

- a) **DOV/16/01247 – Outline application for the erection of up to 30 dwellings, creation of vehicular access and parking (existing barns to be demolished) - Land at White Post Farm, Sandwich Road, Ash**

Reason for report – the number of third party contrary representations

- b) **Summary of Recommendation**

Grant permission.

- c) **Planning Policy and Guidance**

Development Plan

The development plan for the purposes of section 38(6) of the Planning and Compulsory Purchase Act (2004) comprises the Dover District Council Core Strategy 2010, the saved policies from the Dover District Local Plan 2002, and the Land Allocations Local Plan (2015). Decisions on planning applications must be made in accordance with the policies of the development plan unless material considerations indicate otherwise.

In addition to the policies of the development plan there are a number of other policies and standards which are material to the determination of planning applications including the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) together with other local guidance.

A summary of relevant planning policy is set out below:

Dover District Core Strategy (2010)

CP1 – Settlement hierarchy.

DM1 – Settlement boundaries.

DM5 – Provision of affordable housing.

DM11 – Location of development and managing travel demand.

DM13 – Parking provision.

DM15 – Protection of the countryside.

DM16 – Landscape character.

Saved Dover District Local Plan (2002) policies

None.

Dover District Land Allocations Local Plan (2015)

DM27 – Providing open space.

“To meet any additional need generated by development, planning applications for residential development of five or more dwellings will be required to provide or contribute towards provision of open space, unless existing provision within the relevant accessibility standard has sufficient capacity to accommodate the additional demand. This applies to accessible green space, outdoor sports facilities, children’s equipped play space and community gardens in accordance with the standards that are contained in Table 1.2. Applications will also be required to demonstrate a minimum of 15 years maintenance of facilities. The need arising for other types of open

space (operational cemeteries, European site mitigation and landscape mitigation) will be assessed on a development specific basis.

If it is impractical to provide a new area of open space in the form of an on-site contribution or there are existing facilities within the access distances contained in Table 1.2 and the capacity of those facilities can be expanded to meet the additional demand, then the District Council will consider accepting a commuted payment for the purpose of funding quantitative or qualitative improvement to an existing publicly accessible open space. Commuted sums will cover the cost of providing and maintaining the improvements.”

National Planning Policy Framework (NPPF) (2012)

7. Identifies the three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles.

12. Development that is in conflict with an up-to-date development plan should be refused unless material considerations indicate otherwise.

14. Presumption in favour of sustainable development.

17. Core planning principles... planning should...

- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes... and thriving local places that the country needs;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations...

49. Housing applications should be considered in the context of the presumption in favour of sustainable development...

56. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

61. ... planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

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

128 – 135. Give guidance on how to consider development proposals which impact on heritage and non-designated heritage assets.

OTHER CONSIDERATIONS

Conservation area – Ash – Street End – designated 9 December 1976.

Planning (Listed Buildings and Conservation Areas) Act 1990.

“72 (1) ... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that [conservation] area.”

d) **Relevant Planning History**

No planning history. It should be noted that the site was put forward as part of the work leading up to the adoption of the 2002 Local Plan as a proposed main modification. However, the site was withdrawn from the process by the landowner prior to the council submitting the plan for examination and subsequently being adopted by the council in 2002. The Inspector's report dated 14 May 2001 states “This site was once favoured by DDC and included in the proposed modifications” ... and ... “whilst there are those in the community who still see this as one of the most suitable sites and APC (assume Ash Parish Council) leave it with some reluctance, the evidence before me is clear that it will not be available for the foreseeable future ... it would be pointless to allocate it in the absence of some certainty that it would be made available within the plan period ...”

Effectively the Inspector did not include the proposed allocation in the (at the time) proposed modification because of uncertainty of it ever coming forward.

e) **Consultee and Third Party Responses**

DDC Principal Infrastructure Officer

Requests contribution towards existing Queens Road play area and towards upgrade of existing sports changing room (at the pavilion).

DDC Heritage

“The proposal site is adjacent to the Street End, Ash Conservation Area, however it is screened from the streetscene by modern development. Views into the conservation area, from Burford's Alley for example, are equally screened. Other than any improvements to the current entrance there will be no impact on the conservation area in my view.

