amended plan prior to the determination of the application.]

KCC Highways and Transportation also suggest that a condition is imposed on any permission to ensure that parking areas are retained for parking in the future and to ensure appropriately bounded surfaces are used at the edge of the highway.

Ashford Access Group: Comments that the texture of surfaces on roads and pavements should be carefully considered to ensure that they do not present difficulties for users. Also states that it is vital that dimpled paving should align exactly with crossings.

Planning Policy

37. 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.
38. 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. On 13 September the Council commenced consultation on the main modifications to the draft plan, this consultation has now closed.
39. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

GP10 – Conserving and enhancing Tenterden's special character.

GP12 – Protecting the countryside and managing change.

EN9 – Settings and entrances to towns and villages.

EN10 – Development on the edge of existing settlements.

EN30 – Nature conservation sites.

EN31 – Important habitats.

EN32 – Important trees and woodland

Local Development Framework Core Strategy 2008

CS1 – Guiding principles

CS2 – The borough wide strategy

CS9 – Design quality

CS10 – Sustainable design and construction

CS11 – Biodiversity and geological conservation

CS12 – Affordable housing

CS13 - Range of dwelling types and sizes

CS15 - Transport

CS19 – Development and flood risk

CS20 – Sustainable Drainage

Tenterden and Rural Sites Development Plan Document 2010

TRS2 – New residential development elsewhere

TRS17 – Landscape character and design

TRS18 – Important rural features

40. The following are also material considerations to the determination of this application.

Ashford Local Plan to 2030 (Submission Version December 2017)

SP1 – Strategic objectives

SP2 – The strategic approach to housing delivery

SP6 – Promoting high quality design

HOU1 – Affordable housing

HOU5 – Residential windfall development in the countryside

HOU12 – Residential spaces standards internal

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

TRA3a – Parking standards for residential development

ENV1 – Biodiversity

ENV3a – Landscape character and design

ENV4 – Light pollution and promoting dark skies

ENV5 – Protecting important rural features

ENV6 – Flood risk

ENV8 – Water quality, supply and treatment

ENV9 – Sustainable drainage

ENV12 – Air quality

ENV13 – Conservation and enhancement of heritage assets

Supplementary Planning Guidance/Documents

Affordable Housing SPD 2009

Residential Parking and Design Guidance SPD2010

Sustainable Drainage SPD 2010

Landscape Character SPD 2011

Residential Space and Layout SPD 2011

Sustainable Design and Construction SPD 2012

Public Green spaces and Water Environment SPD 2012

Dark Skies SPD 2014

Informal Design Guidance

Informal Design Guidance Note 1 (2014): Residential layouts & wheeled bins

Informal Design Guidance Note 2 (2014): Screening containers at home

Informal Design Guidance Note 3 (2014): Moving wheeled-bins through covered parking facilities to the collection point

Government Advice

National Planning Policy Framework (NPPF) 2018

41. 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:-
42. Paragraph 48 states in relation to the stages of preparing a Local Plan 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 this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”

43. Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
44. Paragraph 59 relates to the need for the delivery of a sufficient supply of homes. It states that in order to support the Governments objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. It also states that land with permission (as is the case here) is developed without unnecessary delay.
45. Section 12 of the NPPF refers to achieving well-designed places. As such the creation of high quality buildings and places is fundamental to what the planning process should achieve. Good design is a key aspect of sustainable development, creates better places to live and helps to make development acceptable to communities. It is therefore clear that design expectations is essential for achieving this. Paragraph 127 states the following in relation to good design. It specifies that decision should ensure that developments:
 - Will function well and add to the overall quality of the area. not just for the short term but over the lifetime of the development.
 - Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
 - Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
 - Establish or maintain a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive welcoming and distinctive places to live work and visit.
 - Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks, and
 - Create places that re safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users...

46. Paragraph 129 of the NPPF states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way that it functions.
47. Paragraph 184 states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 200 makes it clear that new development within the setting of heritage assets should enhance or better reveal their significance. Proposals that preserve the setting and make a positive contribution to the asset should therefore be treated favourably.

