

Ashford Borough Council - Report of the Head of Development Management and Strategic Sites

Planning Committee 16 December 2019

Application Number	18/00321/AS	
Location	Phase 2 Old Clockhouse Green, Canterbury Road, Challock, Kent	
Grid Reference	03875 02374	
Parish Council	Challock	
Ward	Downs West Ward	
Application Description	Change of use of land from agricultural to residential for the provision of 19 no. new dwellings, with associated, parking, landscaping and infrastructure.	
Applicant	Cox Developments Charing Limited c/o agent	
Agent	Steve Davies, Hobbs Parker Property Consultants LLP, Romney House, Monument Way, Orbital Park, Ashford, Kent, TN24 0HB	
Site Area	1.38 hectares	
(a) -	(b) -	(c) KCC(FWM) X, KCC (Contributions) X, EA X

Introduction

1. This application was previously considered at the 2 October 2019 Planning Committee and was deferred by Members of the committee.
2. The resolution of the Planning Committee was recorded as follows:

“The consideration of the application be DEFERRED for Officers to seek more information regarding the projects to be funded by the Primary and Secondary Education contributions to be required under the S106 agreement undertaking, as well as regarding drainage provision”.

Ashford Borough Council - Report of the Head of Development Management and Strategic Sites

Planning Committee 16 December 2019

3. The 2 October 2019 officers report to planning committee is appended as annex 1 to this report.
4. In accordance with the requirements of the above resolution, following the receipt of additional information, the application for planning permission is reported back to the Planning Committee for determination.

Preliminary Matters

5. In addition to the original report attached as annex 1, attention is drawn to reference point (b), page 1 and 2 of the 'Update Report for the Committee' which details a number of updates and modifications to the original officers report. A copy of the 'Update Report for the Committee' is appended as annex 2 to this report.
6. Amongst other things, the 'Update Report for the Committee' references an amended layout plan submitted by the applicant to address a minor shortfall in parking requirements across the site. As it was not included in the 'Update Report for the Committee' the amended layout plan has been copied in **Figure 1** below.



Figure 1 Proposed Site Layout Plan

7. The amended layout plan demonstrates that the development can achieve the required parking standards in accordance with adopted Local Plan policy TRA3a.

Site and Surroundings

8. Refer to 2 October 2019 Planning Committee Report (which is appended as annexe 1 to this report).

Proposal

9. The development remains the same as the proposals previously considered at the 2 October 2019 Planning Committee.

Planning History

10. Refer to 2 October 2019 Planning Committee Report (which is appended as annexe 1 to this report).

Planning Committee 16 December 2019

Consultations

11. Members of the Planning Committee resolved to defer the application based on matters relating to Kent County Council's request for contributions towards educational facilities and also based upon matters relating to drainage. As a consequence, and in accordance with the Councils Statement of Community Involvement, re-consultation has only been undertaken with consultees related to these subject matters.
12. For a summary of all previous consultee responses, refer to 2 October 2019 Planning Committee Report (which is appended as annexe 1 to this report).

Ward Members: The Local Ward Member is Cllr Larry Krause. Cllr Krause is a member of the Planning Committee.

KCC Developer Contributions: As well as the library contributions referred to in the 2 October 2019 Planning Committee Report, KCC continue to require a financial contribution towards the expansion of Charing CE Primary School at £3324.00 per house (x19) and a financial contribution towards the expansion of The Norton Knatchbull School at £4115.00 per house (x19).

The County Council have provided further information relating to the contributions required which is detailed in the assessment below.

KCC Flood and Water Management: KCC confirm that as per their previous response, they have no objections to the application and have proposed their pre commencement conditions in order for the details regarding soakaway design clarification (locations, borehole log locations and the placing of foul soakaway) to be managed at detailed design stage.

KCC have no further comment to make and have referred back to their previous response letter dated October 2018.

KCC confirm they are satisfied that outstanding information will be provided at detailed design stage and trust that Herrington Consulting Ltd will provide adequate information to discharge any surface water conditions.

Environment Agency: Has no further comments to make on the submitted documents.

Neighbours/Public Consultation: Refer to 2 October 2019 Planning Committee Report (which is appended as annexe 1 to this report).

Planning Committee 16 December 2019

A total of 2 further representations have been received objecting to the proposal for reasons already summarised in the 2 October 2019 Planning Committee Report (which is appended as annexe 1 to this report).

Planning Policy

13. Refer to 2 October 2019 Planning Committee Report (which is appended as annexe 2 to this report).

Assessment

Planning Obligations

14. Refer to the 2 October 2019 Planning Committee Report appended which should be read in conjunction with this report.
15. As per the Planning Committee's request, KCC have provided further information relating to the primary and secondary education contributions sought.
16. With regard to primary education, the application site is closest to Challock Primary School. However, KCC confirm that Challock Primary School was expanded in September 2012, from a mixed age structure school with 5 classes to a one form entry school (seven classes). Challock Primary School site does not allow for further expansion. Consequently, in order to meet the demands that this development will generate, a contribution is sought towards the expansion of Charing CE Primary School.
17. Kent County Council confirm that the development in question is expected to generate 5 additional pupils, across the seven primary age groups. KCC indicate that this equates to approximately one pupil per class. KCC state that infant class size legislation limits infant classes to no more than 30 pupils per qualified teacher and that Challock Primary School is currently at its maximum capacity.
18. KCC state that the Local Authority must take a strategic approach to the expansion of its schools. KCC state that they have to consider a range of issues, such as site size, planning restrictions, the logic and organisation of the

Planning Committee 16 December 2019

school to enable effective delivery. They must also consider where housing is being delivered and where pupils travel from.

19. The application site is approximately 4 miles, from Charing CE Primary School which would take approximately 7 minutes to drive. KCC state that Charing CE Primary School site allows for expansion; the School currently operates mixed aged classes and thus the strategic aim is to support it moving to a one form entry structure. Currently there is a flow of pupils from Charing attending Challock Primary School, however, KCC confirm that in future local children in Challock will gain admission to their local school ahead of Charing pupils, resulting in Charing children needing places in their village school. The funds collected from this development will help achieve these strategic objectives.
20. With regard to the required secondary education contributions, KCC confirm there is a significant Secondary need. This need is across both non selective and selective Secondary education.
21. The proposal gives rise to 4 additional secondary school places.
22. KCC confirm that KCC Education have already expanded a range of schools across the Borough to help meet requirements. Projects already delivered include the expansion of non-selective schools. KCC have stated that as the Local Education Authority, they have a statutory duty to ensure sufficiency of places within both non selective and selective schools. With this in mind and having already delivered projects at non-selective schools the Norton Knatchbull school one form entry expansion has been identified as the project that should benefit from funds secured from this development..
23. For the reasons set out above and in the 2 October 2019 Planning Committee Report, I recommend the planning obligations in Table 1 of the 2 October 2019 Planning Committee Report be required should the Committee resolve to grant permission. I have assessed them against Regulation 122 and for the reasons given consider they are all necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development. Accordingly, they may be a reason to grant planning permission in this case.

Drainage

24. Refer to the 2 October 2019 Planning Committee Report appended as annexe 1.

Planning Committee 16 December 2019

25. As per the Planning Committee's request, further information has been provided by Herrington Consulting Limited on behalf of the applicant. The information relates to the management of both surface and foul water at the proposed development site. This information should be read in conjunction with the previous information submitted, consultee responses and the officer assessment all of which detailed in the 2 October 2019 Planning Committee Report appended.

Surface Water Drainage

26. A detailed Flood Risk Assessment (FRA) and Surface Water Management Strategy (SWMS) was prepared by Herrington Consulting, and updated in May 2019 for the proposed development. The document confirms that it was prepared in accordance with the requirements set out in both national and local planning policy and takes into account industry best practice. The FRA assesses the risk of flooding from a wide range of sources and concludes that the risk of flooding from the entire development is low. In addition, a SWMS has also been produced with the aim of minimising the risk of flooding due to surface water runoff from the proposed development. The assessment concludes that the ground conditions are suitable to use infiltration, and as such, the drainage system for the development can be designed to mimic the predevelopment conditions. Further to this, the document states that the proposed development also provides a significant betterment by reducing the rate at which surface water runoff leaves the site, through the introduction of SuDS.
27. The previous information submitted was subject to consultation with KCC Flood and Water Management. Despite making a number of minor observations, KCC raised no objection to the proposal subject to the imposition of appropriately worded conditions. Similarly, the Environment Agency also raised no overall objection subject to the imposition of appropriately worded conditions
28. Within the additional information submitted, Herrington acknowledge that the final positions of the proposed boreholes have not yet been finalised. However, Herrington confirm that the indicative borehole positions within the latest strategy, take into account the requirements within Part H of the Building Regulations, to ensure that there is adequate space provided on the site to locate the boreholes away from the proposed new dwellings.
29. Herrington state that full borehole site investigations, will be required at detailed design stage to finalise the borehole design. Conditions based upon KCC and the Environment Agency's suggested wording, are recommended to ensure

that this level of detail is provided prior to any construction work taking place on the site. The applicant/agent has agreed to meet the requirements of these suggested pre-commencement conditions. This approach is consistent with the advice previously given by Kent County Council and the Environment Agency and endorsed in KCC and the EA's latest consultation response in which they refer back to previous comments made.

30. Herrington concur that it will be necessary to ensure that measures are in place to maintain the system for the lifetime of the development. Herrington confirm that in this case, the management company responsible for maintaining the rest of the site will be tasked with the inspection and maintenance of boreholes and permeable paving. They also acknowledge that maintenance will need to be in accordance with the manufacturer's specifications and requirements. Similarly to the detailed design of the SWMS, details of an operation and maintenance schedule are required to be submitted to and approved in writing by the LPA.

Foul Sewage Disposal

31. With reference to the disposal of wastewater, Herrington confirm that a strategy has been prepared to demonstrate how the foul effluent from the proposed development can be managed. The design flows and loading have been calculated based on the number of proposed units and an appropriately sized wastewater treatment plant has also been specified, to ensure that the effluent is treated prior to discharge to the ground. The level of treatment has been calculated in accordance with the 'Treatment Capacity for Sewerage Treatment Systems' and as such, has been designed to meet the minimum water quality requirements specified by the Environment Agency for sites that propose to discharge treated effluent to the ground.
32. Herrington acknowledge that the site is positioned within Source Protection Zone 3 (Principle Aquifer) and as a consequence, the final agreed route and rate of discharge will be subject to a full detailed design, with the appropriate Environmental Permitting. The permitting process is proposed to be complete prior to the commencement of construction on site and conditions are recommended to secure this. As stated within the Environment Agency's comments the principle of the foul assessment is acceptable, but it is recognised that the planning permission should be subject to conditions in order to ensure that a further detailed design is undertaken and approved by LPA in consultation with the Environment Agency prior to the commencement of development on site. Draft wording for the required planning conditions has

Planning Committee 16 December 2019

been provided by the EA and the applicant/agent has agreed in writing to meet the requirements of the pre-commencement conditions.

Conclusion

33. Based on the information currently submitted, subject to conditions requiring further detail to be submitted to and approved in writing by the LPA in consultation with KCC and the EA, I remain satisfied that surface water drainage and foul sewage disposal can be appropriately dealt with and that the proposed development can be accommodated without increasing the risk of flooding and without any adverse impact upon groundwater conditions.
34. In terms of the level of further detail required and the level of control retained by the LPA relating to drainage matters, for the avoidance of doubt the wording of the recommended conditions relating to surface water drainage, foul sewage disposal and ground water protection has been set out in full in the recommendation section of this report.
35. The additional detail submitted has been subject to further consultation with KCC and the Environment Agency. KCC confirm that they have no further comment to make and are satisfied that outstanding information will be provided at detailed design stage. The Environment Agency have also confirmed that they have no further comments to make and have referred back to their previous comments in which they raise no objection subject to conditions. Both consultees are therefore satisfied that the level of detail provided within the application for the disposal of both surface water and foul sewage is sufficient for them to be confident that this matter can be addressed by way of planning conditions.

Human Rights Issues

36. 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).

Planning Committee 16 December 2019

Working with the applicant

37. 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

38. In accordance with Planning Committees resolution of the 2 October 2019, further information has been provided relating to the projects to be funded by the Primary and Secondary Education contributions to be required under the S106 agreement undertaking, as well information relating to drainage provision.
39. Based on the information submitted I remain satisfied that the proposals are acceptable and refer to the conclusions detailed within the 2 October 2019 Planning Committee Report appended as annex 1 to this report. With the exception of former paragraph 137 (relating to car parking provision) the conclusions remain unaltered. In the case of car parking provision, as set out in the update to committee dated 2 October 2019, an amended plan has been received demonstrating that parking requirements now meet the adopted standards.
40. Overall, for the reasons set out above and in the 2 October 2019 Planning Committee Report, the proposed development is considered to comply with the requirements of the development plan and it is therefore recommended that planning permission is granted.