A key view of the grade I listed St Nicholas's Church is afforded across the site from the NE corner, however the church is viewed within the context of dwellings and other buildings to the middle ground. The impact on the setting of the church is therefore negligible.

One key point of interest is the existing barns. Those to be removed are of no interest, but the historic barns that will remain are considered to be undesignated Heritage Assets (as is the existing dwelling). Whilst these are not included within the site plan there is a minor concern that their conservation may be at some risk as a result of the development. The group of buildings is compact and the access road to the proposal site would restrict space around the buildings further which could prejudice their future use/reuse.”

DDC Environmental Health

No objection subject to conditions for a construction management plan and for noise and vibration insulation relating to the occupation of any dwellings permitted.

DDC Ecology and Landscape

The ecology report is competent and raises no constraints to development here.

The site has only limited visibility from the A257 and it is likely that there would only be glimpses from the Sandwich Road and White Post Gardens, although houses in Havelock Place have gardens opening onto the site. The main intervisibility is with the Recreation Ground and a number of footpaths close by (EE106, EE53A, EE465 and EE107 – Burford's Alley) as well as the more distant Public Bridleway EE466 (Hill's Court Road) that abuts the proposed development to the east.

Given the proximity of the PRow network and the recreation ground, both visual impact and green infrastructure need to be considered with particular thought given to the maintenance and enhancement of the public amenity provided through the footpath network. The block plan with the footpath link would support this. Soft boundary treatments (e.g. post and wire fencing and hedging) could reduce any adverse effects on the public amenity.

There are no objections on landscape or green infrastructure grounds.

DDC Trees

No comment.

DDC Housing

"The Developer has advised in his Design & Access Statement that "affordable housing at 30% can be accommodated (in accordance with Dover District Council Policy DM5) within the development."

The tables included in the planning application indicate that the affordable housing will comprise 2 x 1 bedroom and 7 x 2 bedroom houses for social rent. The proposed provision of 9 units of affordable housing is therefore in line with Council policy (30% of 30 units). The Council would normally look for a smaller percentage of the affordable homes to be provided as shared ownership but given the total number of units is quite small, this is not a significant issue. However, it would be useful to understand the design of the 1 bedroom units and also clarify whether the developer has had discussions with any Registered Providers of affordable housing regarding the affordable housing proposed.

KCC Highways

Raised initial concerns relating to access and the internal site road being able to accommodate refuse vehicle movements. Also requested further information in relation to any necessary retained access for retained farm buildings.

No objection after further information was provided, subject to a number of highways conditions.

"The proposals are likely to generate around 15 two-way vehicle movements in each of the network peak hours and this is unlikely to have a severe impact on the highway network."

KCC PROW

No objection. Seeks contribution towards the upgrade of EE107 with tarmac due to increased usage arising from the development.

KCC Archaeology

Requests condition for an archaeological scheme of investigation to be undertaken in accordance with details submitted to and approved by the local planning authority.

KCC LLFA

No objection in principle. Advises that dwellings shown on the indicative plan as 6, 7, 14 and 15 would need to be relocated to avoid the worst areas of surface water flooding.

Requests condition for submission of a surface water drainage scheme, a timetable for its implementation and details of its management and maintenance.

Natural England

Designated nature conservation sites – no objection.

Notes potential for impact on Thanet Coast and Sandwich Bay Special Protection Area, however, notes that this can be addressed by contributing to the relevant mitigation strategy.

Environment Agency

No comments.

Crime Prevention Design Advisor

Proposes condition or informative relating to the submission of reserved matters, requesting that these are informed by the Crime Prevention Through Environmental Design (CPTED) guidelines.

Canterbury and Coastal CCG (NHS)

Requests contribution towards local surgery upgrade (1000 extra patients).

Southern Water

No objection subject to submission of drainage details for foul and surface water. Foul water sewers will require infrastructure upgrade in order to accommodate development.

Application will be required to connect to public sewer.

No comment made regarding water supply beyond the need to design scheme based on connection to water mains.

EDF Energy

No comment made.

Southern Gas Networks

“On the mains record you can see our low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.”

National Grid

No comment made.

Rural Planning Advisor

“... I consider it would be fair to attribute some degree of significance to the loss of BMV agricultural land in this case, but it would be for the council to consider a) how significant this particular issue appears within the overall balance, b) whether the loss has been shown to be “necessary” in accordance with the criteria in para 112 of the NPPF, and c) whether this is a case where land of poorer quality should be sought instead.”