Assessment

48. The main issues for consideration are:
 - The principle of the development
 - Whether the proposed accommodation mix is acceptable
 - Whether the proposed approach to car parking is acceptable
 - How well the proposal performs in relation to the Council's adopted Residential Space Standards
 - Acceptability of approach to refuse collection
 - Whether the built form in terms of scale, massing, appearance and layout would be appropriate, would help to deliver character areas and be in keeping with that which is aspired to.
 - Impact of the development upon designated and non-designated heritage assets.
 - Whether the applicant's approach to surface water drainage, landscaping, ecology and biodiversity is acceptable.

The principle of the development

49. The site is a windfall site rather than a site allocated within the Development Plan. As such there is no specific planning policy or related Development Brief associated with the development. The housing numbers proposed are included within the Council's housing trajectory.

50. The Planning Inspectorate, in granting outline permission, made it clear that the 'up to' quantity of housing proposed was not one that would preclude an unacceptable layout. The Inspector also stated in granting permission that the proposal would make a particularly important contribution to the provision of affordable housing and would provide land for development of the right type and in the right place with only moderate harm to the environment.
51. Given that the site has the benefit of outline planning permission for up to 100 dwellings, whilst it is clear that some of the objections to the proposals relate to an objection to the development as a matter of principle, residential development has been accepted for this site and cannot be revisited under the scope of this application.

Whether the proposed accommodation mix is acceptable

52. Policy CS13 of the Core Strategy and emerging policy HOU18 of the Local Plan requires major development proposals to deliver a range and mixture of dwelling types and sizes to meet local needs.
53. The proposed development would provide a mixture of 2, 3 and 4 bedroom dwellings and flats. The overall density is relatively low and the majority of the private ownership dwellings would be detached dwellings as is fairly standard for the applicant's chosen 'Heritage' range. Further, the introduction of x 3 apartment blocks has consequentially allowed for a higher proportion of detached dwellings to be included. Notwithstanding this, I consider that the proposals provide a reasonably varied mix of 2, 3 and 4 bed units and the approach to affordable housing is also suitably varied in order to comply with the policy requirements: the Housing Manager raises no objection.
54. I consider the proposed mix to be acceptable and consistent with the requirements of planning policy and in terms of how it would contribute to the overall mix within Tenterden.

Whether the proposed approach to car parking and bicycle storage is acceptable

55. The proposed car parking provision would meet that which is required by the Council's Residential Parking SPD and in some cases the provision is exceeded in relation to the larger detached properties that are proposed (where more is then able to be provided on plot).
56. Parking is proposed to be provided in a variety of forms, including garages, on plot open spaces and on street parking. Parking Courts would serve the apartments. A number of house types would have integral garages and whilst I do not consider that this fits well with the applicant's description of the

homes as 'Heritage' style housing and creates an element of inactive frontage as a result it is a modern approach that has been accepted elsewhere. The applicant is unwilling to alter the house types concerned. Where enclosed garages are proposed I have not counted them towards the quantum of parking that is needed: they will remain an additional parking resource if so desired by the occupiers.

57. Each dwelling would be provided with a shed in the garden which is proposed to function as bicycle store as well as additional domestic storage. In addition the proposed apartment blocks also make adequate provision for the secure covered storage of resident's bicycles via extensions to the buildings concerned also containing separate communal refuse stores.
58. Further, the applicant has confirmed that all dwellings with a private parking space will be provided with electric vehicle charging points in the form of a 'WallPod Ready' socket. It is also proposed that similar provision will be made within the parking areas of the apartment blocks through the provision of a 'Charge Online' or similar system. Should permission be granted it is suggested that this is secured by condition. The provision of appropriate facilities for the charging of electric vehicles is welcomed and is in accordance with emerging policy ENV12 of the emerging local plan which seeks to reduce emissions and improve air quality. The fine details of this condition can be refined in due course including making sure car parks are future proofed in design to easily accommodate changes to private car propulsion.
59. In the light of the above, and following consultation with KCC Highways and Transportation, subject to a minor change relating to the parking arrangements for plot 98 (which has been agreed in principle at the time of writing this report with the applicant) the parking and bicycle storage arrangements are acceptable.