Recommendation

Permit

(A) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations detailed in Table 1 (and any section 278 agreement so required), in terms agreeable to the Strategic Development and Delivery Manager or Development Management Manager in consultation with the Director of Law and Governance, with delegated authority to the Strategic Development and Delivery Manager or Development Management Manager to make or approve changes to the planning obligations

Planning Committee 16 December 2019

and planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit,

(B) Subject to planning conditions and notes, including those dealing with the subject matters identified below, with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018

1. Standard time condition
2. Development carried out in accordance with the approved plans.
3. Details and samples of materials including surface finish to driveway / parking.
4. Architectural details.
5. No flues, vents, stacks, extractor fans or meter boxes to be located on the primary elevation.
6. Landscaping scheme.
7. Details required to accompany the landscaping scheme.
8. Retention of existing hedgerows.
9. Tree protection measures.
10. Tree protection for new trees.
11. Details of boundary treatments.
12. Landscape management plan
13. Removal of permitted development rights.
14. Occupation as a single dwelling house only.
15. Ecological Design Strategy.
16. Landscape and Ecological Management Plan (LEMP)
17. Bat Sensitive Lighting Design / No additional External Lighting
18. Construction Management Plan/Hours of working.
19. Electric Vehicle Charging points.
20. Provision and retention of parking and turning
21. Provision and retention of garaging/carbarns.
22. No further alterations to car barns.
23. Provision and Retention of Bicycle Storage.

24. Contamination
25. Contamination - Reporting of unexpected contamination.
26. No infiltration of surface water drainage into the ground is permitted other than with the prior written approval of the Local Planning Authority.
- Reason:** To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework.
27. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the prior written approval of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
- Reason:** To protect controlled waters, including groundwater and to comply with the National Planning Policy Framework.
28. Prior to the commencement of any development on site a detailed sustainable surface water drainage scheme for the site shall be submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall demonstrate that due consideration has first been given to the possibility of utilising infiltration techniques and that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the application site without increase to flood risk on or off-site. Should the use of infiltration prove to be beyond being reasonably practical then any surface water leaving site shall not exceed a discharge rate of 2l/s for all rainfall events. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters.
- Reason:** To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

29. No building hereby permitted shall be occupied until an operation and maintenance manual for the proposed sustainable drainage system is submitted to and approved in writing by the Local Planning Authority. The manual at a minimum shall include the following details:

- A description of the drainage system and its key components;
- A general arrangement plan with the location of drainage measures and critical features clearly marked;
- An approximate timetable for the implementation of the drainage system;
- Details of the future maintenance requirements of each drainage or SuDS component, and the frequency of such inspections and maintenance activities;
- Details of who will undertake inspections and maintenance activities, including the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

The system shall be provided in accordance with the agreed timetable and shall thereafter be operated and maintained in accordance with the approved operation and maintenance manual.

Reason: To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 165 of the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage.

30. No building shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority which demonstrates the suitable operation of the drainage system such that flood risk is appropriately managed. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

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

31. Prior to the commencement of the development, details of the proposed sewage treatment system including details of the design, capacity, layout, management and maintenance/repair arrangements together with a copy of the relevant Environment Agency discharge permit(s) shall be submitted to and approved in writing by the Local Planning Authority. The system shall be installed and maintained in accordance with the approved details and none of the dwellings shall be occupied until the sewage disposal works have been completed and the system is fully operational.

Reason: To avoid pollution of the surrounding area.

32. Provision and retention of refuse collection facilities.

Note to Applicant

1. S106
2. Working with the Applicant

Working with the Applicant

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

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

In this instance

Ashford Borough Council - Report of the Head of Development Management and Strategic Sites

Planning Committee 16 December 2019

- 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 considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
3. Indemnity required prior to refuse collection.
 4. Breeding Birds.
 5. No obstruction of the PROW.
 6. Environment Agency Advisory Notes.
 7. Kent Highways Informative Note.

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 18/00321/AS)

Contact Officer: Claire Marchant
Email: claire.marchant@ashford.gov.uk
Telephone: (01233) 330739

Ashford Borough Council - Report of the Head of Development Management and Strategic Sites

Planning Committee 16 December 2019

Annex 1

Ashford Borough Council - Report of the Head of Planning and Development
Planning Committee 02 October 2019

Application Number	18/00321/AS
Location	Phase 2 Old Clockhouse Green, Canterbury Road, Challock, Kent
Grid Reference	03875 02374
Parish Council	Challock
Ward	Downs West Ward
Application Description	Change of use of land from agricultural to residential for the provision of 19 no. new dwellings, with associated, parking, landscaping and infrastructure.
Applicant	Cox Developments Charing Limited c/o agent
Agent	Steve Davies, Hobbs Parker Property Consultants LLP, Romney House, Monument Way, Orbital Park, Ashford, Kent, TN24 0HB
Site Area	1.38 hectares

(a) 36 6 R, 2 X	(b) Parish Council R	(c) POS X, EMS X, SS X, ABC (Housing) X, KCC(FWM) X, KCC H&T X, KCC (Ecology), KCC (PRoW) X, KCC (Contributions) X, Ramblers X, EA X, AONB X NHS -, SW X, FC -, WT -
(a) 46 10 R, 2 X	(b) Parish Council R	(c) POS -, EMS X, SS X, ABC (Housing) X, KCC(FWM) X, KCC H&T X, KCC (Ecology), KCC (PRoW) -, KCC (Contributions) X, Ramblers -, EA X, AONB - NHS -, SW X, FC -, WT -

Introduction

1. This application is reported to the Planning Committee because it relates to major development.

Site and Surroundings

2. The site is located to the north of the A252 on the northern edge of the village of Challock. The site is level, and with the exception of an existing access track that traverses the site from north to south, the site is a green field that is designated Grade 3 agricultural land.
3. The site is accessed off the A252 via an existing access which serves properties in Old Clock House Green located to the south of the application site, and a commercial unit to the north of the application site. The commercial unit is currently occupied by Trevor May Contractors. Trevor May contractors provide a range of specialised sports surface related construction and landscaping services. Their portfolio includes tennis court construction, netball court construction, multi-use games areas (MUGAs), five-a-side football, football training, hockey training, mini-tennis, 'Kids Zones', badminton, bowling greens, roller hockey and skate parks, cricket wickets, athletics facilities, and associated landscaping and lighting works.
4. The housing to the south of the site in Old Clock House Green comprises six dwellings recently constructed by the same developer (Cox Developments Charing Limited) following grant of planning permission reference 14/01314/AS dated the 14 December 2014.



Figure 1 Existing Development at Old Clock House Green

5. To the west, the site is bounded by woodland and to the east by residential curtilage.
6. The northern boundary of the site is defined by mature hedgerow beyond which lies the aforementioned commercial unit and open countryside to the north of that.
7. A public right of way (PRoW) runs adjacent to the western boundary of the site.
8. The site is within the North Downs Area of Outstanding Natural Beauty (AONB). The woodland to the west known locally as Carpet Wood, is designated Ancient Woodland.
9. The wider area is residential in nature, and properties along the A252 are predominantly generously spaced with substantial gardens.
10. There is a Grade II Listed Building approximately 100 metres south of the site opposite the access off the A252 which leads to the site.
11. Below is a copy of the site location plan.

Proposal

12. The proposal is a full application. The application proposes 19 dwellings, with associated parking, landscaping and infrastructure.
13. The proposals equate to a density of approximately 13 units per hectare.
14. The application has been amended since its original submission the layout plan for which is copied below.



Figure 2 Original Layout

15. The principle amendments include:
 - An increase in the number of dwellings across the site from 15 to 19;
 - A reduction in the amount of public highway/hardstanding proposed;
 - Provision of open space within the site to the east and west;
 - Provision of a 15 metre buffer between the Ancient Woodland and the developable area;
 - The relocation of the gas/sewage treatment plant; and
 - The introduction of 3 communal parking areas distributed across the site to serve units 3-5, and 11- 17.

16. The amended scheme is illustrated below.



Figure 3 Amended Layout

17. Of the 19 dwellings proposed, the scheme comprises 11 market homes and 8 affordable homes in the following mix:

Market Homes

- 1 no. 3 bed terrace house;
- 2 no, 3 bed semi-detached houses;
- 6 no. 4 bed detached houses
- 1 no. 4 bed terrace house; and
- 1 no. 5 bed detached house.

Affordable Homes

- 4 no. 2 bed semi-detached houses.
- 3 no. 2 bed terraced houses.
- 1 no. 3 bed terrace home.

18. The site will continue to be accessed off the A252 which serves properties in Old Clock House Green and the commercial unit to the north of the site. Off street parking serving units 7, 18 and 19 will be accessed via the existing central route through the site. Parking and access to the remaining properties will be via two informal driveways accessed off either side of the existing central route.
19. A total of 52 car parking spaces are provided to serve the proposed dwellings including 5 detached outbuildings which serve as garages and/or carports. Four identified additional visitor parking spaces are also proposed to be provided across the site.
20. The dwellings would be two storey and traditionally designed comprising elevations of brick, tile hanging, timber weather-boarding and timber windows and doors with a mix of clay and slate roof tiles as identified on the plans and in covering letter dated 23 May 2019 submitted with the recently amended drawings. Examples of the dwellings proposed are copied below and in subsequent sections of this report.



Figure 4 Units 1 and 8



Figure 5 Units 18 and 19



Figure 6 Units 3 - 5

21. The central route through the site would be tarmac, informal driveways and parking courts are proposed to be surfaced in different material(s) such as bonded gravel. Boundary treatments will be constructed using brick or farm style fencing such as post and rail.
22. The scheme comprises a discreetly sited gas/sewage treatment plant to the north adjacent to plot 19. Letter dated 17 July 2019 submitted in support of the application confirms that the plant will be located underground and so no alterations to ground levels are proposed to facilitate these.
23. A 15 metre landscape buffer will be provided between the Ancient Woodland and the developable area. For the most part, a 2.5 metre landscape buffer around the perimeter of the site is also proposed. Two areas of open space, reminiscent of a small rural village greens have been incorporated in the scheme, one to the east and one to the west.
24. The amended scheme has been amended further to include minor alterations to the design/appearance of unit 10 and to ensure that the garden to unit 9 is contained within the red line site area. The Council's Statement of Community Involvement indicates that if there are any significant amendments to a planning application during consideration, the Parish Council and neighbours will be re-notified and offered a further opportunity to submit comments. In this instance the amendments that have been made to the current scheme are not considered to be significant and so it has not been necessary to re-consult in this instance.
25. In support of the application, the following information has been submitted and summarised below:

Proposal for Wastewater Disposal September 2014

The report states:

It is concluded that the proposed design using a Klargester Biosafe 5 treatment plant, discharging to a deep bore soakaway will provide a reliable and sustainable means of disposing of the wastewater generated by the proposed development and that the proposed construction plan will ensure that the soakaway capacity is evaluated and

confirmed at the time of construction with a factor of safety to ensure the long term reliability of the disposal facilities.

The treatment plant and soakaway will be sited on the central green island in front of the houses and the precise location of the plant and soakaway will be confirmed once the drainage design has been completed using the dimensions of the recommended treatment plant.

Preliminary Ecological Appraisal. KB Ecology. December 2016.

The report confirms that:

- The site is not part of, nor directly adjacent to, any statutory designated sites and none are located within 1km of the site;
- One local wildlife site, King's Wood, Challock and Godmersham Downs', is present 500m to the South East of the site;
- Ancient woodland is directly adjacent to the West of the site, with branches spreading onto the site;
- The site consists of a mown field, said to be routinely cropped for hay.
- The field is bounded by hedges: single species along the South and North boundaries, and a more varied hedge along the East boundary; and
- A large pile of earth is present along the north boundary, as well as a metal container.

Habitats

The report indicates that the Integrated Habitat System (IHS) classification describes the site as improved grassland with open/scattered scrub: native shrubs; non-amenity grassland.

The report states that habitats present outside the works footprint (including the Ancient Woodland) should be suitably protected against any damages during works. The report details the guidance relating to the Ancient Woodlands.

Amphibians

The report confirms that the closest recorded Great Crested Newt site is located at King's Wood (Challock), 2.6 km to the SE. No ponds were present on site or within 500m. Due to the distance to the nearest pond, it is judged unlikely that great crested newts would be present on site.

The report concludes that due to the absence of ponds in the general area, no further work is recommended with regards to amphibians and great crested newts in particular.

Reptiles

The report confirms that the management of the site reduces the likelihood of reptiles being present. However, the site is directly connected to a wood and has pockets of

ruderal vegetation along the East and West boundaries, which could be used by reptiles.

The report concludes that reptiles may be present in part of the site. It is therefore recommended to carry out a reptile survey looking at presence/absence.

Birds

The report states that site has high potential to support breeding birds within the adjacent trees and hedges. However, the report concludes that a breeding bird survey is not deemed to be necessary, but that consideration must be given to the timing of vegetation removal, if any is to take place.

Hazel Dormouse

The report states that it is considered that the ancient woodland has high potential to support the hazel dormouse and dormice are thus likely to be using the branches of the trees spreading onto the site and also could be present along the hedges;

The report states that no tree or hedge clearance is expected on site, therefore no further work is recommended with regards to dormice, however, should this change, there would be a need to carry out further surveys.

Badgers

The report states that grassland habitat on site provides foraging opportunities for badgers, however, no setts or signs of badgers were identified during the survey and therefore no further work is recommended with regard to Badgers.

