

November 2023



# PLANNING AND AFFORDABLE HOUSING STATEMENT ADDENDUM

Land to the south of Ashford Road, Sellindge

# TABLE OF CONTENTS

<b>1</b>	<b>Introduction.....</b>	<b>2</b>
<b>2</b>	<b>Site And Location.....</b>	<b>5</b>
<b>3</b>	<b>The Proposals .....</b>	<b>8</b>
<b>4</b>	<b>National Policy And The Development Plan .....</b>	<b>9</b>
<b>5</b>	<b>Key Issues.....</b>	<b>17</b>
<b>6</b>	<b>Planning Balance And Conclusions .....</b>	<b>35</b>

## APPENDICES

Appendix 1: Affordable Housing Statement

Appendix 2: List of Relevant Policies

Appendix 3: Draft S106 Heads of Terms



# 1 INTRODUCTION

## 1.1 Scope of the Statement

1.1.1 This Planning and Affordable Housing Statement has been prepared as an addendum to support an outline planning application (ref: 20/0604/FH) submitted by Gladman Developments Ltd and the Rix Family ('Gladman' or 'the applicant') in April 2020 for development of land at south of Ashford Road, Sellindge.

1.1.2 The proposed, and slightly amended, description of development is as follows:

**"Outline planning application for the erection of up to 54 dwellings with public open space, landscaping, sustainable drainage system (SuDS), a vehicular access point. All matters reserved except for the means of access to the site."**

1.1.3 There have been contextual and material changes since the application was submitted in 2020 and this statement will comprehensively cover these matters in detail while demonstrating the suitability of the site to accommodate the proposals.

1.1.4 The site is located within the broad location for development in the adopted Folkestone and Hythe Core Strategy Review (2022) wherein the relevant policy reference is CSD9, Site A.

1.1.5 An outline planning application seeks approval for the principle of development confirming that the proposals are in conformity with the development plan when read as whole. The following plans and documents have also been submitted as part of the updated application bundle:

- Development Framework Plan (drawing number: CSA/4509/112)
- Site Access Arrangements (drawing number: 1687/04)
- Design and Access Statement

- Landscape and Visual Impact Appraisal
- Ecological Impact Assessment
- Biodiversity Net Gain Assessment
- Information to inform Habitats Regulations Assessment
- Arboricultural Impact Assessment
- Transport Assessment
- Travel Plan
- Flood Risk Assessment
- Nutrient Neutrality Report
- Land Contamination Desk-Based Study
- Heritage Desk-Based Assessment
- Air Quality Assessment
- Noise Assessment
- Socio-Economic Statement

1.1.6 Appendix 1 provides an Affordable Housing Statement that explains the policy context and how the proposed development is appropriate, in terms of the proposed level of affordable housing provision, having regard to the statutory Development Plan and other material considerations including the Framework.

## 1.2 EIA Screening

1.2.1 The process of Environmental Impact Assessment (EIA) in the context of town and country planning in England is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations').

1.2.2 The proposed development is not a Schedule 1 development, for which an EIA would be mandatory. It is, however, a development type listed within Schedule

2 of the EIA Regulations, falling under category 10(b) Urban Development Projects.

1.2.3 A development is considered to be a Schedule 2 development if any part of it lies within a 'sensitive area' or if it meets or exceeds the relevant thresholds and criteria for that category of development.

1.2.4 The proposed development does not lie within a sensitive area, as defined in the EIA Regulations, nor does it meet or exceed the relevant thresholds and criteria for category 10(b) projects. As such, the proposed development does not constitute Schedule 2 development and an EIA is not required.

## 2 SITE AND LOCATION

### 2.1 Introduction

- 2.1.1 This section of the Planning Statement Addendum describes the application site and its context in relation to the surrounding settlement.

### 2.2 The site

- 2.2.1 The application site extends to 2.95 ha and comprises agricultural grazing land. The site is irregular in shape and extends around Grove House and its curtilage. The site is well contained by existing development and physical features at its edges.
- 2.2.2 The site is located to the west of the central core of Sellindge. It lies to the south of the A20 Ashford Road on the edge of the existing built up area of the settlement. Recent and planned growth will see the settlement expand between Ashford Road and the M20, within the area identified as a broad location of growth identified in Policy CSD9 of the Core Strategy Review (CSR). Housing-led development on land to the east of the site, which forms part of an approved development of 190 new dwellings and a mixed use local centre (planning application ref. Y18/0402/SH), is now very near completion.
- 2.2.3 The broad location for growth identified under Policy CSD9 covers the application site but it also extends southwards to the M20, in line with the previously allocated land in the now superseded Folkestone and Hythe Core Strategy, the development of which is now near completion.
- 2.2.4 Land to the south of the application site, land at Potten Farm, is also subject to an outline planning application made by Gladman for up to 105 dwellings. The two applications have been designed collaboratively and the sites have been considered in the context of the whole broad location ensuring that a

cohesive and sustainable development will be delivered as outlined in Policy CSD9. A comprehensive masterplan covers both application proposals.

## 2.3 Location

2.3.1 Sellindge is identified as a Rural Centre in the North Downs Area, as set out in the development plan settlement hierarchy. Circa 350 dwellings have been allocated to Sellindge as per Policy CSD9 of the CSR. Sellindge is characterised in the CSR (paragraph 5.169) as having:

**“...a wide range of facilities and services, serving Sellindge and the wider rural area. These include a GP Surgery, primary school, village shop with integrated post office, village hall, resident’s association, sports and social club, farm shop and public house”.**

2.3.2 The North Downs Area is characterised by rolling topography and attractive valleys covered by a mix of woodland and open areas of farmland. The significant aesthetic and ecological value of this area is recognised in the respect that much of it falls within the Kent Downs Area of Outstanding Natural Beauty (AONB). The south west of this area is outside of the AONB and is bisected by major transport infrastructure such as HS1 and the M20 which runs parallel to the A20, the former main coastal route from London. The legacy of the A20, Ashford Road, has created linear communities, Sellindge being a key parish to note. Sellindge is recognised as being an active village community in the North Downs Area with a reasonable level of facilities such as a popular local primary school and healthcare provisions.

2.3.3 The site is situated to the west of the centre of Sellindge and it is close to existing shops, services and employment opportunities in the village, which are easily accessible by sustainable modes including walking and cycling. The delivery of housing on the application site will both support, and be supported by, this range of services and facilities.