How well the proposal performs in relation to the Council's adopted Residential Space Standards

60. Each individual house type proposed accords with the nationally described space standards and the Council's Residential Space and Layout SPD essential minimum floor areas and room dimensions. In some cases these standards are exceeded given the large number of larger detached dwellings proposed.
61. The proposed garden sizes also meet the standard and each block of apartments would benefit from a landscaped communal garden area that would provide an attractive area for residents without being overtly overlooked from the public gaze whilst remaining overlooked by residents in the interest of security.

62. The apartments would each additionally benefit from private balconies or ground floor terrace space and some of the balconies would benefit from views across the AONB to the east. In light of the above, I consider that the scheme would incorporate an acceptable level of amenity space (private and communal) for residents and is therefore acceptable and in line with the Supplementary Planning Document published further to Core Strategy Policies CS9 and CS10.

Acceptability of the approach to refuse collection

63. All refuse bin pull distances for both householders and bin operatives are within the distances specified within the British Standard and Part H of the Building Regulations. Whilst there are a handful of pull distances that fall slightly below the stricter good practice distances set out within the Councils Residential Layouts and Wheeled Bins guidance (Dec 2014) this relates to very few properties and is therefore marginal and in these cases the arrangement is straight and simple, with as few turns as possible. I am consequently satisfied that an appropriate balance has been struck with the aim of keeping distances to pull bins manageable for the occupiers together with good design/place-making.

Whether built form in terms of scale, massing, appearance and layout would be appropriate

64. As a result of my concerns, whilst the architectural style proposed is a standard Redrow product ('Heritage' range) replicated at sites all over the UK, the applicant has made a number of changes to the elevations of properties to improve the extent to which style and materials move towards those commonly found within the historic areas of Tenterden. The chosen materials are now suitably varied and of improved visual quality, particularly the quality of vertical tile hanging. The materials are a good improvement from those originally submitted.
65. The layout has also been refined to ensure that houses are now grouped together in a more coherent way and the creation of two distinct character areas is also a positive change to the scheme. Whilst the majority of the houses have hipped roofs there are some gabled elements which helps to provide some variety and interest. Officers I am, however, disappointed that the applicant has decided not to include chimneys which would have further improved the design by providing a vertical emphasis and would have been more in keeping with a more faithful heritage approach as these are typical traditional features and other volume developers do provide these.

66. The proposed two-storey scale of the dwellings and two and three storey blocks of apartments is appropriate and in context with the surrounding development and rural character. The applicant has declined to take up my suggestion of moving one block to a location close to the entrance which is disappointing given the comments from the Town Council on this matter. However, this would not, in my opinion, constitute a reason for refusing approval of the application.
67. The layout has been amended through negotiations however it has to be noted that the parameters of the appeal decision, the shape of the site, the illustrative layout supporting the outline application together with the ecological mitigation needs and the challenging levels change combine to limit the scope for fundamental changes to the delivery of new homes at this site.
68. To the north of the site, where it adjoins the public right of way, the layout has been changed to respond to the concerns raised by KCC PROW officers. The applicant has chosen to retain the public right of way where it currently runs. Because the walked path does not follow the definitive route a small diversion is required to the rear of plot 9. KCC will need to agree to this diversion through normal procedures separate from this application. Further, in order to accommodate more space around the footpath, plots 4-7 have already been reoriented into a courtyard arrangement: a response from KCC is awaited as to whether the amended layout removes the previously stated concerns
69. The area to the west of the development known as the orchard has also been amended to create a slightly more irregular form of development. The houses have been set back at different distances and these 'pushes and pulls' will, in my opinion, aid the visual impact of the development as there is no layout reason for a highly regular straight building line arrangement in this part of the site.
70. In terms of the location and grouping of the affordable housing, this has been clustered in 3 locations which are to the east of the site, in the centre with the largest number then located to the west of the site adjacent to the boundary with the AONB.
71. Whilst the affordable units would be better slightly more dispersed throughout the development, I consider the locations are considered acceptable in relation to the requirements of the Council's SPD and the approach has been agreed by the Housing Manager. Furthermore, balconies have now been provided to the affordable apartments and elevational improvements been made to improve their design quality and the areas around them. The combination of the two will help them to appear tenure blind.