Bats

The report states that none of the trees present on site offered bat roosting potential. However, due to the presence of the adjacent ancient woodland, bats are likely to commute through the site and some foraging activity is expected, though likely to be restricted to the East and West boundary vegetation. It is therefore recommended that bat activity surveys and static detector surveys are undertaken.

The report recommends a number of biodiversity enhancements.

Design, Access, Planning and Landscape Statement February 2018

In summary, the statement concludes:

- The proposal follows significant pre-application consultations with various departments in the Council.
- The proposed site offers no intrinsic agricultural value, having been severed from the original farmstead when former buildings and land were disposed of many years ago. The land has always been physically separate from the main farm holding due to the main trunk road.
- The proposal represents a natural infill of the built form within the village.

- The Parish Council previously identified the land as being suitable for future housing development, which is supported at Borough Council level through the inclusion of the site within the Local Plan.
- There is existing access from the highway to the site.
- The scheme proposed has been designed to ensure that it meets local housing needs identified by further research commissioned specifically for this scheme.
- The house designs and layouts proposed have been considered in significant depth, to ensure a high-quality development results.
- The range of housing proposed will not only complement the range of housing offered by other developments currently under construction or proposed in the village but offer a complete range of housing sizes to ensure the development is community inclusive. This will result in the proposal being both economically and socially beneficial to the village.

For all the above reasons, it is respectfully requested that planning permission is granted for this application.

Flood Risk and Sustainable Drainage Assessment June 2018 (Amended May 2019)

The report indicates that it has been prepared to appraise the risk of flooding from all sources and to provide a sustainable solution for managing the surface water runoff discharged from the development site in accordance with the NPPF and local planning policy.

The report confirms that the geology at the site comprises Seaford Chalk Formation bedrock overlaid by Clay with Flints.

The report considers flooding from a range of sources and concludes that the risk of flooding to the proposed development is low.

The report identifies there is potential to incorporate water butts and indicates that driveways and patios can be constructed using permeable surfacing. The report states that surface water landing on roof areas will be drained into soakaways. The use of cellular storage soakaways is proposed.

It is concluded that the most viable solution for managing the surface water runoff discharged from the proposed development will primarily be via the use of infiltration SuDs. These SuDs will enable water to be stored onsite whilst maximising the opportunity for water to be discharging directly into the ground, therefore mimicking the current pre-developed conditions.

The report confirms that foul effluent from the proposed development will need to be treated on site via a packaged treatment plant and treated effluent will need to be discharged into the ground via infiltration.

Ground investigations indicate that infiltration is possible within the chalk strata, and therefore it may be necessary to construct a borehole soakaway.

The size and capacity of the treatment plant will need to be determined at detailed design stage and this design will need to consider the size of the proposed development and proposed discharge rates.

Letter from Ashley Leftwich, The Ash Partnership dated 28th October 2018.

The purpose of this letter is to provide an appraisal of the woodland associated with Carpet Wood Ancient Semi-Natural Woodland (ASNW).

The letter states that the eastern boundary of Carpet Wood ASNW is edged by a Public Footpath that is approximately 2m in width. To the east of this is an open grass field. The landowner of the proposed development plot owns up to and including the Public Footpath.

The letter confirms that Ancient Woodland mapping clearly excludes the footpath and all parts of the open field to the east.

The letter states that the woodland edge immediately west of the footpath and the field edge immediately east of the footpath were subjected to a detailed floral survey to demonstrate whether the distribution of Ancient Woodland Vascular Plants [AWVPs] follows the same pattern as the Ancient Woodland mapping. The letter records that a total of 37 plant species were recorded during the survey and that as these plants lie within just 2m to 3m distance from the woodland edge, this is well within the anticipated edge effect containing shade tolerant species. The report states that the distribution of AWVPs therefore provides a good fit with the mapping evidence

The letter contains details of predicted Root Protection Areas (RPAs) of all trees along the field and selected principal trees along the woodland edge have been plotted to demonstrate the eastern extent of the combined RPAs.

The letter states that Natural England Standing Advice recommends a 15m buffer and this buffer would effectively contain all of the plotted RPAs for the principal (nearest and/or largest) trees within Carpet Wood ASNW.

The letter concludes that the buffer should be planted up with a woodland mix that is compatible with the adjacent ASNW. It is further recommended that rear gardens are located along the western edge of the proposed development.

Reptile Survey Report. KB Ecology. May 2019.

The report states the following:

Detailed reptile surveys were undertaken using artificial refuges, in accordance with best practice guidelines (Froglife, 1999). A total of 40 artificial cover objects were installed on 14th March 2019. They were then checked on seven separate occasions between March and May 2019.

Numbers of each reptile species were recorded, as well as the air temperature. Naturally occurring refuges were also checked for reptiles, and any additional incidental sightings were also recorded. Surveys were only undertaken during suitable weather, they were not carried out during wind or rain.

No reptiles were found on any of the seven surveys undertaken.

No reptiles have been found during the seven surveys, therefore no mitigation measures are expected necessary for the species.

Untitled (Bat Survey Summary). KB Ecology. May 2019.

The detail submitted within this document relates to a bat activity survey and a static detector survey (with one detector) in late April-early May to assess the use of the site by bats.

The document confirms that one transect route was surveyed in weather conditions optimum for bat activity (i.e. warm, dry and still evenings). One static detector (SD) was left on site for five consecutive nights.

The document confirms that Bat activity was recorded as 'feeding' or 'commuting', however, overall, very little bat activity was recorded over the course of both types of surveys:

- Only 18 calls were recorded during the five-days of static detector survey, with 17 calls from common pipistrelle bats and one from a Myotis species;
- Only 32 calls were recorded during the transect survey, with 30 calls from common pipistrelle bats and two from a Myotis species; the calls have been recorded all along the west boundary, apart from one being along the east boundary; none being in the middle of the site.

The document concludes that due to the low level of activity on site, and the fact that the majority of activity is by a species which is not light-sensitive, it is not considered necessary to undertake any additional work or mitigation with regards to bats.

Relevant Planning History

14/01314/AS Erection of 6 New Dwellings. Permitted.

Consultations

Ward Members: The Local Ward Member is Cllr Larry Krause. Cllr Krause is a member of the Planning Committee.

1st Consultation Feb 2018

Challock Parish Council: Does not support this application as it is outside of the village confines.

ABC Project Office (Drainage): There is insufficient information submitted with respects to the management of surface water at the site. The application should not be determined until a surface water drainage strategy demonstrating that an appropriate layout can be achieved to manage surface water at the site has been provided for consultation.

Following receipt of Herington Consulting Limited Flood Risk and Sustainable Drainage Assessment June 2018 ABC Project Office state the following:

The submitted 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).

The outline principles for the management of surface water volumes and runoff rates (based on the information provided) are considered acceptable. As such, there is no objection to the application.

Comments specifically with regards to location of soakaways and proximity should be taken into consideration at detailed design stage to ensure soakaways can operate effectively.

Additionally, water quality should be given due consideration to ensure that the SuDS treatment train principles are followed as identified within the SuDS Manual (CIRCA C753).

Given the underlying geology identified(Seaford Chalk), there are potential risks associated with areas of focussed infiltration to ground, the presence of fissures within the chalk can potentially lead to long term ground instability and should be given due consideration at the detailed design stage.

Should the LPA be minded to grant the scheme permission it is recommended that the conditions provided by KCC's Flood Risk Project Officer are attached to the permission.

ABC Environmental Health: No objection subject to conditions.

ABC Street Scene and Open Space: If the roads are not to be adopted by KCC the developers need to be aware that collections will not occur until a road is adopted or an indemnity needs to be in place prior to the commencement of any waste collections.

Bins would need to be presented kerbside but at 2 & 3 Burnt Mill Cottages this would be between parking spaces which could cause issues when cars are parked here but not able to manoeuvre easily.

ABC Housing: The site lies in the rural area as identified and defined in Policy HOU1 in the borough council's emerging local plan. Ordinarily, there will be an expectation of 40% affordable housing being delivered within this scheme. This equates to six

units, of which one or two would be affordable rent and the remainder an affordable home ownership product of which a minimum of three must be shared ownership. In this instance the council understands that the developer intends to make three units of two-bedroom accommodation available for affordable rent. However, we have on our waiting list a tenant in need of an adapted property in Challock. The family requires a three bedroom property with either a ground-floor bedroom or a wet room for their son, to accommodate full-time wheelchair use, or a property with through-floor lift in situ. Level access or ramping is required, together with door widths and circulation space for wheelchair use (sizes to be agreed with OT). Were the developer willing to provide one three-bedroom property, fully adapted, then we would understand some form of flexibility being implemented on the remainder of the units – so accepting two other affordable rent properties, rather than the two affordable rent and four affordable home ownership as laid out in policy HOU1. We would expect the properties to meet the Nationally Prescribed Space Standards. In the case of the 2- bed properties we would expect four bed spaces to be provided and in the case of the 3-bed property we would expect five bed spaces to be provided. We would also request that the affordable housing composition be integrated into the development to ensure a balanced tenure neutral mix on the development rather than being positioned as a cluster of properties on the development.

KCC Flood and Water Management: No surface water drainage strategy has been provided for the proposed development. We would recommend the application is not determined until a complete surface water drainage strategy has been provided for review.

Following receipt of Herington Consulting Limited Flood Risk and Sustainable Drainage Assessment June 2018 KCC Flood and Water Management state the following:

The results from infiltration testing demonstrate that infiltration SuDs such as soakaways are feasible at this site; however:

1. The drawings showing soakaway locations are inconsistent across the application.
2. It would appear that foul soakaways and surface water soakaways are in proximity which raises questions in relation to water quality protection and the effectiveness of soakage rates.
3. The location of the boreholes is shown.

We would seek confirmation in detailed design in relation to the spatial separation of the soakaways, consideration of reduction in soakage due to proximity, locations such that 5m separation from the buildings for conventional soakaways and 10m for deep bore soakaways.

We would strongly recommend that the LPA consults with the EA for any discharge of treated foul into the underlying geology and associated SPZ3.

Notwithstanding these comments, should the local authority be minded to grant permission for this development, KCC recommend that permission is granted subject to conditions.

KCC Highways and Transportation: The introduction of 15 dwellings is unlikely to have a notable effect on traffic movements in the nearby area. The site is located close to the A252 and the local strategic road network, in addition there are various bus services serving the nearby area within 400 metres of the application site.

No details have been supplied in regards to electric vehicle (EV) charging points. It is recommended that 1 EV charging point be supplied at each proposed dwelling.

Overall, no, objection subject to conditions.

Kent County Council Public Rights of Way (PROW): The application states that a new public right of way will be created to connect the site to the existing network. Whilst this link is welcomed Kent County Council has no expectation to adopt the route as a public highway. Ashford Borough Council should therefore need to secure appropriate funding or mechanism for likely future maintenance.

Public footpath AE86 provides a pedestrian route into the village, including the school, village hall and other facilities without the need to walk beside the A252, Canterbury Road. It also provides a link from the proposed development to the wider countryside and public rights of way network. As such it is envisaged that use of the route will increase from the proposed development and existing properties in the near vicinity.

In light of the highlighted impacts on public footpath AE86 Kent County Council Public Rights of Way and Access Service recommend that consideration is given to improving the surface of the path between the A252, Canterbury Road and the proposed pedestrian access link. In order to attempt to secure this off-site improvement, a developer contribution should be provided of an amount in the region of £13,200.

Any planning consent given confers no consent or right to disturb or divert any Public Right of Way at any time without the express permission of the Highway Authority, in this case Kent County Council's Public Rights of Way and Access Service.

KCC Ecology: Additional information is required prior to determination of the planning application.

- Further surveys along with any necessary mitigation measures for reptiles;
- Further surveys along with any necessary mitigation measures for bats;
- Mitigation measures for ancient woodland including appropriate buffers.

The proposed development is adjacent to a block of Ancient Woodland. A buffer zone of a minimum of 15 metres between the Ancient Woodland and the development

needs to be incorporated into the submitted landscape/site plans. Buffer zones cannot include garden habitat due to the lack of control over how these areas will be used.

KCC Developer Contributions: The County Council requests £48.02 per dwelling to address the direct impact of this development to meet the additional demand upon the local Library service which will be generated by the people residing in these dwellings.

Please include within any Planning Consent the requirement to provide 'fibre to the premise'.

Ramblers: No objection.

Environment Agency: No objection subject to conditions.

North Downs AONB Unit: Development in this location is considered an appropriate extension of the village. A development of this scale in the AONB offers an opportunity to secure an increase in provision of affordable housing in the AONB.

A development of this scale in the AONB offers an opportunity to secure an increase in provision of affordable housing in the AONB. In rural areas and especially within AONBs, there remains a need for social provision of affordable homes as there will be a sector of rural community who will simply not be able to qualify or afford mortgages on market housing. Without an adequate supply of affordable housing within AONBs there is the risk that this will undermine the ability of those on the lowest incomes to live and work within the AONB and settlements will become predominantly for commuters or second home owners.