- 2.3.4 The site's proximity to key services and facilities is shown in Figure 3.6 of the Design and Access Statement (DAS) and details of facilities are shown within the Transport Assessment at Section 5.1.5 and Figure 5.1. This demonstrates that amenities are within recommended guideline walking distances.
- 2.3.5 The site is also situated on multiple main bus routes and the bus stops serving these routes are approximately 150m walk from the centre of the site. These services offer travel to destinations such as Ashford, Hythe and Folkestone within an hour, at times that are suitable for most commuting trips. The services 10 and 10A offer travel to Ashford International railway station within 40 minutes. From this station, Canterbury West, Maidstone East and St Pancras International can be reached within 40 minutes.
- 2.3.6 Sellindge is also located within close proximity to the new Garden Settlement, Otterpool Park, which has an outline application with a resolution to grant, subject to the completion of a satisfactory S106, issued in April 2023 (application reference: Y19/0257/FH) and therefore residents will be able to easily access all of the new facilities and improved connections proposed within the new Garden Settlement.
- 2.3.7 The application proposals will create a sustainable extension to the western edge of Sellindge and have been designed to be a seamless extension to recent development, creating a central hub to the village as desired by both the Parish Council and District Council.



## 3 THE PROPOSALS

### 3.1 The Proposal

#### 3.1.1 The application seeks outline permission for the following (summarised):

- Up to 54 residential dwellings (including 22% affordable housing delivered in accordance with adopted planning policy);
- Structural landscape planting and the retention and positive management of key landscape features;
- 1.06 ha of formal and informal open space (over 40% of the gross site outline application area), which will be available for public use;
- A sustainable urban drainage system (SuDS); and
- New access arrangements including upgrades to the existing footway/cycle links and highway improvements on Ashford Road.

#### 3.1.2 The drawings submitted for approval are:

- Site Location Plan (drawing number: CSA/3256/114)
- Indicative Site Access Arrangements (drawing number: 1687/04)
- Proposed pedestrian and cycle improvements (drawing number: 1687/07).

### 3.2 Application Context

#### 3.2.1 This is an update to an application that was submitted to Folkestone and Hythe District Council in April 2020, the council's application reference is 20/0604/FH.

#### 3.2.2 At the time of submission for the application, the Core Strategy Review had been submitted for examination in March 2020 and examination hearing sessions were held between December 2020 and July 2021. The Inspector's Report was received in February 2022 and the Plan was subsequently formally adopted in March 2022. There has therefore been a significant change in policy between the submission of the application and this addendum update. The formal adoption of the CSR, including Policy CSD9 along with the extensive evidence base underpinning the CSR, shows the Council's aspirations for

development on the site and establishes the principle of development on the application site.

3.2.3 The updates to the application have resulted in a slight change to the description of development, with the number of the dwellings proposed changing from “up to 55 dwellings” to “up to 54 dwellings”.

3.2.4 As is normal, the application triggered consultation responses from statutory and other consultees. Having considered the comments raised, the applicant, in consultation with the planning application case officer, determined that rather than submitting the updates to the application bundle in piecemeal manner, it would be more comprehensive to provide a full application update.

3.2.5 By way of summary, the main updates to the application bundle are:

- A reduction in the overall quantity of housing proposed from 55 homes to 54;
- Alterations to the site’s proposed design and layout, ensuring that the site is designed as cohesively as possible with the other land within the broad location allocation area;
- Slight amends to the site’s vehicular access point and highways upgrades, following advice from KCC highways;
- Alterations to the site’s proposed surface water drainage strategy; and
- The addition of a nutrient neutrality strategy for the site.

## 4 NATIONAL POLICY AND THE DEVELOPMENT PLAN

### 4.1 Introduction

4.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a statutory duty on local planning authorities to determine planning

applications in accordance with the development plan unless material planning considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.

4.1.2 The National Planning Policy Framework (NPPF) is a material planning consideration but does not change the statutory status of the Development Plan as the starting point for decision making. The planning application should be considered in this context.

4.1.3 The Development Plan applicable to this planning application comprises:

- The Folkestone and Hythe Core Strategy Review (2022); and
- Places and Policies Local Plan (2020).

## 4.2 The Core Strategy Review (2022)

4.2.1 The CSR was formally adopted on 30<sup>th</sup> March 2022. It sets out the spatial vision, objectives, development strategy and a series of over-arching strategic policies that will guide the scale, location, and type of development in the district until 2037. The CSR focusses on strategic scale development to meet housing need, and therefore only considered sites of over 250 units in identifying sites for development.

4.2.2 The total housing requirement within the CSR is set at Policy SS2, this outlines the need for at least 13,284 new homes to be delivered over the plan period (18 years) equating to the construction of 738 dwellings per annum to 2036/37. The annual requirement has been stepped and is to be delivered in four phases as follows:

- 2019/20 to 2023/24 – 622 dwellings a year
- 2024/25 to 2028/29 – 885 dwellings a year
- 2029/30 to 2033/34 – 730 dwellings a year

- 2034/35 to 2036/37 – 700 dwellings a year

4.2.3 The CSR at paragraph 3.29 considers the future of Sellindge at which it states that

“Sellindge will have grown to the south and east, consolidated around a central core of expanded and new facilities and open space at its heart, creating a compact, social village. It will be well-connected to the adjoining garden town, with improved connectivity to Ashford, Folkestone and beyond through improved walking, cycling, bus and rail routes”. Paragraph 4.40 further emphasises that “further opportunities for growth exist in Sellindge (policy CSD9) to consolidate the village around a central core.”

4.2.4 There is an indicative number of circa 600 dwellings of the net 13,285 dwellings directed to Sellindge. This figure was never intended to be a ceiling to the number of dwellings to be delivered however. Of these 600, developments have received planning consent and are already either nearing completion in the case of the Taylor Wimpey site or have started construction, the Quinn Grove Park site. There is still a number of dwellings extant as part of the allocation number (CSD9) without the benefit of planning consent and this application is to be considered in this context.

### **CSD9 Sellindge Strategy**

4.2.5 Policy CSD9 is the key policy relevant to the application proposal, as it articulates the spatial strategy for Sellindge. The site falls within the broad location area identified as ‘Phase 2 Housing - Site A’. The application is therefore supporting the Council’s CSR by delivering a site that has been identified as being suitable for residential development and is relied upon to deliver the Council’s housing strategy.