72. However, at the time of finalising this report I am still negotiating with the applicant to improve the hard landscaping to the area at the east of the site where the affordable units are proposed as part of a shared surface arrangement. At present, this is tarmac. I wish to see block paving to (a) help slow vehicle speeds in an environment that will be shared surface, (b) to stitch this end to the site together in a cohesive manner that is appropriate to the location close to the AONB boundary and (c) ensure that the surfacing approach is also 'tenure blind' by providing enhanced quality surfacing of the same calibre as the applicant is proposing at the western side of the site. I will update the Committee as to the outcome of this issue and, obviously, if not achieved Members may wish to consider whether the scheme should be approved without such changes.

Impact of the development upon designated and non-designated heritage assets.

73. In allowing the outline appeal the Planning Inspector concluded that it was not necessary for the Belgar farmstead to remain physically isolated from all other development in order either to continue to be able to understand its historic use or to ensure the conservation of the heritage assets here. The Inspector also made it clear that the quantity of development (i.e. up to 100 dwellings) could be achieved with a suitably detailed layout that would not affect the significance of the heritage assets. With this in mind, and taking into account the illustrative layout that was before the Inspector at the time of reaching this decision, it is not possible to assume that he envisaged that no development would be possible adjacent to the boundary with the group of buildings that make up the historic Belgar farmstead.
74. Whilst it is disappointing that the layout has not gone further by sensitively making these existing heritage buildings more of an overt focal point adjacent to the new development by surrounding them with a greater sense of space (the proposed nearby dwellings instead largely would back onto these assets) In essence, the majority of the comments made by the Panel cover the same overarching issue i.e. seeing the constraints presented by the shape of the site and its changing levels as one that needs a more bespoke approach. Nevertheless, I do not consider that the scheme could be refused on this basis in the light of the appeal context relating to the granting of outline permission. It remains, in my opinion, a missed opportunity to create a more attractive development with greater sense of place related to its surroundings (which would, itself, generate enhanced sale values) and as I have identified, the changes negotiated (and still under consideration) improve the design quality.

75. The concerns of objectors and the Town Council are also noted: both wish to see a more substantial buffer strip provided along the boundary with the Belgar farmstead group. The applicant is aware of this. Given the level of dissatisfaction from the existing community on this point I would welcome improvements to this boundary to meet the concerns raised. If changes are not forthcoming then Members may wish to defer the application for an improved width buffer strip here to provide additional screening and set homes clear of that. I consider that this would assist manage the relationship between new and existing homes in an improved manner notwithstanding the lack of overt consideration by the Planning Inspectorate in granting outlain planning permission.

Whether the applicant's approach to surface water drainage, landscaping, ecology and biodiversity is acceptable.