The provision of 3 affordable units, is below the requirement of 35 per cent as set out in policy CS12 of Ashford's Core Strategy and 40 per cent in policy HOU1 of the emerging Local Plan. Policy VC3 of the Kent Downs AONB Management Plan supports initiatives that increase and improve the supply of affordable housing. The proportion of affordable housing units within the scheme should be increased to comply with current/emerging development plan policy.

NHS: No comments received.

Southern Water: There is no public foul sewers in the area to serve the proposed development with sewerage services.

Forestry Commission: No comments received.

Woodland Trust: No comments received.

Neighbours: 36 neighbours have been consulted, a site notice has been posted and the application has been advertised in the press.

A total of 8 representations have been received including 2 letters of comment and 6 letters objecting to the proposal on the following grounds:

- The site is located within the AONB;
- The site is located outside of the village confines;
- Lack of infrastructure – no mains gas or mains drainage, frequent power cuts etc;
- Poor public transport links;
- Cumulative impacts of development in Challock;
- The primary school is oversubscribed and inconveniently sited within the village;
- With regard to amenities there is only a post office and barn shop;
- Impact on the living conditions of neighbouring properties;
- Increase in traffic movements;
- Impact on the environment generally;
- The scale of development is unacceptable and out of character with existing buildings;
- Cramped form of development;
- Unsuitable access;
- Adverse impact of vehicular and pedestrian safety;
- The site should be promoted for agricultural use;
- Challock already has enough new dwellings;
- There are already sufficient 4 bedroom dwellings in Challock;
- The Village Plan identified sites for infilling and not a small estate;
- Development on this site will set a precedent for building outside the built up confines;
- All hedging on the eastern boundary should be retained especially as trees and bushes along the western boundary have already been removed;
- If the application is approved the developer must abide by the recommendations of the ecological appraisal to protect existing wildlife;

2nd Consultation – Amended plans received. Amendments include an increase in the number of units on the site from 15 to 19. The layout has also been amended as a consequence.

Challock Parish Council: Does not support this application. Increasing the number of dwellings from 15 to 19 gives the area a cramped in affect with limited parking spaces. The Parish Council are disappointed that the request from Housing Services for a dwelling to accommodate a family with a disabled child has been omitted from the plans and therefore preventing a family with a village connection from moving to the village.

The single vehicle access road and the increase traffic that will be using it. Not only residents of the new houses but 2 Lorries require daily access to the commercial unit and during the summer season agricultural vehicles use the access for entrance to the fields at the back. There are also concerns regarding the number of car parking spaces available in the housing development, in particular for visitor parking. The Parish

Council are aware that the amended plans have included neighbours land and therefore the application should be redrawn by the developer and the planning application should be re-submitted.

The Parish Council like our parishioners have concerns regarding the infrastructure; the primary school is running at full capacity, inadequate footpaths and the playpark is in need of refurbishment.

Canterbury Road through the village is narrow along with the footpath adjacent to the Barn Shop. There is no footpath adjacent to Clockhouse so residents have to cross the road using the single access road.

Residents requested that the access road into Clockhouse Green is adopted by KCC Highways and a new footway is installed.

ABC Project Office (Drainage): No further comments received.

ABC Environmental Health: Note the amended description from 15 dwellings to 19. My earlier comments are still pertinent considering this alteration.

ABC Street Scene and Open Space: If the roads are not to be adopted by KCC the developers need to be aware that collections will not occur until a road is adopted or an indemnity needs to be in place prior to the commencement of any waste collections.

The new site plan does not show tracking for an 11.4m refuse vehicle, please ensure that this is updated to reflect accordingly.

Refuse stores need to be big enough to accommodate a 240l recycling bin, 180l refuse bin as well as a food caddy. Please also bear in mind that residents may opt to subscribe to our garden waste service – which would mean an additional 240l garden waste wheeled bin.

ABC Housing: Ordinarily, there will be an expectation of 40% affordable housing being delivered within this scheme. With the revised application seeing 19 units, this equates to eight units, of which two would be affordable rent and the remainder an affordable home ownership product of which a minimum of three must be shared ownership.

We would be willing to take seven units based on the applicant providing a disabled unit for a family within the parish with a specific need for this, as previously discussed.

The family requires an adapted property in Challock. This is to be a three bedroom property with either a ground-floor bedroom or a wet room for their son, to accommodate full-time wheelchair use, or a property with through-floor lift in situ.

Level access or ramping is required, together with door widths and circulation space for wheelchair use (sizes to be agreed with OT).

Were the developer willing to provide one three-bedroom property, fully adapted, then we would understand some form of flexibility being implemented on the remainder of the units.

We would expect the properties to meet the Nationally Prescribed Space Standards. In the case of the 2-bed properties we would expect four bed spaces to be provided and in the case of the 3-bed property we would expect five bed spaces to be provided.

We would also request that the affordable housing composition be integrated into the development to ensure a balanced tenure neutral mix on the development rather than being positioned as a cluster of properties on the development.

KCC Drainage: Have no further comment to make on this proposal and would refer you to our previous response.

KCC Highways and Transportation: The addition of the proposed units onto the existing Clockhouse Green development does not cause concern with regard to capacity or highway safety on the surrounding network. The existing access onto the A252 is sufficient in size and has adequate visibility.

The parking provision and layout as proposed is acceptable. Some of the rear serviced parking areas are slightly further away from the properties than preferable, but due the size and layout of the proposed site, in this case this is not thought to be a problem such that would result in obstructive parking. I also note that the proposal is to remain in private in ownership.

It is recommended that 1 EV charging point be supplied at each proposed dwelling.

Overall, no objection subject to conditions.

Kent County Council Public Rights of Way (PROW): No further comments received.

KCC Ecology: No objection subject to conditions.

KCC Developer Contributions: The County Council requires a financial contribution towards the expansion of Charing CE Primary School at £3324.00 per house (x19).

The County Council requires a financial contribution towards the expansion of The Norton Knatchbull School at £4115.00 per house (x19).

The County Council therefore requests £48.02 per dwelling to address the direct impact of this development to meet the additional demand upon the local Library service.

Please include within any Planning Consent the requirement to provide 'fibre to the premise'.

Ramblers: No comments received.

Environment Agency: No objection subject to conditions.

North Downs AONB Unit: No comments received.

NHS: No comments received.

Southern Water: There is no public foul sewers in the area to serve the proposed development with sewerage services.

Forestry Commission: No comments received.

Woodland Trust: No comments received.

Neighbours: 46 neighbours have been consulted, a site notice has been posted and the application has been advertised in the press.

A total of 12 representations have been received including 2 letters of comment and 10 letters objecting to the proposal for the reasons stated in response to the first consultation and for the following additional reasons:

- Loss of a green field site;
- Impact on doctors surgery;
- Development should be focused on brown field sites;
- The developers should provide funding towards local schools, doctors surgery and local infrastructure;
- The lane should be adopted by Ashford Borough Council;
- Loss of views;
- Impact on wildlife;
- Smaller dwellings are needed; and
- Increase in number from 15 to 19.

Planning Policy

26. The Development Plan comprises the Ashford Local Plan 2030 (adopted February 2019), the Chilmington Green AAP (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017) and the Kent Minerals and Waste Local Plan (2016).

27. For clarification, the Local Plan 2030 supersedes the saved policies in the Ashford Local Plan (2000), Ashford Core Strategy (2008), Ashford Town Centre Action Area Plan (2010), the Tenterden & Rural Sites DPD (2010) and the Urban Sites and Infrastructure DPD (2012).
28. The relevant policies from the Development Plan relating to this application are as follows:-

Ashford Borough Local Plan 2000

SP1 - Strategic Objectives

SP2 - The Strategic Approach to Housing Delivery

SP6 - Promoting High Quality Design

SP7 - Separation of Settlements

S54 – Challock, Land at Clockhouse

HOU1 – Affordable Housing

HOU3a – Residential Development in the rural settlements

HOU12 - Residential space standards internal

HOU14 - Accessibility standards

HOU15 - Private external open space

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

EMP6 – Promotion of Fibre to the Premises (FTTP)

TRA3a - Parking Standards for Residential Development

TRA5 - Planning for Pedestrians

TRA6 - Provision for Cycling

TRA7 - The Road Network and Development

ENV1 - Biodiversity

ENV3b - Landscape Character and Design

ENV4 - Light pollution and promoting dark skies

ENV5 - Protecting important rural features

ENV6 – Flood Risk

ENV7 – Water Efficiency

ENV8 - Water Quality, Supply and Treatment

ENV9 - Sustainable Drainage

ENV13 - Conservation and Enhancement of Heritage Assets

COM1 - Meeting the Community's Needs

COM2 – Recreation, Sport, Play and Open Spaces

IMP1 – Infrastructure Provision

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

Supplementary Planning Guidance/Documents

Residential Parking and Design Guidance SPD 2010

Sustainable Drainage SPD 2010

Landscape Character SPD 2011

Residential Space and Layout SPD 2011

Dark Skies SPD 2014

Affordable Housing SPD 2009

Public Green Spaces & Water Environment SPD 2012

Village Design Statements

NA

Other 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

Kent Downs AONB Management Plan 2015 – 2019

Kent Downs AONB Farmstead Guidance

Kent Farmsteads Guidance Part 5 - English Heritage, Kent County Council and Kent Downs Area of Outstanding Natural Beauty (AONB) 2012

Government Advice

National Planning Policy Framework (NPPF) 2018

30. Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-
31. Relevant sections of the NPPF include:
 - Chapter 2 – Achieving sustainable development
 - Chapter 4 – Decision-making
 - Chapter 5 – Delivering a sufficient supply of homes
 - Chapter 8 – Promoting healthy and safe communities
 - Chapter 9 – Promoting sustainable transport
 - Chapter 10 - Supporting High Quality Communications
 - Chapter 11 – Making effective use of land
 - Chapter 12 – Achieving well-designed places
 - Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
 - Chapter 15 - Conserving and enhancing the natural environment

National Planning Policy Guidance (NPPG)

Technical housing standards – nationally described space standard

Assessment

32. The main issues for consideration are:
- The principle of the development
 - Sustainability and location of the development
 - Landscape character and visual amenity
 - Impact on the setting of Heritage Assets
 - Impact on residential amenity
 - Ecology and the impact on the Ancient Woodland.
 - Drainage / contamination
 - Highway Impacts
 - Other matters
 - Whether planning obligations are necessary

The principle of development

33. Section 38 (6) of the Planning & Compulsory Purchase Act 2004 states that applications should be determined in accordance with the adopted Development Plan unless material considerations suggest otherwise. Section 70 of the Town and Country Planning Act 1990 is concerned with the determination of planning applications with regard to the provisions of the development plan, so far as they are material and any other material considerations.
34. The Local Plan has validated the essential land use planning strategy adopted by the Council, as being the right strategy to apply, namely focusing growth in and near the built-up area of Ashford, as well as in the main rural settlements in the hierarchy, based on sustainability considerations and seeking to recognise the character and important qualities of the villages and the countryside. The land use planning strategy is sound and justified.

35. In the rural areas, larger scale development (in a rural context) is focused at the more sustainable and established rural settlements, those which have more services and facilities and a greater ability to absorb new housing. This is reflected in the Council's strategic objectives set out in policy SP1 which indicates that in order to deliver the Council's 'Vision' development should be focussed at accessible and sustainable locations which utilise existing infrastructure, facilities and services wherever possible. Challock is an existing defined settlement that can provide a range of services to meet daily needs. Challock is identified in both policies HOU3a and HOU5 as being a settlement that is capable of accommodating residential development and infilling within it's built up confines and also adjoining/close to it's built up confines.
36. The Plan allocates a number of housing allocations at medium sized rural settlements such as Challock in order to spread the responsibility for accommodating new housing growth in a sustainable way across the borough and focus new housing in a way that is proportionate and close to the services and facilities in the locality. The site the subject of this application is one such allocation and is identified under policy S54 of the Ashford Local Plan 2030 as being suitable for residential development.
37. The site lies in a rural location within a sensitive landscape designated as an AONB. There is also ancient woodland to the west of the site and a ground water protection zone and area of major ground water vulnerability.
38. Para 172 of the NPPF states-
39. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
 - (a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - (b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

(c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

40. For the purpose of paragraph 172, National Planning Policy guidance, whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 172 of the NPPF applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context. The definition of a major development in the context of the above not as prescribed in the General Development Management Procedure Order 2015 (i.e. development of 10 dwellings or more).
41. As stated above, the site has been allocated within the recently adopted Ashford Local Plan 2030 under policy S54, evidencing the fact that subject to meeting the criteria identified in policy S54, the Council considers the principle of residential development on this site to be acceptable and also sustainable in accordance with the principles identified above. In addition to this, the North Kent Downs AONB Unit has advised that development in this location is considered an appropriate extension of the village and offers an opportunity to secure an increase in provision of affordable housing in the AONB. Consequently, it is officer's view that it is appropriate not to treat this application as a major development within the AONB. Notwithstanding this, this in no way diminishes the protection afforded to the landscape designation the impacts of which shall be carefully considered in the determination of this planning application.
42. The land to which the site allocation applies is identified in the figure below.