Kent Fire and Rescue

No comment made.

Ash Parish Council

“The site is outside the village confines and is not one of the allocated three sites that have already been agreed, after extensive consultation, for over 200 new homes for the village of Ash. This application could have a detrimental effect on the viability of already allocated sites. It would negatively impact on the ability of the village of Ash to integrate future allocated developments into the life of the community.

The site is within a conservation area which acknowledges the contribution the White Post Farm makes to the historical context of the village. The site is within an area of archaeological importance. The precedent set by this application being accepted could enable residential development across conservation areas and greenfield / agricultural land outside village confines, both in Ash and the District.

The lack of a 5-year land supply as noted in the 2014-15 Local Authority Report is out of date and therefore the validity of using this as a material consideration could be challenged. It is understood that the updated report to March 2016, will be ready in February 2017. Additionally, the report will not include the planning applications granted or awaiting consideration specific to Ash since March 2016.

Traffic matters – local experience shows that the access for traffic to and from the site will expediently increase the existing problems of noise, pollution, congestion along one of the main entrance and exit roads to the village. The increase in volumes of traffic, taken in conjunction with the equivalent increase from the allocated site opposite to this application, will have a detrimental impact on the quality of the lives of residents along Sandwich Road and in Ash. The objection by Stagecoach details the issues arising from the increase in traffic for the bus service. There are safety issues arising from poor sight lines along a road which alters from 60 mph to 30 mph without any buffer, exacerbated by the number of parked vehicles along the road.

Southern Water has acknowledged the problem with the existing inadequate waste and water infrastructure the consequences of which residents constantly experience. Suggested mitigation is suggested by pooling with night pumping which is more likely to cause problems ‘downstream’ which just moves the problem onto other Ash residents. Surface flooding will increase with the loss of open land to absorb water which already has caused flooding to adjacent properties. The potential for flooding from the specific topography

and soil type can only increase for the houses on site as well as adjacent and near-by properties.

The Rural Planning Limited's report letter explains why the loss of Grade 2 agricultural land is significant even on small sites. Further this land is in cultivation, as is the adjacent agricultural land.

PROW EE107 is on the western boundary and is hedged and not a tree line. It has been managed to prevent it overshadowing the adjacent allotments and is due to be topped again this winter. It is not possible to let it grow into a tree line without making the footpath impassable and parts of the long established allotments uncultivable.

Residents have seen bats and a wide variety of wildlife on and near this site and a full bat survey is requested. It is noted that the ecological report's summary recommends the installation of bat (and bird) boxes which acknowledges that bats are present on the site.

The houses adjacent will suffer from overlooking. The loss of the open space will result in the significant loss of visual and rural amenity for the adjacent properties and the area.

Over-all the adverse impact on the residents of Ash significantly and demonstrably outweigh any benefits from this application."

Public representations – 72 x objections and 400 signature petition

- Available land should be developed first, including PDL.
- Concerns about safety of access
- Site is outside village boundary.
- Ash infrastructure is under pressure.
- Site is BMV agricultural land.
- Ash would be taking a disproportionate amount of the district's housing target.
- Link into Burford Alley would create disturbance for people already living in and around it.
- Sewer issues.
- Land should be used for allotments.
- Heritage impact, setting of CA and views towards Ash church.
- Loss of local habitats.
- Light pollution.
- Questions need for dwellings.
- Is affordable housing truly affordable – consideration for younger residents of village.
- Not a sustainable location – encourages travel by private vehicles.
- Loss of green areas.
- Development creep towards A257.

f) **1. The Site and the Proposal**

1.1. The Site

The site is located on the northern side of Sandwich Road in Ash. It primarily consists of an arable field, approximately 1.2 hectares in size. It is orientated on a north west/south east axis. The site is

accessed at its eastern extent, from Sandwich Road, between existing residential dwellings 24 Sandwich Road (the White Post Farm farm house), and Finches.