76. The application site does not fall within Flood Zones 2 or 3 and as such it is classified as Flood Zone 1 meaning that it has a low probability (<0.1%) of fluvial or tidal flooding.
77. Surface water drainage has been designed and is proposed to be constructed in line with the drainage strategy which has been agreed with KCC who are the Lead Local Flood Authority. I am satisfied that there would be no increase in surface water flood risk at the site. The proposal involves retention of a reasonable number of existing water management elements at the site including ditches and pond areas in an interlinked manner and so provides a conjecturally appropriate 'blue grid' structuring the site. The aforementioned wider buffer strip issue would work well with this.
78. In terms of soft landscaping the proposals would include the retention of some of the existing trees which would be further enhanced through the provision of additional tree planting around the site boundaries and within the site. These would consist of native and ornamental species and the applicant proposes to utilise larger stock sizes where possible. The area of informal open space with wildlife/SuDS pond would be surrounded by areas of long grass, trees and scrubs.
79. To the southern edge of the site adjacent to the ancient woodland, a buffer strip of 15 metres is proposed. As well as providing protection to the woodland this will also assist in providing a variety of habitats. This area will be managed to replicate a natural woodland edge with native species.
80. Increased tree provision has also been negotiated as part of the design negotiations. Trees are proposed throughout the site in gardens and on street to help to soften the street and the impact of the development. The presence

of trees will also assist in creating shade for residents, micro-climate modulation and further provision of habitat.

81. Further, following discussions with the Council's tree officer I have concerns about the proximity of the development to the eastern boundary where it abuts the garden of Belgar Farm. These concerns have also been raised by the Town Council and residents of Belgar Farm.
82. I am satisfied that the development would not be located within the RPA of the trees along this boundary, some of which are protected by the recent TPO. I am further satisfied that some further growth could be accommodated. As such, the development would be located within minimum tolerances but a wider buffer would be of greater comfort and would help to ensure the longevity of the trees. I also feel that a wider buffer strip here would provide an improved visual break between the new development and the existing Belgar group, further enhancing the setting. Such a change would also lessen local residents concerns. This change would result in the loss of plots 46 and 56 however I consider that these could easily be relocated elsewhere without significant changes to the overall quantity of development. The proposed relationship between the new development and the Belgar Farm boundary can be seen in **Figure 8** below.



Figure 8: Boundary with Belgar Farm

83. In light of the above, I would recommend that if members of the planning Committee are minded to approve this application that it is subject to the receipt of appropriate amended plans that provide a more meaningful buffer strip along this boundary.
84. Detailed ecology survey work has been ongoing since outline permission was granted for the scheme in 2014. This is in accordance with the requirements of the outline permission. The key findings of these surveys to date appear consistent with information previously gathered in relation to protected species and habitats.
85. In line with the comments of KCC Ecology, I am satisfied that the key ecological impacts associated with the development have been appropriately dealt with.
86. The applicant proposes bird boxes and a landscaping approach that balances visual interest and creation of spaces with different character with approaches that will generally help boost biodiversity. Overall, I consider the way that biodiversity is approached within the scheme to be acceptable.

Human Rights Issues

87. 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

88. 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

89. The proposal would accord with the Development Plan as a whole.

90. This is a reserved matters application and therefore the principle of the development has been accepted and cannot be revisited. Outline permission was granted at a time when the Council was unable to demonstrate a deliverable 5 year housing land supply.
91. The proposed number of dwellings would be in accordance with the outline permission. The proposed density of 19dph is considered to be acceptable given the location of the development on the edge of the town and adjacent to the AONB. It would provide an appropriate transition from the higher density development of Shrubcote and Priory Way.
92. The proposals take account of supplementary planning documents and guidance.
93. The proposed type and mix of homes has been chosen to meet local market demand and is also in broad compliance with the Council's SMHA. The amount of affordable housing (35%) is in accordance with the S106.
94. The development would accord with the Council's adopted parking standards
95. The development would meet the nationally described Space Standards and the Council's adopted standards in relation to internal space and private external space.
96. The applicant has gone some way to amend the design of their standard 'Heritage' house types in an effort to provide a higher design quality. Whilst the Council has clear design expectations and seeks to raise the standard of design across the Borough the outline permission was granted pre 2018 NPPF and prior to the submission of the new Local Plan. The improvements to the overall design of the housing is considered to be acceptable in the specific context of this case
97. On balance, and subject to the satisfactory resolution of the outstanding items needing final resolution I consider that the application (in its amended form) now represents a scheme that can be approved.