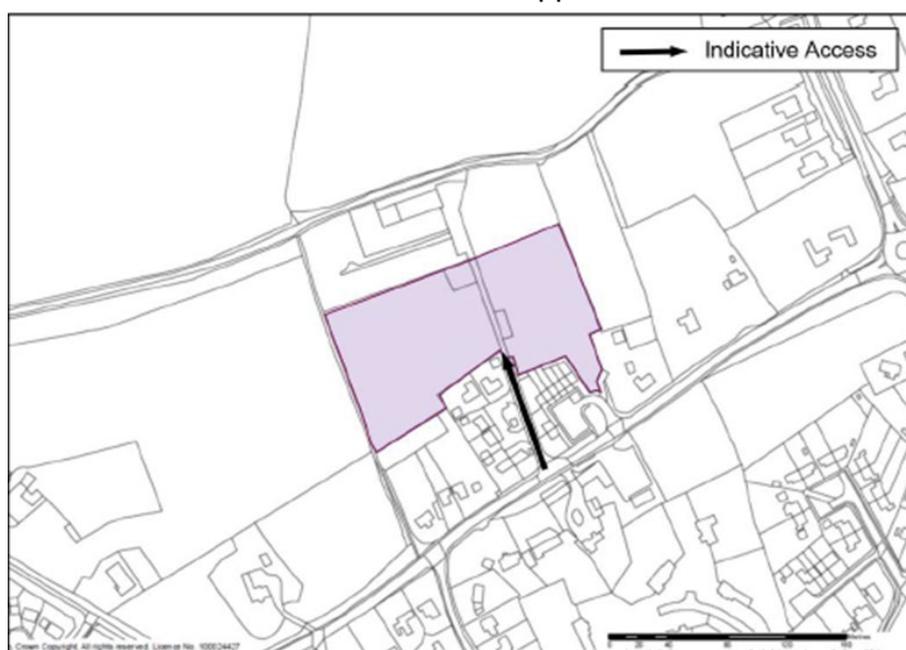


Figure 7 Site Allocation Policy S54

43. The criteria set out in policy S54 against which the development will be assessed states:

Policy S54 – Challock, Land at Clockhouse

The site at Clockhouse is proposed for residential development for an indicative capacity of 15 dwellings.

Development proposals for this site shall:

- a) Be designed and laid out in such a way as to conserve and, where possible, enhance the character of the AONB and this edge of settlement area, paying particular attention to the well-spaced nature of nearby development;**
- b) Dwellings should be limited to two storeys in height in order to protect character of the surrounding area;**
- c) The built footprint of any proposed development should be laid out so as to ensure the protection of the adjacent Carpet Wood ancient woodland;**
- d) Retain and, where possible, enhance the hedge and tree boundaries around the site, particularly where these abut the open countryside;**
- e) Provide primary vehicle access off the track known as Old Clockhouse Green and retain vehicular access to the commercial unit to the north; and,**
- f) Provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider.**

44. Although the indicative capacity for this site is 15 dwellings, the exact amount of dwellings that will be appropriate will depend on an acceptable design/layout being demonstrated. The fact that the policy sets out an indicative capacity means that it is not an absolute. The figure is indicative to give a guide to the quantum of development that may be forthcoming when allocating sites in the development plan to ensure that the Council has a 5 year supply of deliverable housing to meet its housing needs. Ultimately, the final number of dwellings provided will be derived through the proper planning of the site which may mean that a slightly higher or lower number of units is ultimately achieved.
45. The site, being an allocated site, will make an important contribution to the Council maintaining a 5 year housing land supply and thereby being in a stronger position to resist speculative inappropriate developments on unallocated sites outside of the town and village confines within the Borough. The delivery of this site will also help to boost the supply of housing which is a requirement of the NPPF. The criteria of the policy is tested in subsequent sections of this report but subject to compliance with these the development proposed is considered to be acceptable in principle.
46. Further benefits associated with the scheme include its ability to help boost significantly the supply of housing, the provision of 40% affordable housing, its relatively sustainable location (see below), and other recognised social and economic benefits including generating job opportunities, for example, during the construction process, and economic benefits arising from

purchasing goods and utilising services and facilities in the immediate and wider locality.

Sustainability and Location of the Development

47. The NPPF seeks to resist isolated new homes in the countryside (para 79).
48. The site, whilst outside of the built confines of Challock is not in an isolated location. The application site is located immediately adjacent to the built up confines of an established rural settlement and within easy walking distance of the centre of the village.
49. There are a range of local services and facilities within Challock including a shop/post office, barn shop, village hall, public house primary school, village hall and recreation ground/open space including a children's play area. There are bus stops located within walking distance of the site.
50. For the reasons above, the site is not regarded as being physically isolated from services/facilities and is sustainably located hence the Inspectors acceptance of this site allocation and subsequent adoption of the policy in the local plan.

Landscape character & visual amenity

51. Policy SP1 of the adopted Ashford Local Plan 2030 sets out core principles for development within the Borough. Amongst other things, policy SP1 seeks conserve the borough's natural environment including designated landscapes and biodiversity; as well as creating high quality designed places that are sustainably sited; meet the housing needs / mix for the Borough and ensure development is resilient to and mitigates climate change.
52. The Council has a statutory duty under the Countryside and Rights of Way Act (2000) to conserve and enhance the natural beauty of designated landscapes including AONBs.
53. The site lies within a protected landscape (AONB). The NPPF would advise refusal of major applications in such locations unless an overriding public benefit can be demonstrated. The NPPF affords the highest level of protection in such locations. Although it is considered that the development is not a major development within the meaning of the NPPF it is a significant development which must demonstrate the conservation or enhancement of the AONB's landscape and scenic beauty, wildlife and cultural heritage.
54. Policy ENV3b of the Local Plan states:

“The Council shall have regard to the purpose of conserving and enhancing the natural beauty of the Kent Downs and High Weald AONBs.

Major development proposals within the AONBs will only be permitted in exceptional circumstances and where it is demonstrated they are in the public interest.

All proposals within or affecting the setting of AONBs will also only be permitted under the following circumstances:

- The location, form, scale, materials and design would conserve and where appropriate enhance or restore the character of the landscape.*
- The development would enhance the special qualities, distinctive character and tranquillity of the AONB.*
- The development has regard to the relevant AONB management plan and any associated guidance.*
- The development demonstrates particular regard to those characteristics outlined in Policy ENV3a, proportionate to the high landscape significance of the AONB”.*

55. Housing allocation policy S54 states that development on this site shall be designed and laid out in in such a way as to conserve and, where possible, enhance the character of the AONB and this edge of settlement area, paying particular attention to the well-spaced nature of nearby development. The policy also encourages the retention and, where possible, enhancement of the hedge and tree boundaries around the site, particularly where these abut the open countryside, and states, that dwellings should be limited to two storey in height in order to protect the character of the surrounding area.
56. Protecting the landscape and scenic value of the countryside is consistent with the NPPF, including in particular the environmental considerations as specified in the NPPF (and section 15 - Conserving and Enhancing the Natural Environment).
57. The site with the exception of an access track is a green field site. The proposed development would not require any significant alterations to the landform or topography. Trees and hedgerows are located around the perimeter of the site to the North, East and South as identified on the existing site plan drawing number C1068 D02. To the West of the site lies Ancient Woodland. With the exception of the existing planting to the perimeters there are few landscape features within the site. As such, the boundary trees/hedgerows are the most distinctive landscape feature on the site and

- they make a valuable contribution to visual amenity. Consequently, these should be retained in accordance with the requirements of policies ENV3b and S54. This can be secured by condition, together with a condition which requires the existing planting to be protected during the construction phase.
58. Views of the development from the A252 Canterbury Road would be very limited due to the existing residential development in Orchard Lane, Old Clock House Green and along the Canterbury Road. Any views of the development that may be able to be obtained from the Canterbury Road will be of the development in the back drop of existing residential properties and the forefront of the existing commercial unit to the north of the site. In this context the site would not appear physically isolated and it would not appear at odds with existing residential development.
59. It will be possible to obtain views of the development from the public right of way that runs along the western boundary, however, the retention of existing boundary planting, further reinforcement of these boundaries (as per the requirements of policies ENV3b and S54), and the provision of green open spaces within the site, will soften the impacts of the development.
60. In terms of the surrounding pattern of development, there is no strong established pattern. Instead, the area immediately surrounding the site comprises a mix of layouts including both cul-de-sacs and frontage development arranged in a linear form with open fields and woodland surrounding. Overall, the predominant landscape characteristics are rural.
61. With this in mind, the Design, Access and Planning Statement submitted with the original application states that the scheme has been designed to have the characteristics of an old farmyard setting. Whilst officers fully support the concept of a farmyard style layout on this site, this approach requires conviction and the layout of the scheme as originally submitted and illustrated in figure 2, was considered to be overly engineered, and in officers view did not represent an authentic representation of a traditional farmyard layout. As a consequence, officers could not support the original scheme as it was considered that the former layout (if permitted) would have had a detrimental impact upon the visual amenity of the area and the character and appearance of the AONB.
62. Since relaying these concerns to the developer, detailed negotiations have followed and the layout has been substantially amended to include a reduction in the amount of hardstanding and a reduction in the size of some of the dwellings proposed. Amongst other things, these amendments have facilitated an increase in the number of units on the site, and the creation of a tighter farmyard style development within which there are courtyard arrangements with green spaces at their core, reminiscent of small rural

village greens that provide an elegant setting and outlook for the homes which front onto them. Informally distributed properties front the central road that runs along a north south axis through the site, seeking to reflect a rural drift way.

63. At 13 dwellings per hectare, the density of development is appropriate for a rural site in close proximity to the village centre. Positioning lower density development to the far west of the site adjacent to the boundaries with the ancient woodland and the higher density development further east where it adjoins the boundaries with existing residential and commercial development is considered to be the correct response, allowing for the provision of robustly landscaped buffers along the boundary with the ancient woodland and public right of way.
64. When compared with the originally submitted scheme it remains the case that the access to the proposed housing scheme follows the existing route through the site splitting the site into two regular parcels of land. However, the previous scheme's large tarmac areas with very exposed and wide turning heads at either end of the site have been removed and have been replaced by two informal, naturally curving driveways accessing off either side of this central route. These driveways have been specifically redesigned to reflect the rural setting of the site, by avoiding looking like main urban highways. Instead they now appear as narrow rural lanes surfaced in a different material with soft edges.
65. The smaller court to the east is ordered by a small central paddock with buildings informally arranged to gently enclose the space with parking areas screened from the central space by cart-shed style blocks resulting in the balance of one and two storey blocks that are simple and vernacular in both their form and their material and fenestration treatments. Gravelled drives, arm style fencing and indigenous hedgerow planting and trees add appropriate rural character to the composition.



Figure 8 Proposed Development - Eastern Parcel

66. The curving drive that serves the larger parcel of land to the west is proposed to be framed with native Hawthorn and Blackthorn hedge planting along the first section which opens up to an open grassed area reminiscent of a small rural village green. To the south of the cottages enclosing the green area, a parking court that includes a garage/car barn has been thoughtfully sited to help screen the driveways to the larger dwellings and the cars parked in open bays from view. This will ensure that the village green feature is the focal point here. Frontage parking to all dwellings in this location would appear far too suburban in officer's opinion and so this approach to car parking which seeks to ensure that the scheme will not be dominated by the presence of cars is considered to be the most appropriate response. Where parking is more visible, for example to the front of units 6, 9 and 10, this will be screened/softened by appropriate boundary treatments.



Figure 9 Proposed Development - Eastern Parcel

67. A footpath link connects this end of the site to the adjoining public right of way.
68. The informal layout and setting back of units 7, 8 and 18 from the road together with planting of mature trees on 3 of the corners adjacent to the cross roads within the site, is designed to give the scheme a welcoming appearance from the main approach and a soft appearance rather than simply proposing dwellings hard up against the road frontage. This crossroads with the carefully considered green infrastructure should act as

a legible landmark within the development and provide an attractive outlook for the occupiers and visitors alike.

69. The properties themselves would be two storey as required by criteria b of policy S54. The housing in each of the two parcels has been carefully designed to reflect the characteristics of a typical rural settlement with informal courtyard arrangements of houses designed to reflect farm and rural settlement buildings including farmhouses, cottages and barns. The traditional form and scale of development would respond to the form and scale of development at Old Clock House Green adjacent, in context with which this scheme will be read. Consequently, the proposal would not appear at odds in its contextual setting.
70. The proposed dwellings would include a number of contextual features, such as, chimneys, full and half hipped roofs, porches and bay windows. Given the rural location within the AONB high quality natural materials are proposed such as red brick, tile hanging, timber weather-boarding and timber windows and doors with a mix of clay and slate roof tiles. A suitably worded condition is proposed to ensure this is achieved. Overall, the scheme proposes an appropriate form of design that will help to reinforce local distinctiveness.
71. The positioning and design of boundary treatments has been carefully considered. The use of close boarded fencing has been restricted to parts of the site that are not visually prominent from the public domain. Boundary enclosures that are prominent will be constructed using brick or farm style fencing such as post and rail which are more sympathetic to the rural setting.
72. Overall, the amended proposals are considered to be of a high design quality following the principles contained in the Kent Farmsteads Design Guidance (produced by Kent Downs AONB unit amongst others), which provides advice based on a range of historic farmstead types.
73. Although the proposals would result in a significant visual change from an open field to a developed housing scheme, the visual impacts associated with this would be relatively localised and softened by the existing and enhanced landscaping. As such the wider landscape impact is not considered to be significant.
74. The architectural designs, the design of streets and driveways that appear as informal lanes, the provision of garages/car barns (some of which help to screen communal parking courts), the landscaping, and the different green spaces combine to create an interesting and varied streetscene and add visual richness to the scheme to create a distinctive 'Kentish' rural character with a strong sense of place.