- 1.2. Existing farm buildings are sited towards the eastern end of the site, dating from the 1970s. Adjacent within the farm but not within the proposed development site are historical farm buildings dating back to the 1870s or before, with a traditional farmyard arrangement still evident. The older and newer farm buildings are within the Ash – Street End conservation area.
- 1.3. Ash settlement confines bisect the site – the southern part of the site near to Sandwich Road, which includes part of the corner of a barn and access road, is in the conservation area, and inside the confines. The remainder of the barns, and the arable field to the north of the site are outside the confines, but are immediately adjacent to them.
- 1.4. Adjacent to the southern site boundary are the rear gardens of an existing residential development – White Post Gardens, dating from the 1960s. The dwellings in White Post Gardens are single storey. Mature vegetation forms the western site boundary and much of the northern site boundary. Running adjacent to the western boundary is Burford's Alley, a public right of way designated EE107, which links The Street in the centre of Ash north to the A257 and beyond. Adjacent to the northern site boundary and stretching north to the A257 are arable fields, which themselves are partially bounded by mature hedgerow and trees. East of the site is a residential development dating from 1980s and 1990s/early 2000s.
- 1.5. An area of vegetation is located on part of the southern site boundary, between the arable field and the rear (northern) boundaries of the dwellings in White Post Gardens. Also included at this location is a depression, which variously can be dry or filled with surface water forming a pond.
- 1.6. Site dimensions are:
 - Width – 190 metres (approximately).
 - Depth – 80 metres (approximately).
- 1.7. Proposal

The proposed development, which is outline in form, with the exception of the access, is for the erection of up to 30 dwellings. The dwellings would comprise the following mix : Market dwellings - 2 no x 2 bed units, 14 no x 3 bed units, 5 no x 4 bed units; Affordable units - 2 no x 1 bed units and 7 no x 2 bed units. The indicative drawing submitted with the proposal shows access taken from Sandwich Road with the dwellings erected in a cul de sac arrangement.
- 1.8. The access road would loop around the northern edge of the older farm buildings and pass through where the existing metal barns are. These would be demolished.
- 1.9. A new access for number 24 is proposed directly from the new site access road. The existing vehicular access to number 24, taken directly from Sandwich Road, is proposed to be permanently closed.

- 1.10. A pedestrian link with Burford's Alley is proposed at the western end of the site is also proposed as well as upgrade works to the existing footpath.
- 1.11. It is noted that the agent for the site has submitted a letter in which an interim approach to the issue of the five year supply of housing is advocated, allowing for the change in circumstances (the relevant policies of the local plan now being considered up to date) to be phased in. The Cabinet decision of 1 March, however, did not include such an approach.

2. Main Issues

- 2.1. The main issues to consider are:
 - Principle of development
 - Visual and rural amenity
 - Residential amenity and scheme proposals
 - Agricultural land classification
 - Ecology
 - Heritage
 - Highways and access
 - Water supply, drainage and flooding
 - Planning obligations

3. Assessment

3.1. Principle of Development

On 1 March 2017, the DDC Cabinet agreed that the 2015/2016 Annual Monitoring Report (AMR) be approved and made available. The AMR includes the most recent housing supply figure of 6.02 years. This meets the Government requirement that local planning authorities be able to demonstrate a 5 year supply of deliverable housing land.

- 3.2. Policy DM1 is now considered up to date and must be given full weight for decision making purposes.
- 3.3. Much of the application site - around 90%, is outside the settlement confines. The proposals, are now contrary to development plan restraint policy in respect of policy DM1. Having said that, policy CP1 identifies Ash as being a local centre, suitable for a scale of development that would reinforce its role as a provider of services to its home and adjacent communities. It has all the facilities and services expected of a local centre. The NPPF is clear that development proposals that conflict with an up-to-date plan should be refused unless other material considerations indicate otherwise.
- 3.4. Clearly, it is for members to weigh up the material considerations in reaching a decision. The decision maker has to be sure in taking such a decision, contrary to the Development Plan, that there is no misdirection with regards to the principles taken into consideration, and consideration of the issues is thereby an exercise of judgement.

3.5. It is important for officers and members to demonstrate consistency in decision making, and given the council now has a five year supply of housing land, members need to be clear about the justification for granting planning permission that would be a departure from the development plan. It is noted that the objectively assessed need (OAN) is not a limit to development, but rather a target. The council has the ability to depart from the development plan and permit development outside of confines if they consider there to be good reason to do so, when all material considerations have been assessed – although these decisions are likely to be the exception rather than the rule. So the development is contrary to development plan policy DM1, however, it is necessary to assess other material considerations, as discussed below.