Recommendation

Permit

Subject to resolution, to the satisfaction of the Head of Development Management and Strategic Sites or the Joint Development Control Managers, of any outstanding matters relating to the submission of appropriate amended drawings relating to hard and soft landscaping, the provision of a wider

planted buffer strip along the boundary with Belgar Farm and updated parking provision for plot 98.

Subject to the following Conditions and Notes:

(with delegated authority to either the Head of Development Management and Strategic Sites or the Joint Development Control Managers to make or approve changes to the planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit)

Provision of a resident's information pack (refers to landscaped areas, Management Company, parking etc.)

Rainwater butts

Removal of PD rights

Parking

Soft landscaping implementation plan/Landscaping maintenance

Landscaping details

For the flats details of signage/lighting/secure access for bicycle stores etc.

Use of dwellings as C3 dwellings only

External fine details elevations

Suds

Ecology

Lighting

Diversion of the PROW

Provision of new parking spaces and new access in accordance with plans

Details of bollards for emergency access

Electric vehicle charging points

Note to Applicant

1. 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 proactive manner by;

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

In this instance

- the applicant/agent was updated of any issues after the initial site visit,
- was provided with pre-application advice,
- The 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.

2. Southern Water

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330303 0119) or www.southernwater.co.uk".

3. PROW

Any proposed work on PROW must be approved and authorised by Kent County Council's PROW and Access Service prior to works taking place.

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 metre of the edge of the Public Right of Way.

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.

Background Papers

All papers referred to in this report are currently published on the Ashford Borough Council web site (www.ashford.gov.uk). Those papers relating specifically to this application may be found on the [View applications on line](#) pages under planning application reference 18/00448/AS.