75. In conclusion, for the reasons set out above, I am confident the proposals will represent an appropriate form of development that sits sympathetically within the landscape and preserves and enhances the village setting and character and appearance of the AONB. It is therefore considered that the LPA have fulfilled their statutory duty to conserve and enhance the AONB and that the development would comply with relevant development plan policy criteria.

Impact on the setting of Heritage Assets

76. In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), it is the Council's statutory duty and obligation to have special regard to the desirability of preservation and/or enhancement of heritage assets such as conservation areas and Listed buildings and their setting.
77. Policy ENV13 states that proposals which protect, conserve and enhance the heritage assets of the Borough, sustaining and enhancing their significance and the contribution they make to local character and distinctiveness, will be supported.
78. The site is in excess of 100 metres away from the nearest listed building. Given the separation distance, the proposed development is not considered to adversely affect the setting as it will not be viewed in immediate context with the Listed Building or obstruct any important views of it.

Impact on residential amenity

79. Paragraph 127 of the NPPF indicates that planning decisions should create a high standard of amenity for existing and future users.
80. The proposed layout plan demonstrates that satisfactory distances can be maintained between the proposed and adjacent dwellings.
81. The minimum distance maintained between existing and proposed dwellings is 15 metres. This minimum distance exists between plot 8 and existing dwelling number 6 Old Clock House Green. However, plot 8 is positioned side on to number 6 Old Clock House Green and there are no first floor windows facing number 6. Given that this is the closest relationship between existing and proposed dwellings and that all other properties maintain gaps between one another that exceed 20 metres, I am satisfied that the development of the site can be achieved without causing demonstrable harm to neighbours amenity or to each other through loss of light, immediate outlook or by having an overbearing presence. In addition to the distances maintained, robust landscaping will help mitigate the impacts of the

development and in time, will also help to maintain a greater degree of privacy.

82. The internal and external accommodation proposed would comply with the Council's Space Standards.
83. Given the above, I do not consider that the development would result in harm to the residential amenity of neighbouring or future occupiers. The development therefore accords with the NPPF.

Ecology and impact upon the Ancient Woodland

Ecology

84. Policy ENV1 states that proposals for new development should identify and seek opportunities to incorporate and enhance biodiversity. Proposals should safeguard features of nature conservation interest and should include measures to retain, conserve and enhance habitats... and networks of ecological interest... including.... water features, ditches, dykes and hedgerows, as corridors and stepping stones for wildlife. Where harm to biodiversity assets cannot be avoided, appropriate mitigation will be required in line with a timetable to be agreed with the Local Authority. Normally any mitigation measures will be required to be delivered on-site, unless special circumstances dictate that an off-site model is more appropriate. Policy ENV1 of the Local Plan is consistent with the guidance contained within the NPPF.
85. The Conservation of Habitats and Species Regulations 2017 requires Ashford Borough Council, the competent authority, to have regard to the requirements of the Habitats Directive in the exercise of their functions. As such, Ashford Borough Council must consider whether it is likely that an EPSM Licence from Natural England will be granted, and in so doing must address the three derogation tests when deciding whether to grant planning permission for the proposed development. The three tests are that:
 - Regulation 55(2)(e) states: a licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”.
 - Regulation 55(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”.
 - Regulation 55(9)(b) states: the appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental

to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.”

86. In respect of the first test, the proposed development would not constitute a form of development which would be considered to be of overriding public interest.
87. Considering the development against the second criteria, given that this is an allocated site, there is not considered to be any satisfactory alternative to the development in this location. In respect of the third criteria this is assessed below.
88. The proposed development has been subject to consultation with KCC Ecology.
89. The Preliminary Ecological Appraisal concluded that surveys for reptiles and bats should be carried out due to the presence of habitat that indicates the potential for these species groups to be present and affected by the proposed development.
90. No reptiles were recorded during the surveys reported in the Reptile Survey Report. As a result a likely absence of reptiles from the site can be concluded. No mitigation measures for reptiles are therefore necessary. KCC advise that the applicant continues the current use/management of the site until development commences to ensure that habitats with increased potential to support reptiles do not develop. This can be added to any subsequent decision as an informative note.
91. It is concluded in the untitled bat survey summary that “very little bat activity was recorded” during the surveys. However, KCC comment that the surveys were undertaken fairly early in the season when nights were still cold, and so in KCC’s view the results underestimate the likely use of the site by bats. However, KCC acknowledge that the majority of the site is not likely to be of great interest to bats, and so they state that they do not consider it necessary for additional survey work to be carried out at this time. KCC consider the western boundary with the ancient woodland to be the asset of greatest value on the site, such that there must be measures implemented to minimise light spill to this area. KCC go so far as to state that the boundary of the site with the ancient woodland must be maintained as a dark corridor and that if lighting is necessary it must be low level, with lamp specifications that are in accordance with the Bats and Lighting in the UK guidance. This can be secured by condition.
92. KCC advise that if permission is granted, it should be granted subject to a condition requiring the submission of an Ecological Design Strategy for the

proposed development site, including specifications for the buffer zone and ecological enhancements for the site. Additionally, KCC recommend a further condition requiring details of the management of the buffer zone to be detailed within a Landscape and Ecological Management Plan.

93. Finally, KCC recommend an informative note is added to any subsequent grant of planning permission reminding the applicant/developer of the legislation in place to protect breeding birds.
94. On the basis of the information submitted and for the reasons above, I am satisfied that the LPA has fulfilled its duty to appropriately assess the development under Regulation 9(5) of the Conservation of Habitats & Species Regulation 2010. If approved, subject to conditions, the proposed development is not considered to result in any adverse impacts to matters of ecological importance in accordance with the relevant policies set out in European and UK law as well as in the adopted development plan, and the NPPF.

Ancient Woodland

95. Trees and hedgerows are key aspects of the Borough's countryside and the North Downs AONB. Ancient semi natural woodlands are not just important landscape features but provide a range of habitat and biodiversity value not found in other forms woodland.
96. Policy ENV5 of the Local Plan 2030 seeks to protect important rural features including ancient and semi-natural woodland. Policy ENV3a (to which relevant policy ENV3b refers), requires regard to be had to the composition of trees and woodland and states amongst other things that existing features that are important to the local landscape character shall be retained. Criteria c of policy S54 states that the built footprint of any proposed development should be laid out so as to ensure the protection of the adjacent Carpet Wood ancient woodland.
97. Paragraph 175 of the NPPF states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland unless, a suitable compensation strategy exists.
98. The application site is lies adjacent to Carpet Wood, a designated ancient woodland. Amongst other things, Natural England and the Forestry Commission's standing advice for Ancient Woodland and Veteran trees advises development must be kept as far as possible from ancient woodland. A 15m buffer area between the development boundary and the woodland is

recommended. Buffer zones cannot include garden habitat due to the lack of control over how these areas will be used.

99. The submitted plans demonstrate that a 15m buffer zone between the rear garden boundaries and the adjacent Ancient Woodland will be maintained. Conditions recommended by KCC Ecology, will ensure that this buffer is appropriately managed if planning permission is granted.
100. Based on the plans submitted and subject to the conditions recommended by KCC, I am satisfied that the proposed development can be accommodated without any adverse impact upon the trees and habitat that form part of the adjacent Ancient Woodland in accordance with relevant local plan policies and national policy guidance.

Drainage and Contamination

Surface Water Drainage

101. Amongst other things, recently adopted policy ENV9 of the Local Plan 2030 states that all development should include appropriate sustainable drainage systems for the disposal of surface water, in order to avoid any increase in flood risk or adverse impact on water quality, and to minimise the drainage from the pre-developed site.
102. The application has been subject to consultation with the Environment Agency (EA) and KCC Flood and Water Management.
103. The Environment Agency identifies that controlled waters are particularly sensitive in this location because the proposed development site is within Source Protection Zone 3 and located upon a Principal Aquifer.
104. The site lies within flood zone 1 and is therefore at low risk from fluvial or tidal flooding. The site is currently green field and the development will result in impermeable surfaces and therefore the main flooding potential arises from surface water run-off. A Flood Risk and Sustainable Drainage Assessment has been submitted in support of the application. This assessment was last update in May 2019. Amongst other things the Assessment details a proposed 'Surface Water Management Strategy'.
105. The assessment proposes that the highway areas and driveways are constructed using a permeable surface and the patio pathway areas using permeable paving. The sub-base beneath the highway area is required to be a minimum 300mm deep with a layer of geotextile to provide a suitable filtration depth to remove any potential contaminants. It is proposed that rain falling onto these areas will be stored within the underlying sub-base material

during a storm event. The system will gradually soak into the ground, discharging as close to source as possible to mimic the pre development conditions. Surface water runoff from the existing road running through the site will run off onto the highway verges before discharging into the permeable areas.

106. The surface water landing on the roof areas from the houses and garage areas will be drained into soakaways located within the garden area of the properties. Where the properties are terraced, there is insufficient space for individual soakaways and as such, a single soakaway will be shared. The use of cellular storage soakaways are proposed, where it can be laid onto the existing chalk to ensure adequate infiltration can be provided. Where ground investigations indicate chalk at a depth greater than 3000mm the assessment states that it will be necessary to install a deep bore soakaway to ensure that infiltration can be achieved. Where this is the case, the surface water landing on the roof areas from the houses and garage areas will be drained into deep bore soakaways located within the garden area of the properties.
107. In response to the May 2019 assessment, the EA have stated that generally, they do not support the use of deep borehole soakaways as the EA are concerned that boreholes, wells and deep soakaways designed for water disposal at depth could bypass any potential attenuation layers and offer a direct conduit for the rapid transportation of contaminants to groundwater. Where necessary, the EA seek to control the depths of these soakaway systems by recommending maximum penetration depths and a requirement that the water table shall not be intersected. The EA indicate that the design of the surface water drainage strategy should be based on a combination of factors including geological conditions, aquifer designations and the contamination status of each site. The EA have advised that the detailed design at any site can be negotiated on a site-specific risk-assessed basis, dependant on environmental setting and drainage design proposals.
108. The assessment that has been submitted does not represent a detailed surface water drainage design; simply an assessment to demonstrate that the objectives and requirements of relevant planning policy and policy guidance can be met. The EA recognise this. The EA's intention is to ensure that when a detailed design is submitted, any deep bored soakaways are designed appropriately so that groundwater is not put at unnecessary risk from pollution. In order to achieve this the EA have recommended a number of conditions relating to the disposal of surface water.
109. In terms of the response from KCC Flood and Water Management, KCC have indicated that they are satisfied that the results from infiltration testing demonstrate that infiltration SuDs such as soakaways are feasible at this

site. However, amongst other things KCC require confirmation at the detailed design stage of the spatial separation of the soakaways. KCC have recommended several conditions which seek to ensure that the development is served by satisfactory arrangements for the disposal of surface water and which seek to ensure that the development does not exacerbate the risk of on/off site flooding.

110. Subject to conditions requiring further detail to be submitted to and approved in writing by the LPA in consultation with the EA and KCC, I am satisfied that surface water drainage can be appropriately dealt with within the site and that the proposed development can be accommodated without increasing the risk of flooding and without any adverse impact upon groundwater conditions.

Foul Sewage Disposal

111. Criteria F of policy S54 requires development to provide a connection to the nearest point of adequate capacity in the sewerage network, however, the submitted assessment includes a letter from Southern Water confirming that they do not have any sewers within the vicinity of the site. Consequently, the assessment suggests that foul effluent from the proposed development will need to be treated on site via a package treatment plant, and that treated effluent will need to be discharged into the ground via infiltration. The assessment also states that ground investigations indicate that infiltration is not possible within the chalk strata, and therefore it may be necessary to construct a borehole soakaway.
112. As stated above, the Environment Agency does not support the use of deep bored soakaways and so they have stated that although at this stage they do not object to the use of deep bored soakaways, the granting of planning permission does not guarantee the granting of a permit under the Environmental Permitting Regulations 2016. The EA state that whether the proposed sewage effluent discharge to a deep infiltration system is allowed, and a permit granted, will be decided at the permitting stage where the EA will assess whether the risk to groundwater is acceptable.
113. With this in mind, and in order to ensure that the means for disposing of foul sewage are suitable and can be accommodated within the site, ABC Environmental Health support the use of a pre-commencement condition that requires details of the system and evidence that the relevant Environment Agency discharge permit(s) have been obtained.