4.2.6 The policy is accompanied by an indicative key diagram which indicates the broad areas for development:

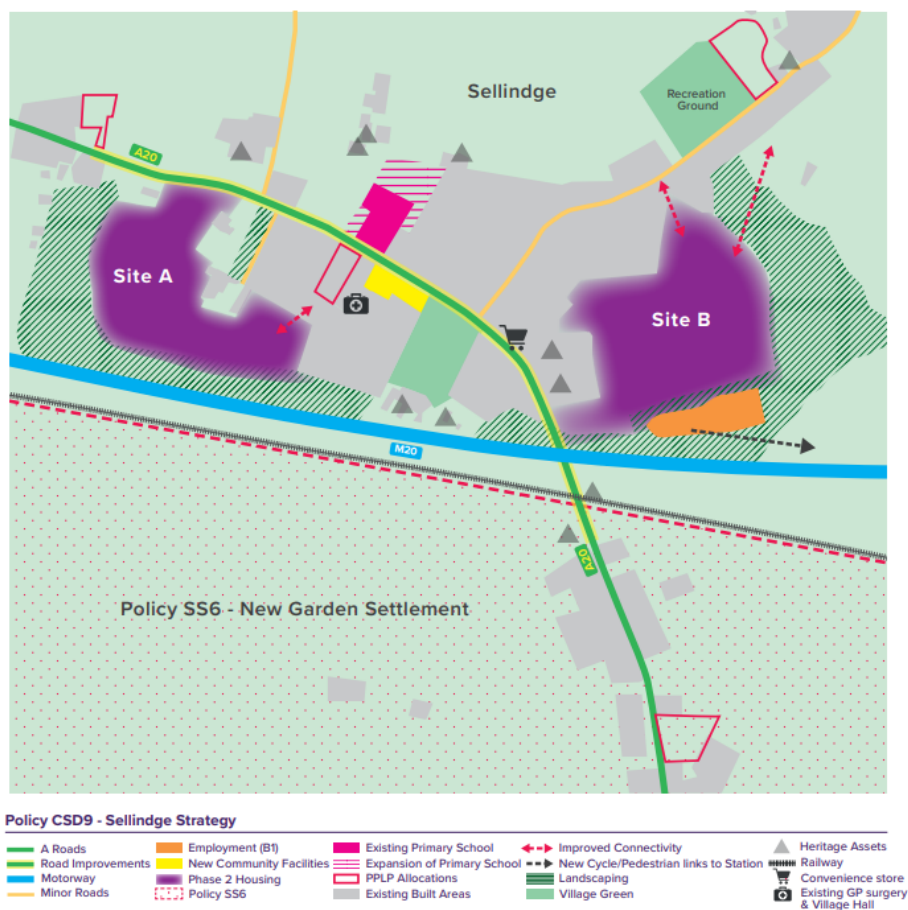


Figure 1: CSR Policy CSD9 Sellindge Strategy

4.2.7 There are various strands to the policy, but it identifies the need for a variety of development requirements, uses and community benefits. The table below explains how the requirements Policy CSD9 have delivered through a combination of the committed first phase of development and what is remaining to be delivered by the two broad locations for development:

Table 1: Delivery of requirements set by Policy CSD9

Policy CSD9 Requirement	Committed Phase 1 (Taylor Wimpey)	Broad Location Site A (Land south of Ashford Road and land	Broad Location Site B (Quinn application)	Total
-------------------------	-----------------------------------	--	---	-------

		<b>at Potten Farm Applications)*</b>	<b>at Grove Park)</b>	
Circa 600 homes.	240 delivered by Taylor Wimpey.	Pending total of 159 dwellings. (Revised 20/0604/FH for 54 dwellings on land south of Ashford Road.  Outline application for 105 dwellings for land at Potten Farm.)	162 dwellings (Outline permission granted Y16/1122/SH)	561
Masterplan for Phase 2	N/A – permission and subsequent construction pre-dated the policy.	A detailed masterplan for land within Gladman control has been provided in the DAS for both applications. Indicative development parameters for the remaining land at Rotherwood Farm have been developed and agreed with FHDC.	N/A – Outline permission pre-dated the adoption of the policy.	

22% affordable for Phase 2	N/A	Policy compliant affordable housing provision of 22% will be provided on the Gladman applications.	Permission predates 22% requirement, D.O.V under consideration via revised full app ref 23/1324/FH.	
10% of dwellings to meet needs of ageing population.	N/A	Gladman commit that a condition can be used to ensure that 10% of dwellings will be built to meet the needs of an aging population.	It is understood that it has been proposed that later living can come forward as part of later phases of the allocation.	
1,000sqm B1.	N/A	None proposed.	929sqm consented.	929sqm.
Prior to commencement of development land and appropriate funding for primary school (1.5 FE).	N/A	An appropriate financial contribution shall be provided as part of the S106 package.	Transfer of land of a suitable size adjacent to the school was included as part of the application proposal.	
Prior to occupation nursery facilities.	N/A	An appropriate financial contribution shall be provided as	N/A – consent pre-dated policy.	

		part of the S106 package.		
Replacement village hall.	N/A	Gladman are having advanced discussions with the Parish Council and FHDC on how an appropriate contribution can be suitably incorporated within the S106 package.	N/A – consent pre-dated policy.	
Prior to commencement of development, contribution to new medical facilities.	S106 contribution made to health.	An appropriate contribution will be made via the S106 package.	S106 contribution made to health.	

\* Land at Potten Farm will be subject to an outline planning application (also made by Gladman) to run parallel to this application for land south of Ashford Road.

4.2.8 Table 1 demonstrates how the policy requirements of Policy CSD9 are to be met across the sites A and B identified as broad locations for development.

4.2.9 Gladman are also aware of a recently submitted application by Quinn Estates for land at Elm Tree Farm (application ref: 23/1413/FH); this site is not located on land identified as a broad location for growth by policy CSD9. It is understood that this application is proposing to provide community benefits, however as the application is under determination, the delivery of these cannot yet be relied upon. Furthermore, no reliance is placed on this proposal for delivering the requirements of Policy CSD9.



### 4.3 Places and Policies Local Plan (2020)

4.3.1 The Places and Policies Local Plan was adopted on 16<sup>th</sup> September 2020. The Places and Policies Local Plan identifies small and medium sized sites for development across the district to meet the targets in the Core Strategy; as well as setting out detailed development management policies to assess planning applications.

4.3.2 The Local Plan policies relevant to the application are listed in Appendix 2.

## 5 KEY ISSUES

### 5.1 Introduction

5.1.1 Taking all relevant policies into account, it is considered the following key matters arise as a result of development:

- The principle of development;
- Housing mix and delivery;
- Impact on landscape;
- Impact on heritage assets and archaeological assessment;
- Character and appearance and impact on the wider locality;
- Green infrastructure and public open space;
- Transport and highways; and
- Environment, including ecology and drainage.

### 5.2 The principle of development

5.2.1 Policy SS1 sets out the spatial strategy for the district, which has been divided into three main character areas: the Urban Area (Folkestone and Hythe), the Romney Marsh area and the North Downs Area. The policy outlines that the majority of the housing requirement will be delivered through the creation of a new settlement to be located in the North Downs Area of the district, alongside the planned growth in Sellindge. Elsewhere, priority is to be given to the urban area in Folkestone and Hythe and within the towns of New Romney and Lydd for the Romney Marsh area.

5.2.2 Policy SS3 sets a number of criteria that all developments must meet in order for the principle of development to be found acceptable. Some of these will

be addressed in detail elsewhere in the bundle of updated documents; for example, the need for a design-led and sustainable access approach for the density and layout is thoroughly evidenced within the accompanying Design and Access Statement.

**5.2.3** As already outlined, Policy CSD9 outlines the strategy for the settlement of Sellindge and identifies the application site as within 'Phase 2 Housing, Site A' within a broad location for growth. The policy contains several criteria against which proposals for all of the phase 2 development to deliver, as outlined with the delivery within Table 1 of this statement.

**5.2.4** Overall, the proposals contribute to the planned growth of one of the district's most sustainable villages, mitigating any impacts either on site or via appropriate financial contributions.

**5.2.5** The proposals have been designed to ensure that there are limited impacts on the environment, a net gain in biodiversity can be secured and that there are no unacceptable landscape and heritage impacts caused.

**5.2.6** The proposals meet the objectives of policies SS1 and SS5 and, as a residential housing allocation supported by Policy CSD9, the principle of development is firmly acceptable and in accordance with policy.

## **5.3** Housing Delivery and Mix

**5.3.1** Policy SS2 (Housing and the Economy Growth Strategy) sets out how the Council will support housing growth across the district, confirming 13,284 homes are expected to be delivered over the plan period (2019-2037). This will be achieved by major strategic growth in the district, including the delivery of a new garden town, as well as a number of small and medium-sized sites as allocated in the Places and Policies Local Plan. In order to meet the total housing requirement over the plan period, a stepped approach to housing

delivery will be implemented encompassing four phases. The second phase of housing in Sellindge is outlined to contribute circa 350 dwellings to this total requirement.

- 5.3.2 Policy CSD1 (Balanced Neighbourhoods) outlines that for development proposing 15 or more dwellings, 22% should be affordable on any site within the district and this provision should be made on-site unless off-site provision through a financial contribution of broadly equivalent value can be robustly justified. For development proposing 15 or more dwellings, as a starting point approximately 70% of the affordable housing to be provided shall be affordable housing for rent.
- 5.3.3 Policy CSD2 (District Residential Needs) states that within developments of 15 or more dwellings, where viable and practical range of housing tenures should be provided including owner-occupied and private rented and affordable housing in accordance with CSD1. The council's Strategic Housing Market Assessment (SHMA) will be used as a starting point for determining the mix of tenures; and a range of sizes of new dwellings should be provided.
- 5.3.4 Policy CSD2 goes on to state that specialist units for older people (Class C3(b)) will be delivered primarily through strategic allocations as part of a new garden settlement in the North Downs Area (Policies SS6-SS9) and expansion at Sellindge (Policy CSD9). Policy CSD9 expands on this by stating that 10% of dwellings are to be designed to meet the needs of an aging population.
- 5.3.5 This application is made in outline and reserves all matters except for access. Housing mix, including housing standards, will be a matter for future applications submitted pursuant to this outline application. However, planning conditions can be used to ensure compliance with adopted policy.

- 5.3.6 The submitted Design and Access Statement demonstrates the proposals are capable of being delivered at a density, scale and character appropriate to its location in Sellindge.
- 5.3.7 An Affordable Housing Statement is provided at Appendix 1 that sets out the importance of affordable housing provision in more detail. The application contains no viability evidence that challenges the CSR requirement, therefore the proposals will deliver the full 22% on site, as required by policy CSD1. Provision of affordable housing, including a tenure spilt, is intended to be captured in the S106 agreement to ensure delivery in the future.
- 5.3.8 The proposals will deliver new homes, on a site located within a broad location for growth CSR. Whilst this is an outline application, the proposals are well conceived, and considerable time has been spent preparing a design that will ensure future applications will result in a development being delivered that is appropriate to its location. Whilst the final mix and type of housing will be determined at reserved matters stage, this can be controlled by planning condition.

## 5.4 Impact on landscape

- 5.4.1 Within the Places and Policies Local Plan, Policy NE3 (Protecting the District's Landscapes and Countryside) outlines the Council's approach to sites which may impact on the Kent Downs AONB and its setting and how proposals have to demonstrate compliance with a number of criteria in order to be found acceptable, both independently and cumulatively.
- 5.4.2 The Multi Agency Geographic Information for the Countryside Map ('MAGIC') and the Policies Map indicate that the application site is not covered by any statutory or non-statutory designations for landscape character or quality. The

start of the Kent Downs AONB is approximately 2km to the north east of the site.

- 5.4.3 The wider consideration of landscape and topography for the sites assessed as part of the CSR was informed by series of landscape appraisal reports. The Phase One study concluded that Sellindge and surrounding area was the freest from strategic constraints, although some constraints were identified (notably proximity to the Kent Downs AONB, ecological constraints, heritage, the presence of villages and grade 2 agricultural land).
- 5.4.4 The Phase Two report then went on to look at this area in detail and assessed four areas of land within the Sellindge and surrounding area. The application site falls into the area described as Area C South and West of Sellindge.
- 5.4.5 The landscape assessment within the Phase Two report states that Area C is covered by 'LCA 09: Sellindge' as defined in the High Level Landscape Appraisal (HLLA). LCA 09 is identified in the HLLA as being of medium landscape sensitivity, where impact on landscape character and visual impact will not necessarily be an obstacle to strategic scale development, and where suitability is likely to be determined by other sustainability or strategic environmental considerations.
- 5.4.6 Further, land within Area C is well-concealed in views from the Kent Downs AONB by a combination of undulating surrounding landform, intervening development at Sellindge and woodland or tree belts on its northern, eastern and southern edges. The land within Area C is thus considered to be less constrained in its potential to give rise to significant landscape or visual effects. The landscape assessment concludes that whilst strategic scale development on these areas of land would be likely to give rise to some adverse landscape and visual effects, these effects are limited because they could be more readily

mitigated through the siting, type and design of development to assimilate it into the landscape.

- 5.4.7 The conclusions of these findings support the suitability of the site being identified within the broad location of growth in CSR Policy CSD9. In respect of landscape Policy CSD9 states the need for applications to be:

*"...e. The design and layout of the development shall be landscape-led and include within it structural landscaping with woodland planting to be provided on the rural edge of the development, particularly around the western boundary of Site A, to retain the rural character, and on the eastern boundary of Site B, to avoid or minimise adverse impacts on the Kent Downs AONB and views into and out of the AONB. All landscaping shall be planted at an early stage of the development and provide new habitats for priority nature conservation species. Applications shall be accompanied by a landscape and visual impact assessment that should inform the landscaping scheme and address structural and local landscape matters;*

*g. Proposals should protect and conserve the setting of non-designated built heritage assets such as Grove House and Potten Farm, protect and where possible enhance important historic natural heritage assets, such as hedgerows, in accordance with their particular significance;..."*

- 5.4.8 The application is supported by a Landscape and Visual Impact Assessment (LVIA) which considers these requirements of Policy CSD9 in detail as well as the wider landscape impacts in some considerable detail.

- 5.4.9 The LVIA establishes the landscape principles to form the basis for the design of the site, ensuring compliance with Policy CSD9's requirement for the scheme to be landscape-led. These principles are listed at paragraph 5.3 of the LVIA and can be seen within the development framework plan for the site. The proposals will retain all of the high quality trees on site and the vast majority of the other trees and vegetation. The new housing will be set back from the

curtilage of Grove House to respect the immediate setting of the non-designated heritage asset.

**5.4.10** The LViA concludes that the proposed development proposals will not materially impact on views or the setting of the Kent Downs AONB. Upon completion the effect of the proposed development could be delivered without resulting in significant adverse harm to the local landscape, townscape, or views.

**5.4.11** Overall, the proposals have been prepared having due regard to the landscape, both independently and in the context of both the broader planned strategic growth through Policy CSD9, as well as the new garden settlement which is located to the south of the M20. The proposals are in compliance with the landscape requirements of Policy CDS9 and Policy NE3.

## **5.5 Impact on heritage assets and archaeological assessment**

**5.5.1** An aim of the NPPF is to conserve and enhance heritage assets. Paragraph 194 requires applicants to describe the impact of developments on heritage assets and their settling.

**5.5.2** Policy CSD9 outlines the requirement for proposals to

*"...protect and conserve the setting of non-designated built heritage assets such as Grove House and Potten Farm, protect and where possible enhance important historic natural heritage assets, such as hedgerows, in accordance with their particular significance."*

**5.5.3** A Heritage Desk-Based Assessment has been prepared by CSA and submitted as part of the revised application bundle, which considers the impact of the proposed development on designated and non-designated heritage assets.



The findings from this assessment have been used to appraise the proposals and the degree they are in compliance with heritage policy.

- 5.5.4** When considering the harm to the Grade II listed Guinea Hall, which is located c. 70m north of the site within associated gardens, it is not anticipated that the sensitive development of the site, as proposed in current design plans, would result in an adverse impact to the significance of the Grade II listed Guinea Hall. The site has a loose historic connection with Guinea Hall, but Guinea Hall cannot be appreciated or experienced from within the site and as such does not form part of its setting in these terms. It is anticipated that land to the south of Guinea Hall, surrounding Grove House, would be retained as open space and therefore there will be no adverse impact to the significance or setting of Grade II listed Guinea Hall would arise.
- 5.5.5** Notable findings from the heritage assessment are that the formulation of design plans have taken into account the proximity of Grove House, which is a non-designated heritage asset principally deriving its significance from the historic interest associated with its built form, as an example of a post-medieval dwelling. The application proposal has ensured that open space remains surrounding Grove House, with built form offset to the west. This will preserve the key elements of the setting of Grove House, any harm would be minimal at most.
- 5.5.6** When considering the non-designated heritage asset of Potten Farm, which is located c. 110m to the west of the site. This asset is only visible in partial views from the western area of the site considering the lack of key intervisibility and does not have any evidence of any key historic functional relationship. Consequently, Potten Farm is not considered sensitive to adverse impacts as a result of development of the site.

- 5.5.7 Paragraph 203 of the NPPF states that the effect of an application proposal on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.5.8 Due to the minimal at most level of harm, the applicant considers that the benefits of the proposed development, supporting the delivery of an allocated residential housing site in the CSR that would contribute to meeting housing needs, would significantly and demonstrably outweigh this harm.
- 5.5.9 Policy CSD9 also outlines the requirement for proposals to ensure that
- “...any archaeological remains should be evaluated and potential impact mitigated in accordance with Places and Policies Local Plan Policy HE2.”*
- 5.5.10 A desk-based archaeological assessment has been carried out and supports the application bundle. This concludes that prehistoric and Roman period finds are recorded in the wider area but there is no current evidence to suggest prehistoric or Roman period activity was focused within the site. The site was most likely in agricultural use from the medieval period onwards. There is no evidence to suggest significant archaeological remains are likely to be present within the site.
- 5.5.11 On this basis it is concluded that this desk-based assessment provides sufficient information to determine an outline planning application with regards to the archaeological resource and the requirements of Policy HE2 and CSD9 have been met.

## 5.6 Design, appearance, and impact on the wider locality

### 5.6.1 Quality design is a key principle of the NPPF. It states:

*"...high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve."*<sup>1</sup>

5.6.2 The achievement of good design is re-affirmed in the Places and Policies Plan at policies HB1, HB2 and T1 and CSR Policy CSD9, which cumulatively express the requirements expected by the Council to ensure that future developments are well designed, landscape-led and sustainable schemes.

5.6.3 Policy CSD9 policy specifies the requirement that proposals for the second phase for the residential-led development should be accompanied by a masterplan for Sites A and B which shows how the sites will be integrated with Phase 1 and the existing settlement. The design of the scheme, its evolution and key principles are expressed in the supporting DAS and Development Framework Plan.

5.6.4 In accordance with Policy CSD9, the DAS (Chapter 4) establishes a number of layout principles for the entirety of Site A identified within the phase 2 residential development area in CSD9. These establish principles for green and blue infrastructure, the community and ecology, connectivity and new homes. Collectively, these features, alongside matters of landscaping and heritage, have been considered when developing the Development Framework Plan for the application site, as well as ensuring that the application site is designed suitably in the context of the broad location as a whole.

5.6.5 The application is in outline with all matters reserved save for access and the submitted plans are therefore indicative as to how development could come

---

<sup>1</sup> Paragraph 126.

forward in any subsequent reserved matters application. The level of detail provided in the supporting documentation satisfies informational requirements expected by relevant policy. The design proposals are entirely well-conceived and appropriate to their context and would result in a high-quality residential scheme. The proposals are therefore in accordance with policy.

## 5.7 Green Infrastructure and Public Open Space

**5.7.1** Although an integral part of the scheme's overall design, Folkestone and Hythe District Council encourage development that enhances the strategic green infrastructure (GI) network as well as development that protects, enhances and creates new physical and green infrastructure to foster healthy lifestyles.

**5.7.2** Full details of green infrastructure proposed are contained within the DAS. In summary, 1.06 hectares of GI, equating to just over 40% of the total site area, will be provided and will provide a high quality and attractive setting for the new homes.

**5.7.3** The requirements of Policy C3 (Provision of Open Space) and Policy C4 (Children's Play Space) regarding play space provision, are met and exceeded by the development proposals.

## 5.8 Transport and Highways

**5.8.1** The NPPF at paragraph 104 notes that transport issues should be considered early in development proposals. The proposals should consider any potential impacts on the transport network and how these can be addressed, opportunities from existing and proposed transport infrastructure, opportunities to promote sustainable transport, environmental impacts of

transport, patterns of movement and how transport fits into the design of schemes.

5.8.2 Paragraph 111 clarifies that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.8.3 Policy SS5 (District Infrastructure Planning) sets out the Council's aspirations to ensure that the location, design or management of development provides a choice of means of transport and allows sustainable travel patterns, for pedestrians, cyclists and/or public transport. The travel demand of new development proposals will be considered and managed and tailored solutions will be developed to limit car use generated by new developments. All major trip-generating uses will provide Travel Plans.

5.8.4 Policy CSD9 (Sellindge Strategy) outlines two transport, highways and connectivity requirements:

*"...i. Provide, or contribute to, convenient and safe links within the sites and externally to ensure there is ease of access by a range of transport modes to new and existing development and facilities within the village and cycle and pedestrian access to Westenhanger Station;*

*j. Deliver pedestrian and cycle enhancements to the A20 through informal traffic-calming features and associated highways improvement extending the principles of the Rural Masterplan; ..."*

5.8.5 The updated application bundle is supported by the Transport Assessment (TA) that demonstrates that the proposed development will not lead to highway safety problems or cause unacceptable impacts upon the highway network and that the new community will be well served by sustainable transport modes. The TA has ensured to factor in the potential growth from

the broad location in its entirety, as well as the growth at the Otterpool New Settlement, which has outline planning consent (Y19/0257/FH).

**5.8.6** The site access strategy has been informed by thorough discussions with Kent County Council and the access proposals have been the subject of a Road Safety Audit, which found the details of the access proposals to be suitable and safe to support the delivery of the broad location.

**5.8.7** The key features of the proposed site access/A20 Ashford Road arrangements and associated highway works, shown on drawing number 1687/04/E, are:

- i. The introduction of a new site access, forming a 'T' junction with the A20 Ashford Road;
- ii. The junction to operate under priority control;
- iii. Introduction of a 3.0m wide ghost island right turn lane on A20 Ashford Road;
- iv. Introduction of a 3.0m shared footway/cycleway on the eastern side of the site access road and on the southern side of the A20;
- v. Introduction of a 2.0m footway on the west side of the access road;
- vi. Introduction of a pedestrian refuge with dropped kerbs and tactile paving circa 20m east of the site access on Ashford Road;
- vii. Removal of the existing parking layby on Ashford Road;
- viii. Relocation of both bus stops in the vicinity of the site;
- ix. Provision of 2.4m x 111m visibility splay to the left, for vehicles emerging from the site access;
- x. Provision of 2.4m x 109m visibility splay to the right, for vehicles emerging from the site access.

**5.8.8** The access proposals include the provision of pedestrian and cycle improvements on the A20, including a pedestrian island, relocating the bus stops and a toucan crossing. These are shown on drawing number 1687/07

within the TA. These will ensure that the site is well connected to the village centre and that these can be accessed safely by pedestrians and cyclists and therefore compliance with Policy CSD9.

5.8.9 In accordance with Policy SS5, a Travel Plan has also been prepared and submitted as part of the updated application bundle which sets out the proposed strategy to implement sustainable transport methods.

5.8.10 Taking into account discussions, and the evidence submitted in the supporting documentation, it is considered the proposals satisfy the requirements of policy at a local and national level.

5.9 Environment including ecology, drainage and nutrient neutrality, air quality and noise.

#### **Ecology and Biodiversity Net Gain**

5.9.1 An Ecological Impact Appraisal and Information to inform Habitats Regulations Assessment have been submitted as part of the application; this assesses the potential impact on ecology of the proposed development. It concludes that the proposed development on the application site with the proposed mitigation measures will have no significant adverse impact on any statutory / non-statutory designations.

5.9.2 The site lies within the East Stour catchment of the Stodmarsh SPA/SAC/Ramsar, within which proposed residential development may result in a likely significant effect on these designations as a result of nutrient enrichment (phosphates and nitrates) from foul water and surface water runoff. In order to mitigate the potential adverse effects on the integrity of the Stodmarsh designations foul water will be treated by a dedicated mini- water recycling centre (WRC) located within the adjacent land at Potten Farm site, with surface water being treated via creation of an on-site attenuation basin

area; both of which will strip phosphates and nitrates prior to discharge into the Stour catchment, to ensure nutrient neutrality and avoid any adverse effects on integrity to qualifying features within the Stodmarsh designations. Furthermore, there is scope for the facility to be expanded to support the delivery of the wider broad location. The application proposals are therefore in accordance with Policy CSD9 and CSD5 of the CSR.

- 5.9.3** A biodiversity net gain report has been submitted that includes a Defra 4.0-compliant BNG metric, which shows a gain of 77.40% for hedgerow units and a net loss of 27.07% for habitat units. The delivery of sufficient habitat units to achieve 10% net gain is likely to be achieved through off-site provision, or a combination of on- and off-site provision. The applicant is committed to ensuring that a net gain can be secured as part of the development package.

#### **Arboricultural Assessment**

- 5.9.4** The new vehicular and pedestrian access from Ashford Road will require the removal of two protected trees to form the new carriageway and footway. The Arboricultural Impact Assessment supporting the application outlines that the removal of these trees would have a moderate but localised visual impact on the street scene of Ashford Road. However, new tree planting along the primary street will mitigate the visual impacts of these removals in the medium term.
- 5.9.5** The root protection areas of retained trees have been respected within green buffers and open space in the residential area. In particular, the proposed layout accords with the Standing Advice by retaining the ancient/veteran tree buffer zone of sweet chestnut (T55) as semi-natural habitat which is part of the site's green infrastructure. This buffer will be free of gardens or formal access routes and maintained as semi-natural grassland.



- 5.9.6 The Development Framework Plan indicates a potential to provide an increase in tree cover. This includes the tree-lined primary street and strengthening of the northwest boundary, providing visual and acoustic screening and protecting the rural character. An overall net gain in the arboricultural resource at the site can be delivered.

### **Air Quality and Noise**

- 5.9.7 Element J of Policy CSD9 expresses that noise and air pollution mitigation measures will be required between the M20/High Speed 1 transport corridor and the built development, to integrate with structural planting and habitat creation.
- 5.9.8 An Air Quality Assessment has been undertaken by Wardell Armstrong and is submitted as part of the application. The assessment demonstrates that the proposed development will not lead to an unacceptable risk from air pollution therefore complies with national policy and Policy CSD9.
- 5.9.9 A Noise Assessment has been undertaken by Wardell Armstrong, due to the sites location within Site A of Policy CSD9. The noise source is primarily the A20, rather than the M20/HS1. The Noise Assessment concludes that with the implementation of appropriate glazing and ventilation system, as recommended by national guidance and policy, noise from the transportation sources can be mitigated adequately to provide acceptable living conditions for future residents.

### **Drainage**

- 5.9.10 Policy CSD5 (Water and Coastal Environmental Management) states that planning permission for proposals will be granted for development provided that it meets the criteria set out in the policy.

- 5.9.11 The site is located in Flood Zone 1 and the application is supported by a Flood Risk Assessment prepared by RSK.
- 5.9.12 The indicative SuDS strategy proposed for this site includes the use of an attenuation basin located towards the north of the proposed development which can provide water quality and amenity benefits to the proposed developable area. With this proposed strategy, surface water runoff will be retained on site and not exacerbate flood risk to the surrounding area.
- 5.9.13 The surface water drainage features will be designed to restrict runoff from the site to the in 1 year greenfield runoff rates and store the volume of water associated with a 1 in 100 year rainfall event, plus an additional allowance to account for increased rainfall due to climate change, providing a betterment over the existing scenario.
- 5.9.14 The report concludes the development can be delivered in accordance with the NPPF so as not to be at risk of flooding from external sources or from within the development, and so as not to increase flood risk to the surrounding area. The proposals therefore comply with policy CSD5.

## 5.10 Local Plan Summary

- 5.10.1 The principle for residential development on the application site is established within the Core Strategy Review, at Policy CSD9.
- 5.10.2 The proposals are for a residential development of up to 54 homes. Having regard to Policy CSD9, an assessment has found that the proposals meet all criteria set out in the policy. So far as is relevant at outline stage, an assessment has also found that the proposals are in accordance with other relevant policies from the Local Plan.

**5.10.3** The proposed development is in compliance with the statutory development plan.

## 6 PLANNING BALANCE AND CONCLUSIONS

### 6.1 Conclusions

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a statutory duty on local planning authorities to determine planning applications in accordance with the development plan unless material planning considerations indicate otherwise.
- 6.1.2 Paragraph 10 of the NPPF states that at the heart of the Framework is a presumption in favour of sustainable development. Paragraph 11 follows that plans and decisions should apply a presumption in favour of development. Paragraph 11(c) states in relation to decision taking this means approving development proposals that accord with an up-to-date development plan without delay.
- 6.1.3 This outline planning application is made in the context of the Government's requirement to significantly boost housing land supply and the presumption in favour of sustainable development.
- 6.1.4 The application site is allocated for residential development in adopted the Development Plan and as has been demonstrated in this statement the proposals are in accordance with relevant policies from the Development Plan.
- 6.1.5 Notwithstanding the above, the Council is unable to demonstrate a 5 year supply of housing land as required by the Framework and therefore as per paragraph 11 (d) the presumption in favour of sustainable development is engaged and the proposals are to be assessed with the tilted balance being triggered. In these circumstances, the importance of allocated sites like this being brought forward for development expediently increases. The 5 year land supply position adds even further weight in favour of a grant of planning permission for the proposed development.

- 6.1.6 The supporting material, assessments and reports demonstrate that there are no technical or environmental constraints that indicate development should be prevented.
- 6.1.7 The proposed development would deliver a large number of benefits. These include:

BENEFITS
Provision of <b>54 market and affordable homes</b> in line with the adopted development plan for Folkestone and Hythe District Council. The delivery of housing should be given very significant weight.
The provision of <b>affordable housing (22% or up to 12 units)</b> in a district where there is an existing unmet need unlikely to be delivered through alternative means. The delivery of affordable housing should be given very significant weight
New footpaths to be incorporated into the areas of public open space and children's play space will be provided on site improving public access to green spaces.
Provision of <b>1.06ha public open space and green infrastructure</b> , much of which will be publicly accessible, and which would link the recreational routes into the village and out to the countryside.
A measurable net gain in <b>biodiversity both in habitat and hedgerow units is committed to as part of the development package.</b>
Additional landscape planting, with a specific focus on the boundaries surrounding Grove House.
The <b>build cost of the development is expected to be around £9.5m.</b> Calculations suggest that this construction expenditure would support around <b>105 Full Time Equivalent (FTE) construction jobs</b> over the period of the build. <sup>2</sup> The development of new homes in the proposed development could help to address local unemployment in the industry and provide apprenticeship and training opportunities for young unemployed people.

<sup>2</sup> The economic benefits of the development are set out in full in the Socio-Economic Benefits Statement submitted as part of the planning application.

**Household expenditure** from the 54 new homes would be circa **£1.96m per year**. This will benefit the local area.

Over the four years following the completion of the development, the Council will benefit from **circa £442,000 via the New Homes Bonus**.

The new residents will **increase demand for, and use of local services and businesses** and increased spending will help to protect, maintain and enhance the services available and accessible within the Sellindge and surrounding area.

- 6.1.8 As with any greenfield site, the development will inevitably introduce changes to the area resulting in some urbanising effects and will involve the loss of some agricultural land. However, the LViA demonstrates that the scheme can be delivered without unacceptable landscape and visual impacts.
- 6.1.9 The accompanying heritage assessment establishes that the proposals would result in minimal at most harm to a non-designated heritage asset of Grove House, however when this harm is weighed in the balance against the many benefits of the proposals, such minimal harm is clearly outweighed.
- 6.1.10 The development proposals would be deliverable in the short term and increase the supply and choice of housing within Folkestone and Hythe, on a site that has been deemed suitable for housing by the Council. It would contribute towards economic growth and offer wider social and environmental benefits for the local community.
- 6.1.11 On 'flat balance' the proposals accord with the Development Plan, and result in tangible benefits that clearly outweigh any harms that would arise.
- 6.1.12 Notwithstanding the above, the Council is unable to demonstrate a 5 year supply of housing land as required by the Framework and therefore as per paragraph 11 (d) the presumption in favour of sustainable development is engaged and the proposals are to be assessed with the tilted balance being triggered. In these circumstances, the importance of allocated sites like this being brought forward for development expediently increases. The 5 year land

supply position adds even further weight in favour of a grant of planning permission for the proposed development.

**6.1.13** In line with national policy and local policy the application should be approved without delay.

## APPENDIX 1 – AFFORDABLE HOUSING STATEMENT





## AFFORDABLE HOUSING STATEMENT

### 1 CONTEXT

- 1.1.1 It is widely acknowledged at all levels that there is a housing crisis in this country, which has arisen as a direct consequence of too few houses being completed to keep pace with a growing population, increasing life expectancy and household formation rates.
- 1.1.2 In May 2021, the housing charity Shelter published 'Denied the Right to a Safe Home – Exposing the Housing Emergency', which sets out in stark terms the impacts of the housing crisis. Shelter estimate that over 17 million people face the effects of high housing costs and notably concludes that *"we will only end the housing emergency by building affordable, good quality social homes"*<sup>4</sup>.
- 1.1.3 One effect of the national housing crisis is a profound effect on housing affordability. The current Conservative Government has maintained that unaffordability and inability of individuals to get on the housing ladder is a significant problem. The NPPF makes clear that affordable housing should be delivered, and it is essential that sufficient housing is delivered to ensure that *"needs of groups with specific housing requirements are addressed"*.
- 1.1.4 According to the most recent Department for Levelling Up, Housing and communities (DLUHC) statistics, there are 1.20 million households on local authority social housing waiting lists across the country, which roughly equates to 2.8 million people in need of an affordable home<sup>5</sup>.
- 1.1.5 Additional data published by DLUHC in November 2022 also demonstrated that in 2021/22 only 59,175 gross affordable homes were built and 63,228 starts on site were recorded<sup>6</sup>. At this level of delivery, it will take roughly 20 years to address the current waiting list. This is before factoring in future

housing need, or loss of affordable homes through demolition, or the Right to Buy programme.