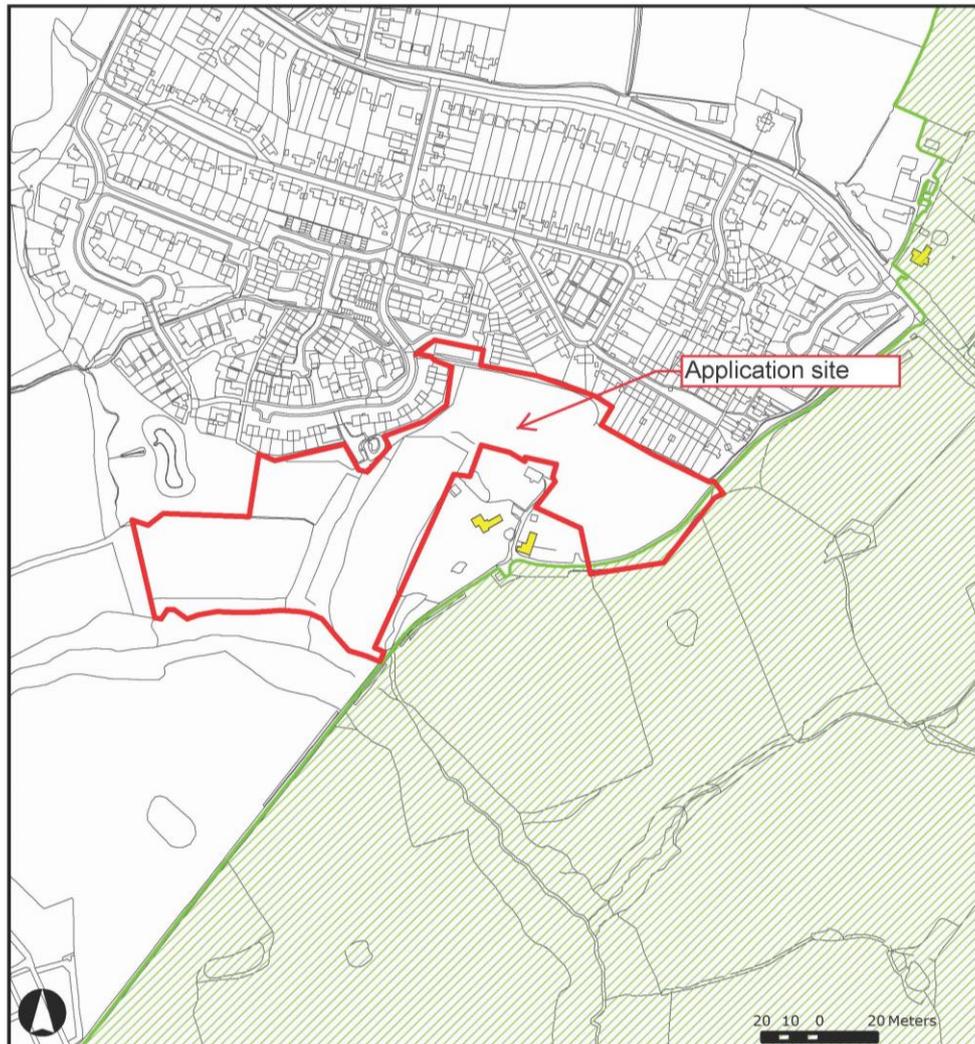
Contact Officer: Alex Stafford

Email: alex.stafford@ashford.gov.uk

Telephone: (01233) 330248



Ashford Borough Council



AONB

Listed Building
 LISTED
 DELISTED
 REMOVED
 UNKNOWN

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Annexe 2: Report of Design Review Meeting (12 December 2017)

d:se

Summary

This is an exceptional site with a number of landscape and heritage assets which have the potential to enable this to be a very attractive development. The proposal has taken into account the need to accommodate the ecology of the area, or mitigate its loss. Unfortunately, this need has been treated as a constraint which has driven the design. This together with a very standardised approach to architecture, layout and landscape design means that this proposal will not achieve its potential in terms of design quality or value. An approach is needed which reflects the rural character of the area and uses the natural and heritage assets as an opportunity to create an exceptional and high-value residential development in a unique tranquil location.

Background

This is a proposal for up to 100 homes on a 5.64 hectare site in Tenterden, Kent. Outline approval has been secured for the development (April 2016) with all matters reserved. The intention is now to submit a reserved matters application.

There are two listed buildings to the south of the site boundary and an ancient woodland to the south and south west. The High Weald AONB is to the immediate south-east of the site and a small section of the site, located on the eastern side of a public right of way is designated as being within the AONB.

Response to the landscape

The shape of this site is long, narrow and irregular, making it impossible to create any grid of streets and quite difficult even to create loops. In addition, there are requirements to allow areas for wildlife habitat and corridors and landscape buffers. These have been treated as constraints and not opportunities, and a standard Redrow development squeezed into the space left over. While the panel would much prefer to see an architecture that was more responsive to the local vernacular of Tenterden, not just in terms of materials but also farm clusters or cottage typologies, or that reflected a contemporary response to the natural setting, we understand that Redrow will insist on providing their standard product, in this case the Heritage Range. However, a standard Redrow approach to plot and street layout, as illustrated in slide 25 of the presentation, is not only inappropriate for this site but will fail to maximise its value.

The constraints of the site need to be reconsidered as opportunities. These include:

- Views of the oast house. The design team seem to have become distracted by the heritage designations of the buildings to the south of the site and dismissed the oast house because it is not listed. While there have been some insensitive additions to this building, its roof remains very distinctive and the thing that visitors to the site will spot well before the listed buildings.
- The mature trees on the north east boundary, the North West boundary and south of the proposed attenuation pond.
- The lane and views into the AONB to the south east.
- Views out into the ancient woodland to the west.
- Watercourses and ponds developed as part of a more sophisticated approach to drainage (see below).

d:se

Streets could be aligned and houses clustered and orientated to make the most of these assets, and the highest value houses located to benefit from them. All this requires an approach which is not simply based on houses clipped onto streets with regular building lines but a more rural layout of buildings on plots and dispersed clusters reflecting the Wealden landscape. While we agree that the concept of character areas is often over-used especially on smaller sites, each of these natural and heritage assets requires a separate response in terms of the character of the development around it. A requirement to maintain darkness at night next to wildlife areas need not prevent the approach we propose, there are approaches to lighting that can meet those requirements while still keeping lanes safe for people.

Landscape design has a very special importance in this peri-urban situation. Reference should be made to the Landscape Character Appraisal for the area to give a general guide. There is scope to respect historic landscape features of the site such as hedge-lines, orchards, spinneys, ponds and damp flushes that can give a subtle differentiation of character to each part of the site. Character is not merely a function of the architectural style and in this respect the layout of houses is also an important element. Local villages are notable for the front gardens with picket fences, or houses hard onto the road, using this local character can inform and lift the quality of the layout. Add to this a combination of seeing ecological constraints as opportunities, combining them with a true water sensitive design approach, and one that also addresses the serious problem of predation on wildlife by domestic cats and the scheme could be of the highest quality.

Access and entrance

Access to the site has been agreed through a rather narrow entrance off Priory Way where there is currently visitor parking. Although we are sure that all property in Tenterden will be in high demand, the Shrubcote area is not the most attractive part of the town. The proposal places small pockets of green either side of the entrance to the site to almost create a buffer between the old and the new. This arrangement has no doubt been arrived at with the future sales and marketing requirements for the development in mind. However, the designers can decide what is the point of arrival into the new development. A tighter layout at the access point with houses either side, would not only use less attractive parts of the site more efficiently but could lead one into a small green to give a sense of arrival from where some of the key assets of the site could be viewed and would therefore be a stronger marketing opportunity.

It is understandable that the lane to the south east cannot be used as an access to the site although we are pleased to see it will provide an emergency access. However, this does not mean that the development should turn its back on it and additional pedestrian and cycle connections here should be encouraged and will be attractive for residents.

The panel did not have time to discuss wider pedestrian connections but we would normally ask for these to be given greater consideration and for internal paths to connect with the wider network. This site is not far from the town centre but awkwardly situated for walking and cycling using the road network. Connections to rights of way and desire lines that make it easier to get to local facilities (if only in good weather) should be considered.



Sustainable drainage

It is telling that in slide 12 of the presentation the attenuation pond to the south-west of the development is labelled 'Open space and SUDs'. A single attenuation pond, fed by conventionally engineered drainage systems does not add up to sustainable drainage and the planning authority should not allow any requirement for SUDs to be interpreted so crudely. Indeed, such a pond would need to work very hard to deal with both the volume and pollution of the run-off from a conventional system over a site of this size.

Sustainable urban drainage should be considered as a system for dealing with, and benefiting from, run-off water throughout the site. An integrated system of swales, rills, ponds, rain gardens and soakaways across the site would not only be more sustainable in terms of embodied energy, promotion of biodiversity, and reduced pollution, but also much cheaper to implement and maintain. Such a system would also enhance the existing character of the site and create a variety of attractive features for residents. It is also important to acknowledge that ancient woodland buffering is not just a matter of minimum distances but also of the water quality entering the system.

Affordable housing

We were told by the local authority that there is a requirement for 35% affordable housing which should be tenure blind. Tenure blindness should not simply be interpreted in terms of architecture, but includes the setting of homes. The proposed layout shows large areas of uninterrupted front-of-plot parking in front of the affordable homes, which immediately signals its tenure. On the eastern boundary of the western part of the site, two rows of affordable homes are shown set in a back-land courtyard of hard surfaces. The location of affordable homes in the far eastern corner of the site not only fails to take advantage of views out to the AONB but also means that affordable housing tenants and residents are placed furthest away from the facilities of the town and have to travel through the rest of the development to get to them. We understand that locating affordable housing close to the entrance to a site challenges Redrow's conventional practice, but it depends how it is designed. As we argue above, a tighter entrance consisting of terraces of cottages could lead to what could then be considered as the arrival point into the development.