Contamination

114. The Council's Environmental Protection Team and the EA have raised no objection in respect of ground contamination subject to conditions, requiring the developer to investigate and risk assess potential contamination and where necessary remediate. A condition requiring the developer to report any unexpected contamination to the Local Planning Authority is also required.

Highway Impacts

115. Policy TRA7 of the adopted Ashford Local Plan 2030 relates to transport impacts, and amongst other things states, that developments that would generate significant traffic movements must be well related to the primary and secondary road network, and this should have adequate capacity to accommodate the development.
116. Policy S54 of the Local Plan states that primary vehicle access should be provided off the track known as Old Clockhouse Green and retain vehicular access to the commercial unit to the north.
117. The track referred to in policy S54 is the existing tarmac road within the application site that traverses the site from north to south. This road serves the existing commercial unit to the north. This road accesses directly off the A252, through Old Clock House Green to the south of the site. In accordance with policy S54, it is proposed to retain the existing access arrangements and the existing road, which will provide the primary route through the site and continue to serve the commercial unit to the north. Two further roads/driveways will be constructed off the main central route.
118. The application has been subject to consultation with Kent Highways and Transportation. KCC have stated that the addition of the proposed units onto the existing Clockhouse Green development does not cause concern with regard to capacity or highway safety on the surrounding network and that the existing access onto the A252 is sufficient in size and has adequate visibility.
119. Policy TRA3a sets out the requirements with respect to residential parking and is accompanied by the layout guidelines in the Council's Residential Parking SPD. Policy TRA3a sets out the following requirements: 1 bed: 1 parking space, 2 or 3 bed: 2 parking spaces and 4 bed: 3 parking spaces. The SPD indicates that spaces within garages cannot be counted towards parking provision.
120. Although a total of 52 car parking spaces are provided to serve the occupiers of the proposed dwellings, because garages cannot be counted towards the

parking provision units 1, 2, 6, 8, 9 and 10 all require one additional parking space. However, I am satisfied that there is more than sufficient space within the site to accommodate these additional spaces without any significant alterations to the layout and design and without compromising the design quality. The additional spaces could be provided within the curtilage of the dwellings to which they relate, within parking courts or by changing the proposed garages to car barns. Overall, I am satisfied that there is adequate space within the application site to accommodate vehicle and cycle parking in accordance with policy TRA3a of the Local Plan 2030. Subject to an amended plan being submitted that demonstrates this I have no objection to the proposed parking arrangements.

121. Some of the rear serviced parking areas are slightly further away from the properties than preferable, but due the size and layout of the proposed site, in this case this is not considered that this will result in obstructive parking. In addition, gated access through the rear gardens of some properties from the parking areas, together with pathways leading to the rear access to the dwellings have been provided for convenience and ease of access.
122. In conclusion, based upon the number of dwellings proposed and parking provision accommodated within the site, I do not consider that the proposal would result in any demonstrable adverse highway impacts. Therefore, in terms of highway safety, the proposed development would comply with the relevant policies in the development plan.

Other Matters

Refuse

123. The site layout has been tracked to ensure that service vehicles such as refuse freighters can access the site.
124. Some concern has been raised by ABC Street Scene in relation to tracking and the positioning of refuse collection facilities. Officers are currently liaising with the developer's agent to seek to resolve the issues that have been raised.
125. ABC Street scene have advised that if the roads are not to be adopted by KCC then the developer needs to be aware that collections will not occur until a an indemnity is in place. This can be added as an informative note to any subsequent grant of planning permission.

Accessibility Standards

126. Local Planning Authorities are required by the NPPF to plan to create safe, accessible environments and promote inclusion and community cohesion, to take account of evidence that demonstrates a clear need for housing for people with specific housing needs and plan to meet this need.
127. In response to this, policy HOU14 of the Local Plan 2030 requires at least 20% of all 'new build' homes to be built in compliance with building regulations part M4(2) as a minimum standard. In the case of this application, this equates to 4 dwellings. The requirement for at least 4 of the 19 dwellings proposed to meet part M4(2) can be secured through the S106 agreement.

Housing Mix / Affordable Housing

128. It is proposed that the development will provide a housing mix of 2, 3, 4 & 5 bedroom houses. The mix would accord with policy HOU18 of the adopted Local Plan.
129. In respect of affordable housing, under policy HOU1 of the adopted Local Plan, this would require the development to provide 40%. The 40% would need to consist of 10% of total number of units as Affordable/Social Rented and 30% of the total number of units as Affordable Home Ownership Products of which 20% of the total number of Affordable Home Ownership Product units shall be shared ownership.
130. The scheme as originally submitted included 3 units (out of the 15 proposed) of affordable housing, of which one unit was adapted to meet a local need. The 3 affordable units originally proposed fell well below the 40% threshold which required 6 units of affordable housing and the developer and their agent were informed of this.
131. With the revised application comprising 19 units, the affordable housing provision should equate to eight units, of which two should be affordable rent and the remainder an affordable home ownership product of which a minimum of three must be shared ownership.
132. In its recently amended form the scheme initially proposed 7 units of affordable housing. Although representing a shortfall of one unit, ABC Housing confirmed that they would be willing to accept this shortfall provided that one of the 7 units proposed was adapted (as per the original scheme) for a family within the parish with a specific need for disabled accommodation. In a letter from the agent dated 17th July 2019 it is stated that for reasons relating to the handling of the application the provision of seven affordable housing units is reasonable. In response to this statement

the developer/agent was advised that the application could not be supported. Having been advised this, the developer has increased the number of affordable units to 8 units to meet the policy requirements.

133. The proposed tenure split across the affordable units comprises two affordable rent, 3 affordable home ownership products including three shared ownership products also complies with the policy requirements.
134. The affordable housing element as it is now proposed will be secured as such in perpetuity through the S106 Agreement.
135. In light of the above I consider that the amended proposals comprise an acceptable housing mix and affordable housing element that is compliant with the above mentioned development plan policies.

Planning Obligations

136. Regulation 122 of the Community Infrastructure Regulations 2010 says that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is:
 - (a) necessary to make the development acceptable in planning terms,
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development
137. A proposal for 10 or more dwellings the development would trigger a requirement to provide 40% affordable housing split into the tenure mix set out in the previous section of the report.
138. Policies COM1 and COM2 of the Local Plan 2030 and the Council's Public Green Spaces and Water Environment SPD provide clear policy support for seeking financial contributions towards infrastructure and facilities required to meet the needs generated by development. The LPA may consider whether an application in a settlement with assessed and demonstrated public open spaces needs is unacceptable in planning terms unless it contributes towards meeting its own demands upon those facilities.
139. The proposal gives rise to 5 additional primary school pupils and 4 additional secondary school pupils, which KCC have identified can only be met through the enlargement of Charing CE Primary School and The Norton Knatchbull School. In order to mitigate these impacts, KCC have requested financial contributions towards expansion projects at Charing Primary School and the Norton Knatchbull.

140. Kent County Council have also requested a financial contribution towards additional book stock for the mobile library service that attends Challock, indicating that within Ashford District there is an assessed shortfall in provision, with overall borrower numbers in excess of current capacity.
141. The site lies adjacent to public footpath AE86 and the scheme proposes a direct link to this footpath. KCC Public Rights of Way and Access Service have identified that public footpath AE86 provides a pedestrian route into the village, including the school, village hall and other facilities without the need to walk beside the A252, Canterbury Road. KCC also identify that the footpath provides a link from the proposed development to the wider countryside and public rights of way network. KCC indicate that use of the route will increase as a result of the proposed development. Consequently, KCC Public Rights of Way and Access Service have requested a financial contribution towards upgrading the surface of this footpath.
142. Currently outdoor sports provision within the parish is sufficient in terms of quantity. However the Playing Pitch Strategy 2017-30 identifies a need for drainage improvements, therefore outdoor sport in the parish fails in terms of quality. The Parish Council have identified a need for a Multi-Use Games Area (MUGA). As part of the existing outdoor sport provision, the provision of a MUGA which can be used in all-weather (as opposed to a waterlogged pitch) would improve the quality and thus the availability of open space for young people in the village.
143. Currently the provision of informal/natural greenspace within the parish is sufficient in terms of quantity, provided by the Lees. However, the Parish Council have indicated that the open space falls short in terms of its quality. The Parish Council have identified a need to improve access and use of the Lees which they propose to achieve through the hard surfacing of the access (to prevent erosion of the soft landscaped areas) and the provision of additional seating.
144. There is one play space within the Parish in Blind Lane. Currently play provision here is not sufficient in terms of quantity and is currently already inadequate for the existing population. Therefore, the Parish Council have identified projects to increase play provision indicating that there is an identified need for a skate park, an extension to the existing play area, new equipment and site furniture.
145. The occupiers of the development will use local facilities within the Parish and the demand/need for the new and improved facilities that the Parish Council have identified will increase as a consequence. As such, securing funds towards these is considered to be justified in accordance with the relevant policies that have been identified.

146. In light of the above, I recommend the planning obligations in Table 1 be required should the Committee resolve to grant permission. I have assessed them against Regulation 122 and for the reasons given consider they are all necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development. Accordingly, they may be a reason to grant planning permission in this case.

Table 1

Planning Obligation			Regulation 122 Assessment
Detail	Amount(s)	Trigger Point(s)	
<p>1. Accessible and Adaptable Dwellings</p> <p>At least 20% of all dwellings to be built in compliance with building regulations Part m4 (2)</p>	<p>minimum of 4 Dwellings</p>	<p>Prior to first occupation of any Dwelling comprised within the Development</p>	<p>Directly related to the number of Dwellings to be brought forward under the approved scheme</p> <p>Fairly and Reasons related in scale and kind being 20% of all dwellings</p> <p>Necessary as a requirement under policy HOU14 (a)</p>
<p>2. Affordable Housing</p> <p>Provide not less than 40% of the units as affordable housing, comprising 10% affordable / social rent and 30% Affordable Home Ownership Products (including a minimum of 20% shared ownership in the locations</p>	<p>8 dwellings comprising 2 affordable rent, 3 affordable home ownership 3 shared ownership products.</p>	<p>Affordable units to be constructed and transferred to a registered provider prior to occupation of</p>	<p>Necessary as would provide housing for those who are not able to rent or buy on the open market pursuant to SP1 & HOU1, HOU12, HOU15 & HOU18 of the Local Plan 2030, the</p>

	<p>and with the floorspace, wheelchair access (if any), number of bedrooms and size of bedrooms as specified).</p> <p>The affordable housing shall be managed by a registered provider of social housing approved by the Council. Shared ownership units to be leased in the terms specified. Affordable rent units to be let at no more than 80% market rent and in accordance with the registered provider's nominations agreement.</p>		<p>75% of the open market dwellings.</p>	<p>Affordable Housing SPD and guidance in the NPPF.</p> <p>Directly related as the affordable housing would be provided on-site in conjunction with open market housing.</p> <p>Fairly and reasonably related in scale and kind as based on a proportion of the total number of housing units to be provided.</p>
<p>3.</p>	<p>Children's and Young People's Play Space</p> <p>Contribution towards the provision of a skate park, an extension to the existing play area, new equipment and site furniture at the playing field/recreation ground in Blind Lane.</p>	<p>£649 per C3 dwelling for capital costs</p> <p>£663 per C3 dwelling for maintenance</p>	<p>Before occupation of 75% of the dwellings</p>	<p>Necessary as currently play provision within the Parish is not sufficient in terms of quantity. Therefore increased and improved children's and young people's play space is required to meet the demand that would be generated by the development and must be maintained in order to continue to meet that demand pursuant to Ashford Local Plan policies COM1, COM2 and IMP1, Public Green Spaces and Water</p>

				<p>Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use children's and young people's play space and the play space to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
4.	<p>Outdoor Sports</p> <p>Contribution towards a Multi-Use Games Area at the playing field/recreation ground in Blind Lane.</p>	<p>£1,589 per C3 dwelling for capital costs</p> <p>£326 per C3 dwelling for future maintenance</p>	<p>Before occupation of 75% of the dwellings</p>	<p>Necessary as currently the existing pitch requires drainage improvements. The provision of an all-weather Multi-Use Games Area would improve the quality (and thus the availability) of open space for young people in the village and is required to meet the demand that would be generated by the development and must be maintained in order to continue to meet</p>

				<p>that demand pursuant to Ashford Local Plan policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use sports pitches and the facilities to be provided would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
5.	<p>Informal/Natural Green Space</p> <p>Contribution towards a hard surfaced access and additional seating at The Lees.</p>	<p>£434 per C3 dwelling for capital costs</p> <p>£325 per C3 dwelling for future maintenance.</p>	<p>Before occupation of 75% of the dwellings.</p>	<p>Necessary as the quality of informal/natural green space within the Parish requires improvement and informal/natural green space is required to meet the demand that would be generated and must be maintained in order to continue to meet</p>

				<p>that demand pursuant to Ashford Local Plan policies COM1, COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use informal/natural green space and the space to be provided would be available to them</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
6.	<p>Strategic Parks</p> <p>Contributions towards the provision of new recycling bins at Victoria Park, Ashford.</p>	<p>£146 per dwelling for capital costs.</p> <p>£47 per dwelling for future maintenance</p>	<p>Before occupation of 75% of the dwellings.</p>	<p>Necessary as strategic parks are required to meet the demand that would be generated by the development and must be maintained in order to continue to meet that demand pursuant to policies COM1,</p>