3.6. Visual and Rural Amenity

It is considered that the site is well located in spatial terms to the built confines of Ash, such that its development would not appear uncharacteristic of the organic and historic growth that has occurred over time. It is largely contained between allotments to the north west and White Post Gardens to the south west and built confines development to the south.

3.7. At a distance and seen from public vantage points to the north and north east, an intervening field boundary helps to interrupt views towards the site. Closer views of the site from public right of way EE107 are partially screened by existing mature vegetation which forms the northern site boundary. This vegetation would be retained and to some extent encloses the site.

3.8. Given that views towards the site are primarily seen from the north and north east development of the site would be largely read against existing development. As such, it is not considered that the development would be unduly harmful in terms of either visual, rural or landscape amenity. The DDC Ecology and Landscape Officer has confirmed this, subject to a suitable boundary treatment being implemented. In this regard therefore the development although resulting in a small area of a small area of countryside as defined, would not adversely affect the wider character and appearance of the countryside or landscape.

3.9. Residential Amenity and Scheme Proposals

The proposed development at this stage is in outline form and as such, only indicative drawings have been provided with a view to what the site layout could look like. No elevational drawings have been provided, however, it is reasonable to assume that with the necessary considerations informing the detailed design stage, the residential amenity of existing neighbouring occupants would be protected through design.

3.10. Although specific scheme details are limited as the application is in outline, the housing type mix and parking provision are considered to be suitable. Layout and specific design solutions would be considered at the detailed design stage. However it will be important to ensure a suitable and well related development which would reflect the

characteristics of an edge of settlement location and the countryside beyond.

3.11. Agricultural Land Classification

Best and most versatile (BMV) agricultural land is defined as grades 1, 2 and 3a.

3.12. The breakdown of land types within the site is as follows::

- 80% is grade 2 BMV.
- 20% is other land.

3.13. Development of the site would involve the loss of 0.96 ha of best and most versatile agricultural land. The NPPF directs that where development is 'necessary' on 'significant' areas of agricultural land, land of a lower quality should be sought.

3.14. There is no guidance in relation to what constitutes "significant development of agricultural land", however, the Oxford definition of significant is as follows;

"Sufficiently great or important to be worthy of attention, noteworthy..."

3.15. White Post Farm used to be a larger concern, maps from as recently as the 1980s depict a farm track running north east from between the metal barns. The 1990 aerial photograph, however, shows this track having been ploughed over north of the farm, and the 1ha field associated with White Post Farm, subject of this application, remaining. The farm in its current configuration is discrete and would not appear to lend itself to larger scale agriculture, or the economies of scale that would be associated with such a holding.

3.16. The rural planning advisor does note that the "losses of individual, smaller parcels can accumulate..." and that "it would be fair to attribute some degree of significance to the loss of BMV agricultural land... but it would be for the council to consider... how significant this particular issue appears within the overall balance...". Clearly the loss of grade 2 land is a material consideration. However, this has to be weighed against all other material considerations.

3.17. Ecology

In accordance with the Habitats Directive and the Wildlife and Countryside Act 1981, it is necessary to ensure the application (a 'project') does not harm a European Site. The Land Allocations Local Plan 2015 (LALP) establishes that residential development across the district will cause in combination effects on the Pegwell Bay and Sandwich Bay SPA and Ramsar Site. However, the LALP also provides a suggested mitigation against these cumulative impacts of development, setting out a mitigation strategy to avoid potential impacts, comprising a financial contribution to provide monitoring and wardening at Sandwich Bay and towards the Pegwell Bay and Sandwich Bay Disturbance Study. The applicant has agreed to pay this contribution, amounting to £1624. Consequently, it is not considered that the development would cause a likely significant effect

on the SAC or SPA. A legal agreement will be required in order to secure this contribution.

- 3.18. In relation to on site and localised impacts, concern has been raised about the potential for bats to be living in the hedgerow which partially bounds the site. The stage 1 ecological survey submitted with the application reports that no bat habitats were found. Additionally, no reptiles were found, nor dormice.
- 3.19. In relation to bats transiting the area, the study recommends that a lighting scheme is submitted with a view to minimising any disturbance for commuting bats.
- 3.20. The survey has made further recommendations in line with the NPPF, for the purpose of enhancing ecological habitats, and halting the overall decline in biodiversity. These include:
- Retaining a wildlife corridor along the southern site boundary, which would be fenced off to prevent it becoming domestic curtilage of the proposed new dwellings.
 - Planting and reinforcing the boundary hedge/scrub along the northern site boundary.
 - Providing native and species rich planting as part of any soft landscape plan.
 - Using nest boxes for house sparrows and other nest boxes for tits, blackbirds, and thrushes, as well as smaller boxes for robins and wrens.
- 3.21. The ecology officer considers the ecological information to be competent. Accordingly, details of the lighting scheme and proposed ecological enhancements would be sought through condition were permission to be granted.

3.22. Heritage

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out a duty that special attention be paid to “the desirability of preserving or enhancing the character or appearance” of the conservation area in which a relevant application/site is located.

- 3.23. The council’s heritage officer has commented in this case that the effect of the development on the setting of the conservation area is considered to be negligible, given the existing residential development which forms the context of the site. Further discussion with the heritage officer confirms that no harm is considered to result from the proposal.
- 3.24. The heritage officer does comment that the proposed access road could possibly restrict the space around the retained farm house (number 24) and farm buildings (which are noted as being both non-designated heritage assets and as being outside of the site), which in turn could impair the future use/re-use of these buildings.
- 3.25. It is considered, however, that the proposed development does not necessarily preclude the future use/re-use of these buildings. Highways information submitted by the applicant shows that the buildings would still be able to be accessed by the necessary vehicles

(in the case of the farm buildings, this is taken as being in connection with their ongoing farm use, although in reality, with the buildings no longer serving a farm unit, the access of larger farming vehicles is considered unlikely to be necessary).

3.26. Highways and Traffic Impact

The highways officer has commented that; “The proposals are likely to generate around 15 two-way vehicle movements in each of the network peak hours and this is unlikely to have a severe impact on the highway network.”

3.27. The officer did raise a number of concerns relating to the proposed size of the access, which were addressed by the applicant. Accordingly, no further issues have been raised by the highways officer, subject to the use of a number of highways related planning conditions.

3.28. The proposal is therefore considered to be acceptable in highways terms.

3.29. Water Supply, Drainage and Flooding

Southern Water supplies water at this location. The exact location of the public water main should be determined prior to the layout of the development being finalised. This would be dealt with at the reserved matters stage should the proposal be permitted.

3.30. Foul water drainage. A desktop study undertaken by Southern Water indicates that the foul water drainage needs of this development would require additional local infrastructure in order for it to be accommodated. Southern Water has requested a pre-commencement condition for a drainage strategy to be submitted to and approved in writing by the local planning authority, however, given that the application is outline, it would be suitable for these details to be submitted as part of the reserved matters.

3.31. Surface water drainage/flooding. The site falls within flood zone 1 – outside of the flood risk zones and the local lead flood authority (KCC) has no objection in principle to the development, but does require that a detailed surface water drainage plan is submitted to the local planning authority for approval before development begins. This would involve a timetable for implementation and a management and maintenance plan for the lifetime of the development. It is considered suitable that these details would also be submitted as part of the reserved matters.

3.32. The flood officer advises that dwellings shown on the indicative plan as 6, 7, 14 and 15 would need to be relocated to avoid the worst areas of surface water flooding, which are located adjacent to the southern site boundary close to the existing pond. The layout at this stage is indicative and the development is for up to 30 dwellings. As such, this could be dealt with as part of a design solution at the reserved matter stage should the development be permitted.

3.33. Planning Obligations

The applicant has submitted draft Heads of Terms in relation to obligations necessary to make the development acceptable in planning terms. The proposed obligations are based on consultee responses and are as follows;

- 3.34. Affordable housing – in accordance with Core Strategy policy DM5, an on-site contribution of 30% (up to nine dwellings) is required. The applicant has agreed, and proposed that these would be social rented dwellings.
- 3.35. Secondary education – £2359.80 per dwelling, towards Roger Manwood School Phase 3. Total – **£70794** – agreed by applicant.
- 3.36. Library – contribution towards book stock at Ash village library, at £48.02 per dwelling. Total – **£1440** – agreed by applicant.
- 3.37. Health – the Canterbury and Coastal Clinical Commissioning Group has requested a contribution towards an identified scheme which would increase the capacity of the existing surgery by 1000 patients. The total cost of the scheme would be £78660. Applying the council's standard housing size mix to the development and using the KCC New Build Survey, the development is projected generate approximately 79 new patients. As a proportion against the total cost of the scheme, the requested contribution is **£6214** – agreed by applicant.
- 3.38. Open space – in accordance with policy DM27 of the Land Allocations Local Plan, the development would give rise to the need for the following quantities/types of open space – 0.17ha of accessible green space, 0.09ha of outdoor sports facilities, 0.004ha of children's equipped play space and 0.016ha of allotments/community gardens. Due to the size of the site and its location in close proximity to existing open space facilities, it is impractical to provide an on-site contribution. Based on discussions with the council's Principal Infrastructure Delivery Officer, it is suggested that an appropriate contribution (towards the maintenance of the existing Queen's Road equipped play area, and towards improved changing facilities at the existing sports pavilion should be sought. Such necessary contributions have been agreed by the applicant.
- 3.39. Thanet Coast and Sandwich Bay SPA mitigation strategy – noted above, contribution of **£1624** – agreed by applicant.
- 3.40. Public Right of Way. The proposed development would connect to Burfords Alley (EE107). The PRoW office has requested a contribution towards the upgrade of the footpath at this location. Details of upgrade works have been supplied by the PRoW office and these have been agreed by the applicant.

4. Conclusion

- 4.1. It is clear that development of this site, outside the confines would not be in accordance with policy DM1. Clearly there is also a loss, albeit a comparatively small area, of BMV agricultural land. However, in terms of its location, in favour of the development in this respect is its close

proximity and relationship to the Ash confines. The site is discreet and any development would be seen in the context of existing housing.

- 4.2. The development would bring affordable homes to the village and make other relevant contributions towards local infrastructure and services. To all intents and purposes, although contrary to the development plan, the development would be beneficial to the local economy, make a positive contribution in social terms and cause no undue harm in environmental terms.
- 4.3. It should be borne in mind that historically (around 15 years ago) the council identified this site as being suitable for development, and the reason why it was not taken forward was a change in landowner intentions. This prevented its inclusion in the proposed main modifications, which ultimately became the 2002 Local Plan.
- 4.4. The council will shortly be undertaking a call for sites for further housing allocations as part of its current local plan review, and putting aside the consideration of this application, it is likely that were the site put forward as part of that exercise the planning merits of the site would remain apparent in any new assessment.
- 4.5. In May 2016, at which time there was a deficit against the five year housing land supply requirement, the applicants undertook pre-application advice from the council, and the development of the site was considered favourably by officers. During the course of consideration of this application, the council went from not having a five year land supply to having a five year land supply, and policy DM1 became up to date.
- 4.6. Views of the Parish Council and local residents have been taken into account in consideration of the proposals.

g) **Recommendation**

- I. Subject to the submission and agreement of a section 106 agreement to secure contributions, planning permission be GRANTED, subject to conditions to include: (1) Outline time limits (2) Approved plans (3) Affordable housing scheme (4) Reserved matters to include layout, elevations, floor plans, sections through the application site and adjoining land, floor levels and thresholds, samples of materials, bin storage and street scenes, details of foul water drainage, details of surface water drainage and maintenance (5) Hard and soft landscape plan (6) Lighting strategy (7) Ecological mitigation and enhancements (8) Full details of measures to protect boundary vegetation (9) Details of noise mitigation (10) Details of all highways works, including wearing course, and timetable (11) Completion of access works (12) Closure of access to number 24 (13) Completion of certain highways works prior to first occupation of each dwelling (14) Provision of visibility splays (15) Provision of cycle parking (16) Measures to prevent discharge of surface water onto the highway (17) Bound surface 5 metres (18) Archaeology (19) PRow upgrade works to standard specified (20) Construction management plan.
- II. Powers to be delegated to the Head of Regeneration and

Development to settle any necessary planning conditions and to agree a section 106 agreement, in line with the issues set out in the recommendation and as resolved by Planning Committee.

Case Officer

Darren Bridgett