- 1.1.6 At a national level the direction of travel to address housing need and supply, including affordable housing, is abundantly clear. With 44% of affordable homes in 2020/21 funded through s106 agreements<sup>7</sup> (i.e. entirely funded by developers with nil grant from the public sector), political promises rely quite significantly on delivery by the planning system.

## 1.2 Affordable Housing Delivery & Need in Folkestone and Hythe

- 1.2.1 The adopted CSR reiterates the findings from the 2016 SHMA, which states a requirement that 139 new affordable homes a year over the plan period 2018/19 to 2036/37 or 2,640 affordable dwellings in total.
- 1.2.2 When comparison is drawn between affordable housing delivery and the affordable housing target identified in the CSR, it can be seen in Table 1 there have only been 136 affordable dwellings delivered since 2018, which falls far short of the 556 required by the local plan target.

*Table 1: Net affordable housing delivery in Folkestone and Hythe (formally Shepway)<sup>3</sup>*

Year	Affordable Housing Target	Affordable Housing Completions
2018/19	139	53
2019/20	139	21
2020/21	139	32
2021/22	139	30
Totals	556	136

- 1.2.3 On average the Council are delivering just 34 affordable dwellings each year, however the delivery of affordable homes in Folkestone and Hythe District

---

<sup>3</sup> DLUHC Affordable housing supply statistics (AHS) 2021-22 Live Table 1008C

Council has historically always been low. As Table 1 illustrates, the Council are yet to reach the level of affordable housing required to address affordable need in the district and consequently the backlog of need is continuing to rise.

1.2.4 Table 1 highlights that there is already a significant shortfall in delivery of affordable housing of some 420 affordable dwellings against the most up-to-date identified need for affordable housing in the CSR.

1.2.5 Given the Council currently average delivery of just 34 affordable dwellings each year since 2018, the prospects of meeting the latest identified need of 139 affordable dwellings each year for the appears extremely slim and is heavily reliant on the Otterpool New Settlement.

1.2.6 To date the performance of Folkestone and Hythe District Council is falling short in delivering the affordable housing required to meet the needs of its residents, resulting in an accumulated shortfall of approximately 420 households not having their housing needs met, depending on the assessment of need and respective time periods.

### 1.3 Folkestone and Hythe DC Affordability Indicators

1.3.1 The PPG recognises the importance of giving due consideration to market signals as part of understanding affordability.

1.3.2 The number of households listed on the Council's housing register at the end 2022 was 1,394. This is a stark number and represents a significant number of individuals and families in need.

### 1.4 Affordable Housing as a Material Consideration

1.4.1 The increasing unaffordability of housing in the district and the continuous high numbers of households on the housing register in housing need clearly

indicates that that by any measure of affordability, Folkestone and Hythe District Council is in the midst of an affordable housing crisis, and urgent action must be taken to deliver more affordable homes.

- 1.4.2 At both a national and local level, it is clear there is an urgent and pressing need to deliver as much affordable housing as quickly as possible. There is clear under provision in the district and need is growing.
- 1.4.3 The provision of 22% affordable housing equating to up to 12 homes on this site will contribute significantly towards the districts' affordable housing supply requirements and will provide people with a local connection to the area an affordable property to call their own. This will help alleviate the affordability issue and is a very significant benefit to be weighed positively in the planning balance.

## APPENDIX 2 – LIST OF RELEVANT POLICIES



## APPENDIX 2: LIST OF RELEVANT POLICIES

### Folkestone and Hythe Core Strategy Review (2020)

SS1 District Spatial Strategy

SS2 Housing and Economy Growth Strategy

SS3 Place Shaping and Sustainable Settlements

SS5 District Infrastructure Planning

CSD1 Balanced Neighbourhoods

CSD2 District Residential Needs

CSD4 Green Infrastructure

CSD5 Water and Coastal Environmental Management

CSD9 Sellindge Strategy

### Folkestone and Hythe Places and Policies Local Plan (2020)

ND5 General Sellindge

HB1 Quality Places through Design

HB2 Cohesive Design

HB3 Internal and External Space Standards

HB4 Self and Custom Build Housebuilding

C1 Creating a Sense of Place

C3 Provision of Open Space

C4 Children's Play Space

T1 Street Hierarchy

T2 Parking Standards

T5 Cycle Parking

NE1 Enhancing Natural Environment

NE2 Biodiversity

NE3 Protecting Landscapes and Countryside

NE5 Light Pollution

NE7 Land contamination

CC1 Reducing Carbon Emissions

CC2 Sustainable Design and Construction

CC3 Sustainable Drainage Systems

HW4 Promoting Active Travel

HE1 Heritage Assets

HE2 Archaeology

## APPENDIX 3 – DRAFT S106 HEADS OF TERMS





## APPENDIX 3: DRAFT S106 HEADS OF TERMS

Gladman will seek to enter into constructive dialogue with Folkestone and Hythe District Council to agree Section 106 obligations for any obligations which, in accordance with the CIL Regulations (2010) (as amended) are necessary, directly related to the development and fairly related in scale and kind to the development.

The following Heads of Terms are suggested:

### AFFORDABLE HOUSING

- i. The Agreement will provide for 22% affordable housing with the suggested tenure split to be agreed with the Council. The applicant would be open to further negotiation with the LPA if this mix does not reflect its preferred tenure split.

### OPEN SPACE

- i. The Agreement will require the developer to provide onsite formal and informal open space and children's play areas.
- ii. Appropriate phasing requirements will be specified together with the requirement to agree with the Council an appropriate scheme for the long-term maintenance and management of these areas. The applicant's suggested method would be to either offer it to the Parish Council or a Management Company.

### HIGHWAYS AND PUBLIC TRANSPORT

- i. The Agreement will require the Developer to provide, as necessary, the improvements identified to improve the public highway, sustainable and public transport provision within the vicinity of the site.

### EDUCATION

- i. The Agreement will require the Developer to provide, as necessary, an appropriate contribution towards the capacity at Sellindge Primary School and additional contributions nursery facilities for early years if required.

### OTHER

- i. Other contributions may be identified through the planning consultation process, and subject to meeting the appropriate tests of necessity and reasonableness, consideration will be given to their inclusion. These are likely to include:
  - a. Contributions towards waste, youth services, libraries, a self-supporting car club, vouchers towards cycle purchase for the future residents of the site and a financial contribution toward travel plan coordinator.
  - b. If deemed necessary following consultation with the Clinical Care Commission, contributions to enhance local health care provision.



---

PLANNING AND AFFORDABLE  
HOUSING STATEMENT ADDENDUM

---