				<p>COM2 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use strategic parks and the facilities to be provided would be available to them</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and the number of dwellings and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years.</p>
7.	<p>Library Bookstock</p> <p>Contribution towards additional book stock supplied to the mobile library that visits Challock.</p>	<p>£48.02 per dwelling.</p>	<p>Half the contribution prior to occupation of 25% of the dwellings and balance prior to occupation of 50% of the dwellings</p> <p>To be index linked by the BCIS General</p>	<p>Necessary as additional bookstock is required to meet the demand generated and pursuant to Ashford Local Plan 2030 policies COM1 and IMP1, Ashford KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p>

			<p>Building Cost Index from Oct 2016 to the date of payment (Oct-16 Index 328.3)</p>	<p>Directly related as occupiers will use library facilities and the facilities to be funded will be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because amount calculated based on the number of dwellings</p>
8.	<p>Primary Schools</p> <p>Contribution towards Charing CE Primary School expansion.</p>	<p>£3,324 per dwelling</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p> <p>To be index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment (Oct-16 Index 328.3)</p>	<p>Necessary to increase capacity at the local primary school to meet the demand generated by the development and pursuant to Ashford Local Plan 2030 policies COM1 and IMP1, Developer Contributions/Planning Obligations SPG, Education Contributions Arising from Affordable Housing SPG (if applicable), KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as children of occupiers will attend local primary</p>

				<p>schools and the facilities to be funded would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of primary school pupils and is based on the number of dwellings.</p>
9.	<p>Secondary Schools</p> <p>Contribution towards Norton Knatchbull expansion works (external hard play/social areas).</p>	<p>£4115.00 per dwelling.</p>	<p>Half the contribution upon occupation of 25% of the dwellings and balance on occupation of 50% of the dwellings</p> <p>To be index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment (Oct-16 Index 328.3)</p>	<p>Necessary to increase capacity to meet the demand generated and pursuant to Ashford Local Plan 2030 policies COM1 and IMP1, Developer Contributions/Planning Obligations SPG, Education Contributions Arising from Affordable Housing SPG (if applicable), KCC Guide to Development Contributions and the Provision of Community Infrastructure and guidance in the NPPF.</p> <p>Directly related as children of occupiers will attend secondary school</p>

				<p>and the facilities to be funded would be available to them.</p> <p>Fairly and reasonably related in scale and kind considering the extent of the development and because the amount has taken into account the estimated number of primary school pupils and is based on the number of dwellings.</p>
10.	<p>Upgrade public footpath AE86</p> <p>Contribution to enable the County Council to upgrade the surface to footpath AE86 which immediately adjoins the western boundary of the application site.</p>			<p>Necessary as the surface to the footpath requires upgrading and the development would increase footfall. Public footpaths must be maintained in order to continue to meet demand pursuant to Ashford Local Plan 2030 policies COM1 and IMP1, Public Green Spaces and Water Environment SPD and guidance in the NPPF.</p> <p>Directly related as occupiers will use the public right of way.</p> <p>Fairly and reasonably related in scale and kind considering the extent</p>

				of the development and the number of occupiers.
11.	Monitoring Fee Contribution towards the Council's costs of monitoring compliance with the agreement or undertaking	£1000 per annum until compliance with s106 obligations	First payment upon commencement of Development, then on the anniversary of commencement of the Development	Necessary: in order to ensure the planning obligations are complied with Directly related: as only costs arising in connection with the monitoring of this development and these planning obligations
<p>Notices must be given to the Council at various stages in order to aid monitoring.</p> <p>All contributions are index linked in order to ensure value is not reduced over time.</p> <p>The costs and disbursements of the Council's Legal Department incurred in connection with the negotiations preparation and completion of the deed are payable. The Kent County Council may also require payment of their legal costs If acceptable agreement/undertaking is not completed within 3 months of the committee's resolution to grant, the application may be refused.</p>				

Human Rights Issues

127. 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

128. 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

129. The site lies within the AONB and comprises land allocated for residential development under policy S54 of the Local Plan 2030. The stated allocation evidences the fact that subject to meeting the criteria identified in policy S54, the Council considers the principle of residential development on this site to be acceptable and also sustainable. In addition, amongst other things, North Kent Downs AONB Unit has advised that development in this location is considered an appropriate extension of the village. Consequently, it is officer’s view that when assessed against the criteria set out in paragraph 172 of the NPPF, it is appropriate not to treat this application as a major development within the AONB.
130. The site, being an allocated site, will make an important contribution to the Council maintaining a 5 year housing land supply and will help to boost the supply of housing which is a requirement of the NPPF.
131. The application site is located immediately adjacent to an established rural settlement and within easy walking distance of the centre of the village where there are a range of local services and facilities including a shop/post office, barn shop, village hall, public house, primary school, village hall and recreation ground/open space including a children’s play area. There are bus stops located within walking distance of the site.
132. The proposals would result in a significant visual change from an open field to a developed housing scheme, however, the visual impacts associated with this would be relatively localised and softened by the existing and enhanced

landscaping. As such the wider landscape impacts are not considered to be significant. The architectural designs, the design of streets and driveways, the landscaping, and the different green spaces combine to create an interesting and varied streetscene, adding visual richness to the scheme to create a distinctive 'Kentish' rural character with a strong sense of place. Overall, it is considered that the proposals will represent an appropriate form of development that sits sympathetically within the landscape and preserves and enhances the village setting and character and appearance of the AONB.

133. There would be no demonstrable adverse impacts on the residential amenity of neighbouring or future occupiers.
134. Subject to conditions, the development can be accommodated without any adverse impact upon matters of ecological importance.
135. In terms of flooding, drainage and contamination, I am satisfied that subject to conditions, the site can be developed in an acceptable way.
136. The application has been subject to consultation with Kent Highways and Transportation who have stated that the development does not cause concern with regard to capacity or highway safety on the surrounding network and that the existing access onto the A252 is sufficient in size and has adequate visibility.
137. Although a total of 52 car parking spaces are provided to serve the occupiers of the proposed dwellings, because garages cannot be counted towards the parking provision units 1, 2, 6, 8, 9 and 10 all require one additional parking space. However, I am satisfied that there is more than sufficient space within the site to accommodate these additional spaces without any significant alterations to the layout and design and without compromising the design quality. Subject to an amended plan being submitted that demonstrates this I have no objection to the proposed parking arrangements.
138. It is proposed that the development will provide a housing mix of 2, 3, 4 & 5 bedroom houses. The mix would accord with policy HOU18 of the adopted Local Plan.
139. The proposed development would provide 40% affordable housing comprising two affordable rent, 3 affordable home ownership products including three shared ownership products to comply with policy HOU1 of the Local Plan 2030. In accordance with policies COM1 and COM2 of the Local Plan 2030 and the Council's Public Green Spaces and Water Environment SPD, the development shall contribute financially to a number of identified projects that seek to improve local services/facilities. Together with the affordable housing, these can be secured by a S106 agreement.

140. Overall, for the reasons set out above, the proposed development is considered to comply with the requirements of the development plan and it is therefore recommended that planning permission is granted.

Recommendation

Permit

(A) Subject to the applicant first entering into a section 106 agreement/undertaking in respect of planning obligations detailed in Table 1 (and any section 278 agreement so required), in terms agreeable to the Head of Planning and Development, the Development Management Manager or the Strategic Development and Delivery Manager in consultation with the Director of Law and Governance, with delegated authority to either the Development Management Manager or the Strategic Development and Delivery Manager to make or approve changes to the planning obligations and planning conditions (for the avoidance of doubt including additions, amendments and deletions) as she/he sees fit,

(B) Subject to planning conditions and notes, including those dealing with the subject matters identified below, with any 'pre-commencement' based planning conditions to have been the subject of the agreement process provisions effective 01/10/2018

1. Standard time condition
2. Development carried out in accordance with the approved plans.
3. Details and samples of materials including surface finish to driveway / parking.
4. Architectural details.
5. No flues, vents, stacks, extractor fans or meter boxes to be located on the primary elevation.
6. Landscaping scheme.
7. Details required to accompany the landscaping scheme.
8. Retention of existing hedgerows.
9. Tree protection measures.
10. Tree protection for new trees.
11. Details of boundary treatments.
12. Landscape management plan
13. Removal of permitted development rights.
14. Occupation as a single dwelling house only.

15. Ecological Design Strategy.
16. Landscape and Ecological Management Plan (LEMP)
17. Bat Sensitive Lighting Design / No additional External Lighting
18. Construction Management Plan/Hours of working.
19. Electric Vehicle Charging points.
20. Provision and retention of parking and turning
21. Provision and retention of garaging/carbarns.
22. No further alterations to car barns.
23. Provision and Retention of Bicycle Storage.
24. Contamination
25. Contamination - Reporting of unexpected contamination.
26. No infiltration of surface water drainage into the ground
27. No piling or any other foundation designs using penetrative methods.
28. Sustainable surface water drainage scheme.
29. Operation and maintenance manual for the proposed sustainable drainage scheme.
30. Verification Report pertaining to the surface water drainage system.
31. Details of the sewage treatment system.
32. Provision and retention of refuse collection facilities.

Note to Applicant

1. S106
2. Working with the Applicant

Working with the Applicant

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

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application
- where possible suggesting solutions to secure a successful outcome,

- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance

- 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 considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.
3. Indemnity required prior to refuse collection.
 4. Breeding Birds.
 5. No obstruction of the PROW.
 6. Environment Agency Advisory Notes.
 7. Kent Highways Informative Note.

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 18/00321/AS)

Contact Officer: Claire Marchant
Email: claire.marchant@ashford.gov.uk
Telephone: (01233) 330739

Annex 2

Head of Development Management and Strategic Sites

P



ASHFORD
BOROUGH COUNCIL

Wednesday the 2nd October 2019 at 7.00pm

Update Report for the Committee

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

3. **Minutes** – To approve the Minutes of the Meeting of this Committee held on the 4th September 2019,
4. **Changes to Delegations and Authorisations Granted by this Committee**
5. Requests for Deferral/Withdrawal
6. **19/00871/AS – 61 Bryony Drive, Kingsnorth, Ashford, Kent, TN23 3RF - Single storey rear extension; first floor & front extension over garage**

Applicant has written to advise that they wish to withdraw the planning application as they do not want to continue with the development as proposed.

7. Schedule of Applications
 - (a) **19/00702/AS – Highmead House, Hythe Road, Willesborough, Ashford, Kent - Reserved matters application for the construction of 28 dwellings, including details of layout, appearance, scale, landscaping and access within the site pursuant to outline approval 15/01550/AS**

Amendment to condition

Minor change to condition 2 to add drawing FD18-1653-195 showing detail for plot 28 which had been omitted.

- (b) **18/00321/AS – Phase 2 Old Clockhouse Green, Canterbury Road, Challock, Kent - Change of use of land from agricultural to residential for the provision of 19 no. new dwellings, with associated, parking, landscaping and infrastructure**

Amended plan

An amended layout plan has been received. The plan identifies one additional parking space per dwelling for units 1, 2, 6, 8, 9 and 10. The plan demonstrates that there is adequate space within the application site to accommodate vehicle parking in accordance with policy TRA3a of the Local Plan 2030.

Editing changes

Page 55 paragraph 40 insert 'indicates that' after 'National Planning Policy Guidance'. In the same paragraph final sentence insert 'is' between 'above' and 'not'.

Page 68 paragraph 106. The measurement within this paragraph should read 300mm not 3000mm.

Amendment to Table 1 column 10, to include the amount totalling £13,200.00 and trigger requiring half the contribution to be paid upon occupation of 25% of the dwellings and the balance on occupation of 50% of the dwellings.

(c) 18/01273/AS – Land rear of 17 Townland Close, Biddenden - Erection of 12 dwellings with associated access and parking

Updated consultation

Under 'consultations'; KCC Economic Development have updated their request for S106 contributions to include community care, social care and youth.

Additional representation

Since the report was written a further letter of objection has been received bringing the total to 39 which raises no further issues. Please note the typo in the hieroglyphics at the beginning of the report which should say 38 objections.

(d) 19/00064/AS – Tudor Cottage, Calleywell Lane, Aldington, Ashford, Kent, TN25 7DU - Construction of new dwelling with revised access and detached garage

- Mr Rix will be speaking in objection to the application and would like to draw members attention to the photographs included at Annexe 1 of this update report.

Additional representation

- Additional information (in the form of a commissioned report attached as Annexe 2 to this Update report) has been provided on behalf of a local resident regarding the proposed vehicular access to the site, with the following concerns raised:
 - Calleywell Lane is used as a Lorry route from the A20 to Romney Marsh
 - The application includes supporting documentation relating to the proposed access which does not include the correct survey information including, insufficient justification for the survey period, the speed of vehicles, the peak period for traffic, the location characteristics of the site, the lack of consideration of HGV braking distances and whether the visibility splays and height of hedgerow would restrict the view.

Statement from the applicant

- The applicant's Mrs and Mrs Skinner would like the following statement to be considered in support of their application: