



planning  
transport  
design  
environment  
infrastructure  
land

**PLANNING STATEMENT FOR OUTLINE APPLICATION RELATING  
TO LAND OFF 52 NEW STREET, ASH.**

**OCTOBER 2022 LW/OR/17074**

## Contents

<b>1</b>	<b>INTRODUCTION</b>	<b>3</b>
1.1	Application overview	3
1.2	Statement structure	3
1.3	Supporting documents	3
<b>2</b>	<b>SITE AND SURROUNDINGS</b>	<b>6</b>
2.1	The Site & Context	6
2.2	The Wider Surroundings	6
2.3	Planning History	7
<b>3</b>	<b>PROPOSED DEVELOPMENT</b>	<b>8</b>
3.1	Introduction	8
3.2	The Proposals	8
3.3	The Illustrative Proposals	8
3.4	Zonal Plans	10
3.5	Pre-application Advice	10
<b>4</b>	<b>PLANNING POLICY FRAMEWORK</b>	<b>13</b>
4.1	Introduction	13
4.2	Kent Minerals and Waste Local Plan 2013-30 (2016 updated 2020)	13
4.3	Dover Core Strategy (2010)	13
4.4	The Land Allocations Plan (2015)	14
4.5	Dover District Local Plan (2002), Saved Policies	15
4.6	Ash Neighbourhood Plan (July 2021)	15
4.7	Dover District Council Local Plan Review	17
4.8	National Planning Policy Framework (2021)	19
4.9	Planning Practice Guidance	22
4.10	Other material considerations	23
<b>5</b>	<b>APPRAISAL</b>	<b>24</b>
5.1	Overview	24
5.2	Principal of Development	24
5.3	Wider Allocation	25
5.4	Housing Mix & Affordable Housing	26
5.5	Appearance & Scale	27
5.6	Residential Amenity & Noise	28
5.7	Access	29
5.8	Built Heritage	30
5.9	Archaeology	31
5.10	Flood Risk & Drainage	32
5.11	Arboriculture	32
5.12	Landscape	34
5.13	Ecology	34
5.14	Utilities	36
5.15	Ground Conditions & Contamination	36
5.16	Impact on Local Infrastructure	37
5.17	Sustainability	37
5.18	Compliance with the Site Allocation Policies	38

<b>6</b>	<b>SUMMARY AND CONCLUSION.....</b>	<b>43</b>
6.1	Summary .....	43
6.2	Conclusion .....	43

# 1 Introduction

## 1.1 Application overview

1.1.1 This Planning Statement has been prepared by DHA Planning, on behalf of the applicant, Classicus Estates, to support an Outline application for the following development:

*"Outline planning permission with all matters reserved (except for access) for the demolition of existing buildings, including 51-53 Sandwich Road, and the erection of up to 52 new homes, including affordable, access from New Street and Sandwich Road, together with associated parking, open space, landscaping, drainage and associated infrastructure"*

1.1.2 This statement provides an overview of the application site, a description of local policy including the site allocation, sets out details of the proposed development and assesses the development against current planning policy and other material considerations. It subsequently concludes that the proposal is acceptable against local and National policy and should be approved without delay (NPPF, para 11).

1.1.3 The Site forms part of a wider allocated site for development in Dover District Council's Adopted Land Allocations Plan and Ash's Adopted Neighbourhood Plan (Policy LA 21: Land to the South of Sandwich Road, Ash & Policy ANP7 respectively).

1.1.4 The wider site is allocated for residential development with an estimated capacity of 95 dwellings. The scheme has been designed to ensure it does not prevent the wider site from coming forward.

## 1.2 Statement structure

1.2.1 Chapter 2 of this statement sets out the context of the Site, the immediate surroundings, and the relevant planning history.

1.2.2 Chapter 3 sets out a description of the development proposal, whilst chapter 4 considers the planning policy context by which the planning application will be considered, including having regard to the advice of the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and the Adopted Development Plan.

1.2.3 Chapter 5 considers the "principle" of development and other relevant planning considerations.

1.2.4 Chapter 6 draws conclusions and sets out why the development is acceptable and should be approved.

## 1.3 Supporting documents

1.3.1 This planning application is supported by the following plans and reports:

REFERENCE	TITLE	AUTHOR
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<b>Reports</b>		
October 2022 LW/OR/17074	Planning statement	DHA Planning
22-23-Rev E	Design & Access Statement	Taylor Roberts
ESS 22.108.2	Phase 1 Land Contamination Assessment	Ecologia
Project Ref 8199C	Archaeological Desk-Based Assessment	HCUK
Project Ref 8199B	Heritage Impact Assessment	HCUK
SOL_22_S059_ENT	Sustainability Statement	SOI Environmental
SOL_22_S059_ENT	Energy Statement	SOI Environmental
RMA-C2432	Utilities Appraisal	RMA Environmental
RMA-C2432	Flood Risk Assessment	RMA Environmental
PL/AP/16898	Transport Statement	DHA
PJC/6180/22/01 Rev -	Arboricultural Survey	PJC
Ver 1-3 03-11-22	Residential Noise Assessment	Entran
November 2022	Landscape & Visual Appraisal	LVA
Ref 2022/07/09	Bat Survey	KB Ecology
Ref 2022/07/09	Preliminary Ecology Appraisal	KB Ecology
Ref 2022/07/09	Reptile Report	KB Ecology
<b>Plans Submitted for Approval</b>		
Dwg 22-23-01-A	Site Location Plan	Taylor Roberts
Dwg 22-23-07	Diagrammatic Zonal Site Plan Option 1	Taylor Roberts
Dwg 23-08	Diagrammatic Zonal Plan Option 2	Taylor Roberts
Dwg H-02	Proposed Access Design New Street	DHA (In Transport Statement)

Dwg H-01	Proposed Access Arrangement Option 1	DHA (In Transport Statement)
Dwg H-03	Proposed Access Arrangement Option 2	DHA (In Transport Statement)
<b><i>Plans Submitted for Illustrative Purposes Only</i></b>		
Dwg 22-23-03 Rev C	Proposed Site Plan Option 1	Taylor Roberts
Dwg 22-23-04 Rev C	Proposed Site Plan Option 2	Taylor Roberts
Dwg 22-23-05 Rev C	Proposed Site Plan Option 1 Coloured	Taylor Roberts
Dwg 22-23-06 Rev B	Proposed Site Plan Option 2 Coloured	Taylor Roberts
Dwg 22-23-09 Rev -	Proposed Street Scene	Taylor Robert
Dwg 22-23-10	Existing Building Areas	Taylor Roberts

## 2 SITE AND SURROUNDINGS

### 2.1 The Site & Context

- 2.1.1 The Site is circa 1.46ha and is broadly rectangular. It principally comprises a number of single storey industrial buildings, associated offices (formally a house) areas of hardstanding and scrub land. In the south of the Site, it also includes an existing house, in the south-eastern corner (No.52 New Street) and a further house in the north-western corner (No. 51-53 Sandwich Road).
- 2.1.2 The Sandwich Road runs along the northern boundary of the Site and New Street to the south. The northern boundary is defined in part by an established hedge (subject to a temporary TPO) and the frontage to No. 51-53 New Street, which fronts immediately onto the road, set behind its driveway.
- 2.1.3 To the east, the northern half of the western boundary of the Site is bounded by an industrial looking complex. The two buildings closest to the Site comprise a music school and a building used for storage. This site is subject to a separate hybrid planning application for 39 new homes, (ref 20/00284). The application currently remains undetermined.
- 2.1.4 The southern half of the eastern boundary is backed onto by residential development, a development for 82 homes (Pippins). The development area is relatively dense and comprises a mixture of detached, semi-detached and terraced properties
- 2.1.5 To the west are managed paddocks, a house and associated outbuildings. Part of this area to the north, has been subject to a separate Outline application for 9 new homes (ref 21/01545). This application was refused. An identical application has been re-submitted and is pending determination (ref 22/01120).
- 2.1.6 The Site is currently accessed from New Street and is flanked by residential development. Immediately to the west of the Site is No. 50 New Street, which is Grade II Listed.

### 2.2 The Wider Surroundings

- 2.2.1 The Site lies within the established built confines of Ash, within a principally residential environment. Ash is defined as a Local Centre in the Adopted Core Strategy, which sets out that the area is suitable for a scale of development that reinforces its role as a provider of services to its home and adjacent communities.
- 2.2.2 Ash is served by the 43 bus which runs between Canterbury and Sandwich, with a pair of bus stops being located on Sandwich Road, to the north of the Site. The service runs at a frequency of every 7 minutes Monday – Saturday, and one service every hour on a Sunday.
- 2.2.3 Ash centre has a good provision of services, with the centre of Ash an approximate 500m walk from the Site. Services include shops and convenience stores, public house, doctors' surgery, pharmacy, library, church and a village hall. There is also a primary school and independent prep school.
- 2.2.4 The Site is in flood zone 1 and is circa 160m east of Ash Conservation Area.

## 2.3 Planning History

2.3.1 Based on the Council's on-line Planning Search, the following relevant planning history is identified:

Application Ref	Description of Development & Status
Ref 06/00606	Outline application for residential development (southern part of the Site only). Refused
Ref 17/00944	Erection of a detached dwelling (existing garage to be demolished) at 51-53 New Street Refused
Ref 18/00180	Application to convert an existing garage, associated with No. 51-53 New Street to a dwelling Refused
Ref 21/00592	Extension to No.52 New Street Approved

2.3.2 In addition to the above, on 04 October 2022, Dover District Council (DDC) provided formal notice that a temporary Tree Preserved Order has been placed on the hedge on the northern boundary of the Site (ref TPO/22/00016).



## 3 PROPOSED DEVELOPMENT

### 3.1 Introduction

3.1.1 The following section describes the development proposals and the outcome of pre-application advice received by the Council. This should be considered alongside the accompanying Design & Access Statement.

### 3.2 The Proposals

3.2.1 The proposals are submitted in Outline and comprise the following essential elements:

- Demolition of the existing industrial buildings on Site and associated Office;
- Demolition of the residential property and its associated buildings at 51-53 Sandwich Road;
- Retention of No. 52 New Street as a house;
- Erection of up to 52 new homes (in addition to the retained house);
- Improvements to the access off New Street;
- Creation of a new access off Sandwich Road;
- Area of green space including a LEAP, of not less than 0.12ha.

3.2.2 The proposals comprise two options for the access off the Sandwich Road. Either the access comes broadly through the centre of the northern site boundary (Option 1), through the temporarily TPO'd hedge, or alternatively it is positioned to the west (Option 2), where subject to appropriate Arboricultural management the hedge can be retained.

3.2.3 The Option 1 achieves 52 gross new houses (51) net, excluding the demolition of 51-53 Sandwich Road, plus the retention of No.52 New Street. Option 2, achieves 51 gross and 50 net homes, plus the retention of No.52 New Street

3.2.4 The submitted proposals seek approval for both access options, with the most appropriate access option to be determined at the later reserved matters stage.

### 3.3 The Illustrative Proposals

3.3.1 The application is supported by two illustrative layouts. The layouts demonstrate how the Site can be developed to deliver up to 52 new homes, plus incorporate No.52 New Street.

3.3.2 Additional information is provided in the supporting Design & Access Statement, but up to 52 homes can be achieved whilst embodying the key design principles:

- Provision of a continuous street frontage, on the northern boundary, continuing the pattern of development that already exists on the Sandwich Road.
- Replacement property to the west of the southern access, to maintain the rhythm of development along the New Street frontage.
- Central spine road connecting the north and south accesses.
- Connections off the spine road which would facilitate connections through to the wider allocated site, to the east and west.
- Properties side onto or back onto the Site boundaries to the east and west, to ensure the residential amenity of existing development and the future development proposals is maintained.
- Houses are orientated to provide surveillance over the main street and parking courts, to provide safe and secure environments.
- Development is mainly 2 storey with some 2.5 storey to provide visual interest and punctuate the street scene.
- Create a focal point through the provision of a LEAP, providing recreational opportunities which would benefit the development as well as the wider community, including the wider allocation.
- Provision of land set aside for SuDs and biodiversity enhancement area.
- Provision of allocated and visitor parking in accordance with adopted KCC Parking standards.
- Houses are designed to be compliant with Nationally Described Space Standards (NDSS).
- As set out in the supporting Energy Statement, the proposals will incorporate renewable energy technologies and EV charging.

3.3.3 As suggested on the illustrative plans, the proposed housing mix shown is as follows:

No. Rooms	Bed	Option 1		Option 2	
		Market	Affordable	Market	Affordable
1 bed			1	0	2
2 bed		9	14	9	13
3 bed		15		13	
4 bed		13		13	
		37	15	36	15
		52 plus 52 New Street (total 53)		50 plus 52 New Street (total 51)	

### **3.4 Zonal Plans**

3.4.1 Where the application is submitted in Outline, with all matters reserved except access, "Diagrammatic Zonal Site Plans", have been prepared for each of the access options. With the exception of the access locations in the north, the plans are the same and are submitted for approval.

3.4.2 The Zonal Plans fix where development will go, to inform future reserved matter applications. Since the Site is relatively unconstrained, few elements need to be fixed, but these include:

- Fixing that an area of open space should broadly be located in the centre of the Site. The green area on the zone plan identifies broadly where it should be located and should include an area of not less than 0.12ha including a LEAP and biodiversity area.
- Residential development to the north and south of the open space.
- Development on the northern boundary should face onto the Sandwich Road.
- Zones within which accesses to the adjoining land can be positioned. This provides flexibility to ensure the access positions can be best aligned with adjacent development proposals.
- To take account of the adjacent Listed Building, development closest to this, needs to be designed with regard to heritage conservation.
- Notes the existing dwelling (No. 52 New Street) will be retained.

### **3.5 Pre-application Advice & Consultation**

3.5.1 The proposals have been informed by pre-application advice from Dover District Council (DDC) and KCC Highways. The advice from DDC is summarised below. The supporting Transport Statement provides further information on the pre-app carried out with KCC Highway.

3.5.2 A pre-application meeting was held on site on the 21 September 2022, with subsequent written advice provided by the Case Officer received on 3 October 2022.

3.5.3 The principle matters arising from the pre-application advice were as follows:

- The principle of development is recognised as acceptable and accord with the Development Plan.
- There should be a comprehensive approach to development of the wider site allocation, and therefore each phase must demonstrate it will not prejudice the implementation of the whole development. Any application will need to meet the criteria set out on Policy LA21.
- The loss of employment land has been deemed acceptable, as the Site has been allocated for residential use.

- The number of new homes fits comfortably on the Site, subject to comments below.
- KCC Highways should be consulted regarding access suitability and internal street layout. Specifically in reference to the proximity of the proposed access in the north to the existing access to the east.
- The scheme should allow safe walking routes.
- LEAP should be designed to Fields in Trust standards, and benches, litter bins, suitable boundary treatment, surfacing and signage should be provided.
- Frontages should be provided to Sandwich Road behind the existing hedgerow and New Street, in keeping with the existing pattern of development. This has been indicated on the site plans, with a set-back frontage to Sandwich Road to allow retention of the existing hedgerow. If the existing hedge is not retained in this location, a new hedge with suitable native plant species should be provided as part of the scheme.
- Design must be sensitive to the adjacent Listed Building.
- Active frontages and natural surveillance opportunities should be provided, including to streets, parking areas and open space.
- High quality landscaping should be provided.
- The scale and density have been considered appropriate given the existing character of the village.
- Requested that further information is submitted with the Outline application regarding how the scheme would represent sustainable development, including sustainable and energy efficient design and construction.
- High-quality materials should be included.
- Housing mix should have regard to the SHMA Part 2 update (December 2019).
- Advice provided on the affordable housing mix.
- Affordable Housing requirements will be sought: 25% First Homes, 20% Shared Ownership / other intermediate products and 55% Social / Affordable Rent.
- An important consideration will be the scale and appearance of the proposal and how the development responds to heritage assets in the vicinity of the Site and to the wider context.
- Part of the Site lies in an area identified as having archaeological potential and as such an appropriate desk-based assessment should be submitted with a planning application.

- Planning application should be supported by a proportionate Landscape and Visual Appraisal (LVA), rather than a Landscape and Visual Impact Assessment (LVIA).
- It is recommended that consideration is given to the residential amenities of surrounding buildings, albeit it was considered that a suitable design can be reached.
- An initial PEA will need to be submitted, and any subsequent species specific surveys. Ecological enhancements should also be integrated into the scheme.
- Existing trees and hedgerows should be incorporated where possible. Arboricultural survey would be required to be submitted.
- The Site is located such that consideration must be given to The Thanet Coast and Sandwich Bay SPA and Ramsar Mitigation Strategy.
- Development in the district of Dover is no longer affected by the water quality and nutrient neutrality advice issued by Natural England in relation to Stodmarsh SPA/SAC/Ramsar site. Planning applications in Dover may now be determined without the need for an Appropriate Assessment of the implications of the application for the Stodmarsh site.
- An FRA will be required owing to the size of the Site, albeit the Site lies in Flood Zone 1.
- Contributions will be required towards local infrastructure.

3.5.4 Overall, it was concluded that the principle of development is acceptable, subject to the comments raised in the pre-app being addressed.

3.5.5 The information requested to support the application accompanies the submission. The other matters raised are addressed in Section 5 of this statement.

3.5.6 The above pre-application engagement has been carried out having regard to the Council's Adopted Statement of Community Involvement which encourages engagement with consultees prior to the submission of applications.

3.5.7 Allied to the above, the Parish Council has been approached regarding presenting the proposals. The Parish Council does not have a formal forum for this, other than presenting at the next Parish Council meeting, which will occur in December.

## 4 PLANNING POLICY FRAMEWORK

### 4.1 Introduction

4.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

4.1.2 The statutory Development Plan in this case comprises the:

- Kent Minerals and Waste Local Plan 2013-30 (2016 updated 2020)
- Dover District Council Core Strategy (2010)
- Land Allocations Local Plan (2015)
- Local Plan Saved Policies (2002)
- Ash Neighbourhood Plan (2021)

4.1.3 In addition to the Development Plan, there are other material considerations including the National Planning Policy Framework (NPPF) and other supplementary planning guidance and standards.

### 4.2 Kent Minerals and Waste Local Plan 2013-30 (2016 updated 2020)

4.2.1 The site is not identified as an area which is impacted by mineral safeguarding zones, and identifies the site as allocated for development. This Plan is therefore not considered any further.

### 4.3 Dover Core Strategy (2010)

4.3.1 **Policy DM1 – Settlement Boundaries:** states development will not be permitted on land outside the urban boundaries and rural settlement confines shown on the proposals map unless specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.

4.3.2 **Policy DM5 – Provision of Affordable Housing:** states for proposals of 15 or more dwellings, 30% affordable will be sought.

4.3.3 **Policy DM11 – Location of Development and Managing Travel Demand:** states planning applications for development that would increase travel demand should be supported by a systematic assessment to quantify the amount and type of travel likely to be generated and include measures that satisfy demand to maximise walking, cycling and the use of public transport.

4.3.4 **Policy DM12 – Road Hierarchy and Development:** The access arrangements of development proposals will be assessed with regard to the Highway Network

4.3.5 **Policy DM13 – Parking Provision:** Parking provision should be design led and based on County Council guidance.

- 4.3.6 **Policy DM16 – Landscape Character:** Seeks to protect the character of identified landscapes and where development is necessary harm should be reduced and appropriate mitigation measures incorporated.
- 4.3.7 **Policy CP1 – Settlement Hierarchy:** identifies Ash as a local centre. Ash is a secondary focus for development in the rural area and suitable for a scale of development that would reinforce its role as a provider of services to its home and adjacent communities.
- 4.3.8 **Policy CP4 – Housing Quality, Mix, Density and Design:** states allocations in the Site Allocations Document and planning applications for residential development for 10 or more dwellings should identify the purpose of the development in terms of creating, reinforcing or restoring the local housing market in which they are located and develop an appropriate housing mix and design taking account of the guidance in the Strategic Housing Market Assessment and the need to create landmark, foreground and background buildings, vistas and focal points. Density will be determined through this design process at the maximum level consistent with the design. Density should wherever possible exceed 40 dwellings net per hectare and will seldom be justified at less than 30 dwellings net per hectare.
- 4.3.9 **Policy CP5 – Sustainable Construction Standards:** Seeks the application of Code for Sustainable Homes.
- 4.3.10 **Policy CP6 – Infrastructure:** states that development that generates a demand for infrastructure will only be permitted if the necessary infrastructure to support it is either already in place, or there is a reliable mechanism to ensure that it will be provided at the time it is needed. In determining infrastructure requirements applicants and infrastructure providers should first consider if existing infrastructure can be used more efficiently, or whether demand can be reduced through promoting behavioural change, before proposing increased capacity through extending or providing new infrastructure.

#### 4.4 The Land Allocations Plan (2015)

- 4.4.1 **Policy LA 21: Land to the South of Sandwich Road, Ash.** The Site is allocated for residential development with an estimated capacity of 95 dwellings. Planning permission will be permitted provided that:
- i. any application for development is preceded by, and is consistent with a development brief for the whole of the site which has been agreed by the Council;
  - ii. there is a comprehensive approach to development of the whole site but if the site is developed incrementally, each phase must demonstrate that it will not prejudice the implementation of the whole development;
  - iii. the impact of development on the setting of the village and wider landscape is minimised through the siting, massing and scale of new buildings;
  - iv. the existing boundary hedgerows and vegetation are retained and enhanced as part of the development;

- v. vehicular access is located from Sandwich Road with an emergency access from New Street;
- vi. there is no vehicular access from the development on Cherry Garden Lane;
- vii. development should provide a connection to the sewerage system at the nearest point of adequate capacity and ensure future access to the existing water supply infrastructure for maintenance and upsizing purposes; and
- viii. a mitigation strategy to address any impact on the Thanet Coast and Sandwich Bay Ramsar and SPA sites and Sandwich Bay SAC site is developed. The strategy should consider a range of measures and initiatives.

4.4.2 Policy DM27 states planning applications for 5 or more dwellings will be required to provide or contribute towards the provision of open space. The need arising will be assessed on a development specific basis.

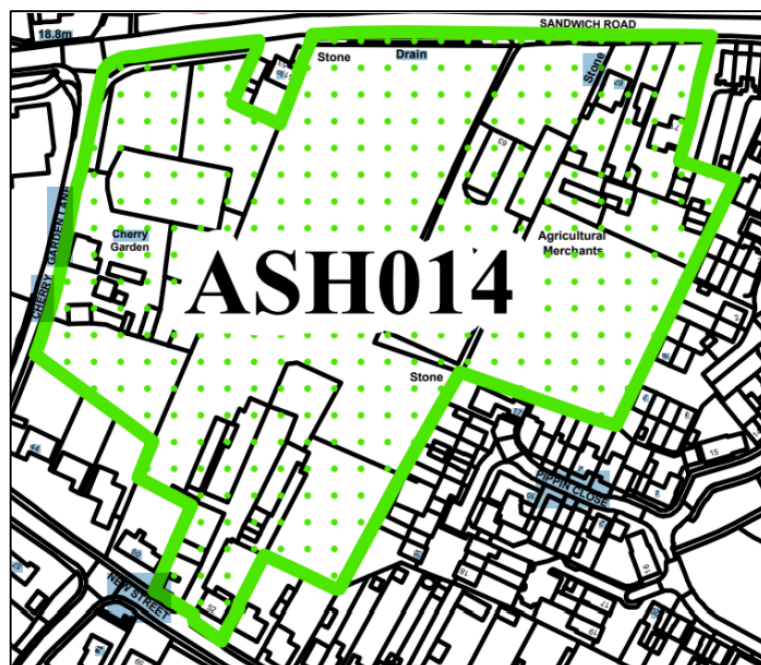
#### 4.5 Dover District Local Plan (2002), Saved Policies

4.5.1 **Policy CO8** - Seeks to protect hedgerows or provide suitable replacement planting, together with appropriate management arrangements.

4.5.2 **Policy ER6** – Light pollution.

4.5.3 There are no other relevant policies which are saved.

#### 4.6 Ash Neighbourhood Plan (July 2021)



Extract of ANP7 site allocation



- 4.6.1 **Policy ANP7** - allocates the Site for residential development, with an estimated capacity for 95 dwellings. The principle of redeveloping the Site for residential is therefore accepted.
- 4.6.2 Criterion 7a.3 recognises that the allocation covers several different land ownerships and states that "*there is a comprehensive approach to development of the whole site but if the Site is developed incrementally, each phase must demonstrate that it will not prejudice the implementation of the whole development;...*"
- 4.6.3 How the development proposals will not prejudice the wider site from coming forward is considered further under the development proposals.
- 4.6.4 The allocation policy in full is as follows:
- 4.6.5 Development proposals should comply with all relevant Policies in this Plan. Proposals which meet the following criteria will be supported:

*7a.1 - Any application for development is preceded by and is consistent with a development brief that has been agreed by Dover District Council; this must include an ecological survey;*

*7a.2 - Any application of development is preceded by an archaeological assessment of the site and its submission to Kent County Council;*

*7a.3 - There is a comprehensive approach to development of the whole site but if the site is developed incrementally, each phase must demonstrate that it will not prejudice the implementation of the whole development;*

*7a.4 - The impact of the development on the setting of the village and wider landscape is minimised by reference to Policies ANP4, ANP5 and ANP6;*

*7a.5 - The existing boundary hedgerows and vegetation are retained and enhanced as part of the development;*

*7a.6 - Vehicular access to the site is from Sandwich Road and New Street;*

*7a.7 - There is no vehicular access to the site from Cherry Garden Lane;*

*7a.8 - Open and/or shared spaces should be maintained by a management company established by the developer with on-going maintenance responsibilities being held by this company; and*

*7a.9 - Development should ensure that occupation is phased to align with the delivery of sewerage infrastructure, provide connection to gas supply and ensure future access to existing water supply and/or wastewater infrastructure for maintenance and capacity improvements.*

- 4.6.6 **Policy ANP3 – Green and Open Space in New Developments:** Residential developments of 5 homes or more to provide appropriate green space in accordance with the District Council's standards and provide, provide green corridors linking development and be sensitive to the rural setting.

- 4.6.7 **Policy ANP4 – Biodiversity:** Provide not less than 10% biodiversity net gain, maximise biodiversity benefits and ensure no detriment to identified SPA, SAC and SSSI.
- 4.6.8 **Policy ANP5 – Climate Change:** Sets criteria/considerations for adapting to climate change and maximising energy efficient, including using low carbon energy.
- 4.6.9 **Policy ANP6 – Developments and Conservation Area:** Sets out design considerations for securing high quality design. Development should respect, conserve and enhance the settings of Listed Buildings.
- 4.6.10 **Policy ANP13 – Off Street Parking:** requires compliance with KCC adopted parking standards as a minimum, excluding garages and should not result in the loss of parking or increase pressure on parking elsewhere.
- 4.6.11 **Policy ANP14 – Telecommunications:** All new developments will enable fibre to premises.
- 4.6.12 **Policy ANP15 – Transport:** Developments to minimise and make acceptable impacts in the local road network, including supporting sustainable travel measures.
- 4.6.13 **Policy ANP16 – Infrastructure:** All new development expected to provide an appropriate level of infrastructure.

#### 4.7 Dover District Council Local Plan Review

- 4.7.1 The Council went to public consultation on the Regulation 18 document in early 2021. The Regulation 19 was presented to Cabinet on the 3 October 2022 and is currently being consulted on.
- 4.7.2 The NPPF is clear that Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of the emerging plan. The more advanced its preparation, the greater the weight that may be given.
- 4.7.3 The Plan is still subject to public consultation and as such limited weight is attributed to it at this time. Notwithstanding, the following policies have been considered.
- SP1 - Planning for Climate Change
  - SP2 - Planning for Healthy and Inclusive Communities
  - SP3 - Housing Growth
  - SP5 - Affordable Housing
  - SP11 - Infrastructure and Developer Contributions
  - SP 13 - Protecting the District's Hierarchy of Designated Environmental Sites and Biodiversity Assets
  - SP14 - Enhancing Green Infrastructure and Biodiversity

- SP15 - Protecting the District's Historic Environment
- CC1 - Reducing Carbon Emissions
- CC2 - Sustainable Design and Construction
- CC3 - Renewable and Low Carbon Energy Development
- CC4 - Water Efficiency
- CC5 - Flood Risk
- CC6 - Surface Water Management
- CC8 - Tree Planting and Protection
- PM1 - Achieving High Quality Design, Place Making and the provision of Design Codes
- PM2 - Quality of Residential Accommodation
- PM3 - Providing Open Space
- PM4 - Sports Provision
- PM5 - Protection of Open Space, Sports Facilities and Local Green Space
- PM6 - Community Facilities and Services
- H1 - Type and Mix of Housing
- TI1 - Sustainable Transport and Travel
- TI2 - Transport Statements, Assessments and Travel Plans
- TI3 - Parking Provision on new Development
- NE1 - Biodiversity Net Gain – Minimum of 10% net gain
- NE2 - Landscape Character and the Kent Downs AONB
- NE3 - Thanet Coast and Sandwich Bay SPA Mitigation and Monitoring Strategy
- NE4 - Air Quality
- NE5 - Water Supply and Quality
- HE1 - Designated and Non-designated Heritage Assets
- HE3 - Archaeology

## 4.8 National Planning Policy Framework (2021)

4.8.1 The NPPF was originally published in March 2012 to provide a single overarching national policy document. A revised Framework was published in July 2018 and subsequently updated in July 2021. This is a material consideration when determining planning applications.

4.8.2 The Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

### Achieving Sustainable Development

4.8.3 Para 7 states the purpose of the planning system is to contribute to the achievement of sustainable development.

4.8.4 Parag 8 then goes on to acknowledge the three overarching goals of the planning system, which are interdependent and need to be pursued in mutually supportive ways. The three goals are:

- *Economic- helping to build a strong, responsive and competitive economy.*
- *Social- supporting the strong, vibrant and healthy communities*
- *Environmental- contributing to the protecting and enhancing our natural, built and historic environment.*

4.8.5 Para 9 sets out that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

4.8.6 To ensure that sustainable development is pursued in a positive way, at the heart of the framework is a presumption in favour of sustainable development (para 11). For decision taking this means approving development proposals that accord with an up-to-date plan without delay; or where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. The application of policies in the framework that protect areas or assets of particular importance provides clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the framework as a whole.

### Decision Making

4.8.7 In terms of decision making, para 38 advises that Local Planning Authorities should approach decisions in a positive and creative way and approve applications for sustainable development where possible.

### Delivering a Sufficient Supply of Homes

- 4.8.8 Para 60 states to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

#### Maintaining Supply and Delivery

- 4.8.9 To maintain delivery and supply, para 74 requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies., or against their local housing need where the strategic policies are more than five years old. This supply should include a buffer of between 5% and 20%, which varies depending on the rate of past delivery.

#### Promoting Sustainable Transport

- 4.8.10 Section 9 promotes policies and developments that support social interaction, safe and accessible environments as well as support healthy lifestyles. Measures to achieve this include planning positively for shared spaces, community facilities, guard against the loss of valued facilities and ensuring an integrated approach to the location of housing.
- 4.8.11 It further advocates promoting sustainable transport at the earliest stages of a development proposal so that:
- The potential impacts of development on transport networks can be addressed;
  - Opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised;
  - Opportunities to promote walking, cycling and public transport use are identified and pursued;
  - The environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account; and
  - Patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places

- 4.8.11 Para 111 sets out that:

*"Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". (our emphasis).*

#### Making Effective Use of Land

- 4.8.12 Planning policies and decisions should support development that makes efficient use of land, taking into account:

- The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- Local market conditions and viability;
- The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- The desirability of maintaining character and setting; and
- The importance of securing well-designed, attractive and healthy places.

4.8.13 Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site (para 125).

#### Achieving Well Designed Places

4.8.14 The NPPF attaches importance to good design, which is considered synonymous with sustainable development. Para 130 requires planning policies and decisions to ensure that developments:

- Function well and add to the quality of an area
- Are visually attractive as a result of good architecture;
- Respond to local character and history;
- Establish or maintain a strong sense of place;
- Optimise the potential of sites to accommodate and sustain an appropriate amount and mix of development;
- Creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime do not undermine the quality of life or community cohesion and resilience.

4.8.15 Development proposals that are not well designed should be refused (para 134).

#### Meeting the Challenge of Climate Change, Flooding and Coastal Change

4.8.17 Section 14 sets out that new developments should be planned in a way that is proactive in mitigating the impacts of climate change, reducing greenhouse emissions and increasing the use and supply of renewable and low carbon energy.

4.8.18 Inappropriate development in areas of flood risk should be avoided (Para 159) and developments should ensure that the risk of flooding is not increased elsewhere (Para 167). Major developments should incorporate sustainable drainage systems unless there is clear evidence this will be inappropriate (Para 169).

#### Conserving and Enhancing the Natural Environment

- 4.8.1 The NPPF (para 174) requires development to contribute to and enhance the natural and local environment. This should be done in a number of ways including minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 4.8.2 When determining applications, SPA, SAC and RAMSAR sites are given the greatest level of protection. The presumption in favour of sustainable development is disengaged where a development would adversely effect the integrity of these habitat sites (para 182).
- 4.8.3 Planning decisions should ensure that a site is suitable for the proposed use, taking into account ground conditions (para 183), pollution including noise and light (para 185) and air quality (para 186).

#### Conserving and Enhancing the Historic Environment

- 4.8.4 The NPPF (para 197) sets out the considerations when determining applications which may affect a heritage asset. The NPPF (para 199) states that great weight should be given to an asset's conservation when considering the impact of a development on its significance. Where there is harm, the NPPF requires there to be clear and convincing justification.
- 4.8.5 Where less than substantial harm is identified then the NPPF (para 201) advises that this should be weighed against the public benefits of the proposal.

### **4.9 Planning Practice Guidance**

- 4.7.1 The Planning Practice Guidance (PPG) builds on principles within the NPPF and provides further detailed technical guidance, with reference to relevant legislation and other guidance. The PPG is a "living document" and is constantly being updated/reviewed.
- 4.7.2 As well as providing technical guidance the PPG sets out the importance of good design. It advocates the need for quality design which it considers is an integral part of achieving the fundamental objective of sustainable development. The relevant sections of the PPG are listed below:
- Air Quality
  - Climate Change
  - Design
  - Effective Use of Land
  - Flood Risk and Coastal Change
  - First Homes
  - Healthy and Safe Communities
  - Housing: Optional Technical Standards
  - Land Affected by Contamination
  - Natural Environment
  - Noise

- Open Space, Sports & Recreation Facilities, Public Rights of Way and Local Green Space
- Travel Plans, Transport Assessment and Statements

#### **4.10 Other material considerations**

4.10.1 In addition to the above, the following documents are also considered material considerations for the application:

- Delivering Affordable Housing through the Planning System SPD 2007
- Affordable Housing SPD Addendum, July 2011
- First Homes Position Statement, November 2021 (25% of affordable housing)



## 5 Appraisal

### 5.1 Overview

5.1.1 The following section appraises the development proposals against planning policy and other material planning considerations, with reference to the supporting technical reports where appropriate. It demonstrates that the development proposals are sustainable and accord with the Adopted Development Plan and should therefore be granted permission without delay (NPPF, para 11d).

5.1.2 The following planning policy considerations are assessed in this section in relation to the proposal:

- 1) Principle of Development & Housing Supply
- 2) Wider Allocation
- 3) Housing Mix Including Affordable
- 4) Layout, Appearance & Scale
- 5) Residential Amenity & Noise
- 6) Access
- 7) Built Heritage
- 8) Archaeology
- 9) Flood Risk & Drainage
- 10) Arboriculture
- 11) Landscape
- 12) Ecology;
- 13) Utilities
- 14) Impact on Local Infrastructure;
- 15) Sustainability
- 16) Compliance with the Site Allocation Policies

### 5.2 Principal of Development & Housing Supply

5.2.1 The Site is allocated for residential development in the Land Allocations Local Plan, under Policy LA 21: Land to the South of Sandwich Road, Ash. In addition, it is also allocated for residential development within the Ash Neighbourhood Plan, through Policy ANP7.

- 5.2.2 The Site forms part of a wider allocation which splits into various parcels across different landowners. This application brings forward the central section of this wider site. Compliance with the policy criteria, is addressed at the end of this section. However, the Site is allocated for residential development and thus the principle of development is acceptable.
- 5.2.3 Allied to the above, the development includes the demolition of 51-53 Sandwich Road, which lies outside the allocation. As a previously developed site, currently occupied by residential development, its demolition and redevelopment for housing is also considered acceptable in principle.
- 5.2.4 As an allocated Site, the proposals further contribute to the Council's rolling supply of housing in the District, helping to ensure it maintains the required 5 yr supply. The phased delivery of the Site as part of the wider allocation (as considered further below), would further assist with this, allowing the site allocation to be unlocked maintaining housing delivery, in accordance with the principle of DCC's Housing Delivery Action Plan, July 2022.

### **5.3 Wider Allocation**

- 5.3.1 The principle of development is also closely aligned with the need to ensure any single development proposal does not prejudice the delivery of the wider site, should the wider site not come forward on a single application.
- 5.3.2 In line with the allocation policies, the proposal has been designed to ensure it does not prejudice the delivery of the wider allocation. The submitted illustrative layout (option 1 shown below) and zonal plans (submitted for approval) demonstrate how the Site can be successfully redeveloped, without prejudicing the delivery of the wider site, in respect of how development can interface with and connect with the adjacent land parcels.



*Illustrative layout demonstrating suitable links with adjacent parcels*

- 5.3.3 The illustrative layout demonstrates how it can connect with land to the east, subject to its own hybrid planning application for 39 new homes, (ref 20/00284). Only details of the eastern half of that site are submitted for approval. The western half remains in Outline, with no details submitted for determination which secure access to the western boundary, connecting to the Site. The above is based on the illustrative material available, whilst the zonal plan provides the necessary flexibility for this point of connection to be secured and move/be adjusted as necessary at the reserved matters stage.
- 5.3.4 To the east the illustrative layout shows, and the zonal plan secures, a connection to the adjacent land parcel (subject to refused application ref 21/01545) which avoids a connection onto Cherry Garden Lane.
- 5.3.5 Critically, the proposal provides for its own connection off the Sandwich Road. This is to ensure it is not dependant on adjacent land parcels for its delivery and thus deliverable in its own right so the Site allocation can be realised.

## 5.4 Housing Mix & Affordable Housing

- 5.4.1 Since the application is in Outline, mix is not a matter for determination. However, a possible mix has informed the illustrative proposals to demonstrate the quantum of development proposed is deliverable. The proposed mix has been informed by pre-application advice from DDC Officers and the 2019 SHMAA.

Housing Mix

- 5.4.2 The proposals provide for 30% affordable homes in line with Policy DM5.
- 5.4.3 DDC pre-application advice confirmed that 7% of the affordable homes should be 1 bed and 93% two bed. The illustrative layouts closely align with this mix, providing between 6-13% 1 beds and 86-93% 2 beds. Because of the no. of homes it is not possible to entirely align with the requested split.
- 5.4.4 The affordable housing split will be secured via S106 and can align with the Council's request for, 25% First Homes, 20% Shared Ownership / other intermediate products and 55% Social / Affordable Rent.
- 5.4.5 In respect of the market homes, regard has been had to the 2019 SHMAA which suggests a District wide market mix set out below, which the illustrative mix has been compared against.

No. Rooms	Proposed Market (retained house)		Dover Suggested Mix taken from 2019 SHMAA Market
	Option 1	Option 2	
1 bed	0 (0%)	0 (0%)	5.3%
2 bed	9 (24%)	9 (25%)	22.9%
3 bed	15 (40%)	14 (38%)	38.7%
4+ bed	13 (35%)	13 (36%)	33.2%
<b>Total</b>	<b>37</b>	<b>36</b>	

- 5.4.6 As the above demonstrates the proposals closely align with the SHMAA suggest mix. As noted, this is a suggested District wide mix and does not take into account the circumstances of individual sites, as recognised by Policy CP4.
- 5.4.7 The proposed housing mix responds to the character of the local area (as explored in the Design & Access Statement) and delivers a density of development that is also in keeping with the character of neighbouring development (circa 35dph). Increasing the proportion of smaller properties on the Site would increase the amount of development thus density.
- 5.4.8 The Site also forms part of a wider allocation. Application ref 20/00284 proposes a high proportion of smaller properties, thus illustrating across the wider site, a mix that more closely aligns with the SHMAA is achievable.
- 5.4.9 Notwithstanding the above, the application is in Outline and thus the housing mix is not fixed. Should it therefore be a desire for more smaller properties, the illustrative layouts demonstrate this can be comfortably accommodated on the Site and therefore the quantum of development proposed is appropriate and accords with Policy CP4.

**5.5 Layout, Appearance & Scale**

- 5.5.1 The illustrative layouts demonstrate how the Site can be arranged within the limits of the Zonal Plans submitted for approval, in demonstrating how the proposals can:

- Achieve suitable accesses off Sandwich Road and New Street;
- Provide a movement network that facilitates safe vehicle, cycle and pedestrian movements which can connect with the surrounding network;
- Provide for suitable parking;
- Safeguard connections with the adjacent allocated Sites;
- Achieve an appropriate mix and density of development (also addressed above);
- Providing appropriate amenity space;
- Respect the setting of an adjacent heritage asset; and
- Not give rise to unacceptable impacts on the residential amenity of adjacent houses.

5.5.2 As set out in the Design & Access Statement, traditional massing and detailing reflective of the local vernacular can be used and complimented with contemporary detailing where appropriate.

5.5.3 Massing of the development is to reflect the local character. This is generally at 2 storeys, however there can be clusters of 2.5 storey homes. The density of the proposal (34/ha – 36.6/ha) is in accordance with the criteria set out in Policy CP4.

5.5.4 The supporting Design & Access Statement demonstrates how an appropriate and high-quality development can come forward which is in keeping with the character of Ash. The illustrative proposals demonstrate how the development of the Site can meet the design criteria set out in CP4, Ash Neighbourhood Plan and achieve the objectives of high-quality design as set out in the NPPF.

## **5.6 Residential Amenity & Noise**

5.6.1 The illustrative layout is based on all homes meeting NDSS standards. All houses will also have suitably sized gardens. To preserve the residential amenity of existing houses in the south-west, development is shown to either back onto or side onto the existing development, to ensure suitable separation distances are observed.

5.6.2 The illustrative layout plans include a large open space in the centre of the development. This zone is to be not less than 0.12ha, comprising a LEAP and biodiversity zone, also ensure access to additional amenity space.

5.6.3 Where the proposals adjoin the future potential development parcels to the east and west, the development can also back onto or sit side onto the Site boundaries, so not to prejudice the development of the wider allocation but securing suitable residential amenity.

5.6.4 A Noise Impact Assessment has been prepared by Entran Ltd for the proposed development.

- 5.6.5 The report states that it considers typical insulated double glazing and attenuated trickle ventilation has been calculated to be sufficient across the Site, However, windows are not required to be sealed and may remain openable for rapid or purge ventilation or to be opened at the occupant's discretion.
- 5.6.6 External amenity noise levels are calculated to fall below the guideline noise level for external amenity and therefore no consideration of mitigation is required.
- 5.6.7 National policy is clear that places should promote health and well-being, with a high standard of amenity for existing and future users. The illustrative layout demonstrates how the proposals accord with these principles as well as ensuring the proposals are not subjected to unacceptable levels of noise. The proposals therefore further accord with Policy CP4.
- 5.6.8 It is noted that the emerging Local Plan, seeks compliance with M4(2) with a proportion of M4(3) homes. This is a detailed design matter and can be addressed at the reserved matters stage as appropriate and subject to progress with the new Local Plan.

## **5.7 Access**

- 5.7.1 The application is supported by a Transport Statement (TS), prepared by DHA. The TS notes that the Site enjoys good access to the local highway network and is located within a reasonable walking distance of everyday services and public transport options, providing residents with realistic opportunities for non-car travel. Regular bus routes serving the nearby settlements allow for connectivity with larger service centres.
- 5.7.2 The proposed site accesses from New Street and Sandwich Road have been designed with reference to the applicable Manual for Streets standards and have been subject to an independent Stage 1 Road Safety Audit, which find the accesses to be acceptable.
- 5.7.3 The Sandwich Road is currently subject to the National Speed Limit of 60mph, with the 30mph gateway a short distance from the Site entrance to the west. It is proposed that this is relocated to bring the Site within the 30mph limit.
- 5.7.4 Tracking plans are included in the TA which further demonstrate that the Site is serviceable by refuse vehicles. The access designs also include suitable footpath connections, linking the development with the wider movement network. Because of the more rural nature of Ash and in line with Manual for Streets, cyclists can share the road.
- 5.7.5 The TS demonstrates that the proposed development has the capacity to generate approximately 203 vehicle movements across the 12-hour weekday period (0700-1900), equating to approximately 17 movements per hour on average. This includes 22 vehicle movements in the AM and PM peak hours. In view of the Site's accessibility to a range of primary routes, it is anticipated that these vehicle trips will readily dissipate across the wider highway network, with no significant impacts on highway capacity or amenity.
- 5.7.6 It is concluded that the proposed development should not have any material adverse transport impacts and therefore there should be no sound transport-

based objections to the planning application, having regard to Local and National planning policy.

## 5.8 Built Heritage

5.8.1 No. 50 New Street is Grade II Listed. The listing description is as follows:

*"House. c1700, with late C18 rear wing. Red brick and thatched roof with weather-boarded and slate roofed rear wing. One storey and attic on plinth with plat band. Roof with kneelered gables, 2 raking dormers and stacks to end left and to end right. Two multipaned wooden windows on ground floor, with central glazed door with brick moulded surround, semi-circular arch on pilaster and illegible date stone over. Brick and slate 2 storey garage wing to right of no special interest."*



No. 50 New Street (Courtesy Google Maps Streetview)

- 5.8.2 It lies to the west of the Site entrance from New Street, with its associated garden backing onto the Site.
- 5.8.3 There are a number of other heritage assets located more distant to the Site including The Street Ash Conservation Area and a number of Listed Buildings to the west and two Listed Buildings to the east. The submitted Heritage Impact Assessment concludes that these assets are well removed from the Site meaning that the proposed development would have no effect on their significance or setting. These assets are therefore not considered further.
- 5.8.4 At the pre-application stage it was raised that consideration should be given to the proximity of development to No. 50 New Street and that the scale and appearance of the proposal should respond to the asset.
- 5.8.5 The Heritage Impact Assessment sets out that, that part of the building closest to the Site (eastern aspect), is not of historic interest and provides separation between No.50 and the development. Illustrative plot 2 sits in the position of the existing office. The office is of no architectural interest and proposed to be demolished. The replacement plot 2 provides the opportunity to deliver a higher quality property which would better enhance and contribute to the setting of the

Listed Building. The accompanying illustrative sketch of plot 2 , demonstrates how this home could be sensitively designed.

5.8.6 The assessment concludes that while the development would result in a change within the setting of the heritage asset, this is not a change which would detrimentally affect the significance of the Listed Building or an appreciation of it.

5.8.7 The development would bring about a number of benefits that would directly positively affect the Listed Building, including:

- The removal of the poor quality modern built form associated with the former nursery;
- The setting back of built form from New Street allowing improved transient views towards the listed building from the east and west;
- The removal of the dilapidated and neglected character on the Site; and
- The provision of more spacious and landscaped surroundings immediately adjacent to the curtilage of the listed building (i.e. its eastern and part of its northern boundaries).

5.8.8 The report concludes:

*"On this basis, the scheme would fall outside the remit of paragraphs 201-202 of the NPPF insofar as no harm would be incurred. There would be preservation for the purpose of the decision maker's duty under Section 66 of the Planning (Listed Building and Conservation Area) Act 1990 and there would be compliance with local planning policy highlighted in Section 2."*

5.8.9 ANP6 of the Ash Neighbourhood Plan (ANP) states that proposals should respect, conserve and enhance the setting of Listed Buildings. The proposals clearly align with this requirement and are in accordance with the objectives of local and National policy with regards to heritage conservation.

## **5.9 Archaeology**

5.9.1 Owing to the location of the Site within an area of archaeological potential, the need for Desk-Based Archaeological Assessment was identified at the pre-application stage.

5.9.2 Policy ANP6 of the ANP requires all development works should review the possibilities of archaeological finds within site confines. National policy is clear that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, an appropriate desk-based assessment and, where necessary, a field evaluation should be submitted.

5.9.3 An Archaeological Desk-Based Assessment accompanies the application. The Site is considered to have a high potential for below-ground archaeological remains. It is likely that such remains would relate to the Roman, Post Medieval and Modern periods, deposits from the Prehistoric period could also be encountered.



- 5.9.4 The proposals do not impact on any designated archaeological sites or areas of archaeological importance highlighted within the Dover District Core Strategy.
- 5.9.5 A phased approach to archaeological mitigation is likely to be required at the Site, initially in the form of trial trenching to determine the presence or absence of archaeological remains, their character, date, extent, depth, state of preservation and significance. The results of trenching will determine if any further archaeological work is needed and what the scope of that work would be.
- 5.9.6 It is recommended in the Archaeological Desk-Based Assessment that such investigations can be secured by planning condition and thus the proposed development accords with current legislation, NPPF and the policies in the adopted Development Plan.

## **5.10 Flood Risk & Drainage**

- 5.10.1 The Flood Risk Assessment (FRA) & Drainage Strategy prepared by RMA Environmental confirms that the Site is in flood zone 1 and is thus in an area which is suitable for residential development.
- 5.10.2 NPPF (para 167) confirms that site specific FRA's should be submitted for sites greater than 1ha in Flood Zone 1.
- 5.10.3 Policy ANP5 of the ANP is clear that proposals must demonstrate that they are resilient to climate change and demonstrate how the development will respond to climate change adaption measures. This is in line with Section 14 of the NPPF which sets out that proposals should meet the challenge of climate change events, including flooding.
- 5.10.4 The FRA states that the EA's surface water flood risk map identifies that the majority of the Site has a very low surface water flood risk with areas with up to a medium surface water flood risk.
- 5.10.5 Areas of green space have been incorporated into the layout to allow the inclusion of above ground SuDS. This will include an attenuation basin, bio-retention areas, rain gardens and tree pits which will provide source control features, water quality treatment, encourage evaporation and transpiration. Wherever practicable, runoff will first be directed to these features before draining into the geo-cellular storage.
- 5.10.6 The FRA and drainage strategy demonstrates that the proposed development will not increase flood risk on site or elsewhere, whilst also allowing for the impacts of climate change.
- 5.10.7 The development should therefore be considered acceptable in planning policy terms, in accordance with the aforementioned policies.

## **5.11 Arboriculture**

- 5.11.1 An Arboricultural Survey accompanies the application, as prepared by PJC. The report records that 36 individual trees, 6 tree groups and 2 hedgerows have been surveyed. The majority of the trees on the Site are considered to be of limited quality and therefore are Cat C. There are not Cat A trees on the Site.

- 5.11.2 As demonstrated by the illustrative layouts, the efficient development of the Site would necessitate tree removal. However, the loss of these mainly low quality trees can be mitigated through additional tree planting across the Site. There is also the potential for some boundary vegetation to be retained and bolstered.
- 5.11.3 As already noted, a temporary TPO (TPO/22/00016) has been placed on the hedge (H1) on the northern boundary of the Site. The hedge is a Cat C rating. The temporary TPO is however subject to objection. Notwithstanding the TPO, this does not preclude its removal in whole or in part but requires further justification and the consent of the Local Planning Authority.
- 5.11.4 As identified in the tree survey the hedge is of low quality. As identified in the supporting LVA the hedge does not contribute to the rural landscape character of the area which is derived from the fields to the north of the Site. The hedge forms part of the residential character and settlement pattern of Ash and is therefore not considered important in landscape terms.
- 5.11.5 As an outcome of the TPO the application puts forward two access options from the Sandwich Road. Option 1 is the preferred option, providing a central access into the Site, which results in a more acceptable highway arrangement and efficient Site layout. This would require removal of part of the hedge.
- 5.11.6 Option 2 considers an alternative access arrangement which puts the access at the western corner of the northern site boundary. This would avoid removal of part of the hedge, although it would still require maintenance/management. This results in a less satisfactory design solution for the Site entrance in terms of the general arrangement of development which can be achieved at this site frontage, as well as the general highway design. Whilst in landscape terms this Option is marginally preferred both options would actually result in similar effects.
- 5.11.7 Overall, Option 1 remains preferred, but the final access option can be determined at the reserved matters stage. However, the part removal of the hedge is considered acceptable and justifiable on the basis that:
- It is of low quality and therefore its current and future potential amenity value is low;
  - It is not of a size, form or rarity that means it is of importance;
  - It does not contribute to the countryside character of the locality;
  - Its partial removal would result in better design outcomes for the Site, in terms of both the general arrangement of development within the Site but also from a highway perspective;
  - Additional/mitigation hedge planting can be accommodated within the Site.
- 5.11.8 Overall, taking in account the quality of the hedge and its amenity value, the benefits of its partial removal are considered to outweigh the harm.
- 5.11.9 Both Options 1 and 2 are therefore considered acceptable and would facilitate a suitable access into the Site, enabling the development to come forward independently and is not facilitated by the applications on the adjacent sites.

## 5.12 Landscape

- 5.12.1 Policy DM15 of the Adopted Core Strategy states that development that will result in the loss of the countryside will be acceptable when it is in accordance with an allocation, provided measures are incorporated to reduce any harmful effects on the countryside character. Similarly, Policy DM16 advises that landscapes of identified character should be conserved.
- 5.12.2 The site allocation Policies (LA21 & ANP7a) additionally identify the impact of the development on the landscape should be minimised.
- 5.12.3 In response, a Landscape Visual Appraisal has been carried out to support the application, to demonstrate the likely landscape impacts and visual effects of the proposed development. The LVA has been produced by RHLA Ltd.
- 5.12.4 The proposed layout demonstrates that a layout can be provided that is suitable and sympathetic to the local character.
- 5.12.5 The LVA concludes that the proposed development will not harm the landscape character beyond the change at site level, owing to the bordering residential and transport uses and mitigation measures.
- 5.12.6 It is considered by the LVA that the proposed development impact on the setting of the village and wider landscape has been minimised by the siting and scale of the built form, to be perceived only locally.
- 5.12.7 The existing lighting level in the area means that the proposed development would not lead to adverse effects.
- 5.12.8 As fully demonstrated by the accompanying LVA, the resulting landscape and visual effects from the development are considered to be acceptable, such that the proposed development can be accommodated within the existing landscape and visual context of Ash, in accordance with the Site allocation.
- 5.12.9 It is therefore considered that the proposal is acceptable from a landscape perspective and satisfies the requirements of the aforementioned Policies DM15, DM16, LA21 and ANP7a in respect of landscape.

## 5.13 Ecology

- 5.13.1 The application is supported by a Pre-liminary Ecology Appraisal (PEA), together with a Reptile Report and Bat Survey.
- 5.13.2 The PEA confirms that the Site is not subject to any ecological designations and overall, it is principally made up of a previously intensively managed orchard, bramble scrub, buildings and areas of hardstanding. In terms of its potential to support protected species, it advises that:

Species	Presence	Mitigation/Action
Great Crested Newts	No ponds are present within the immediate vicinity of the Site and	No further action is required

	therefore not considered present	
Reptiles	Potential on Site	Surveys suggested, see further below
Breeding Birds	High potential	Restriction of works during the bird nesting season, which can be controlled by planning condition
Dormouse	No potential	No further action
Badgers	No signs or setts	No further action
Bats	No bats or signs in buildings, most buildings with negligible potential and some with low suitability -	Precautionary surveys suggested - see further below

5.13.3 The Reptile report confirms that there are no reptiles on the Site and no mitigation is therefore considered necessary.

5.13.4 The Bat survey confirms that no bats were recorded emerging from the buildings and thus no mitigation or license is expected to be required. However, updated surveys can be undertaken prior to demolition and within the recommended survey season. As identified within the PEA, the potential for bat roosting was considered to be low.

5.13.5 The PEA further includes suggested biodiversity enhancement measures which could include the following:

- Provision of hedgehog nesting boxes
- If any close board fencing is to be installed around the new development, we recommend that at least 13 x 13 cm holes should be cut into the base of the fences (one per garden) to allow greater permeability across the site to benefit ground-based terrestrial animals (such as hedgehog)
- Provision of ready-made bird boxes on retained trees;
- Provision of integrated 'swift bricks' in new buildings (as these are often occupied by other small cavity-nesting birds)
- A ratio of at least two per residential dwelling, or one per 50sqm of commercial floor space is generally accepted now as good practice (see BS 42021:2022). It is suggested better to install them in small groups of 2/6 approx. one metre+ apart in suitable locations at a minimum height of 4 metres (5 metres is better).

- Provision of integrated bat boxes on new buildings or bat boxes on retained mature trees.
  - Tree / shrub/ hedgerow planting (native species to be used only).
  - Planting of hedges with dormouse friendly species (using native species).
- 5.13.6 What measures will be included will be determined at a future reserved matters stage, but the above list demonstrates a range of measures can be employed to provide ecological enhancements on the Site.
- 5.13.7 In addition to the above, the Site is within 10km of the Thanet Coast and Sandwich Bay SPA. In line with the Council's "Thanet Coast and Sandwich SPA, Strategic Access Mitigation and Monitoring Strategy (SAMM), September 2022", monies will be paid under the Council's established tariff system, which is designed to mitigate the impacts of development on the SPA.
- 5.13.8 The development proposals further include within it the potential for pedestrian routes, which Link New Street and the Sandwich Road. These connections dovetail with existing pedestrian routes along these roads, complimenting a network of footpaths, which residents can enjoy, reducing pressure on the coastline to access walking routes.
- 5.13.9 The submitted development proposals accord with the provisions in the NPPF (paras 180) where it will not result in harm to biodiversity and the development proposals will secure enhancement measures. Furthermore, through the implementation of appropriate mitigation measures, it will not likely result in significant effects on the SPA, either alone or in combination, in accordance with the NPPF (para 182).
- 5.13.10 For the reasons above, the proposals further accord with Neighbourhood Plan Policy ANP4. In respect of biodiversity net gain, the proposals are submitted it Outline. However, in accordance with the policy, future reserved matter application would seek to achieve the required 10% either on or off site.

## **5.14 Utilities**

- 5.14.1 The accompanying Utilities Appraisal identifies that the Site is either served by existing utilities or that there are utilities within the immediate vicinity of the Site that the proposals can connect into. Whilst some upgrade works may be required, as is usual, upgrades can be secured post planning and will be subject to on-going discussions with utility providers.
- 5.14.2 The report demonstrates that the Site is capable of being served by a range of utilities and is therefore serviceable and deliverable.

## **5.15 Ground Conditions & Contamination**

- 5.15.1 A Phase 1 Geo-Environmental Assessment has been prepared by Ecologia for the Site.

- 5.15.2 Due to historical uses on the Site, the report identifies the potential for contamination and as such provides recommendations for further investigations, which can then inform an appropriate remediation strategy.
- 5.15.3 The potential sources of contamination are not unusual and in the main present a low risk and do not prevent the Site's redevelopment for housing. Further investigation and details of a remediation strategy can be secured by planning condition.
- 5.15.4 The proposals thus satisfy the NPPF (para 183).

## **5.16 Impact on Local Infrastructure**

- 5.16.1 To mitigate the impacts of development on local infrastructure such as schools, appropriate contributions will be secured via S106. This will be subject to discussions with DDC during the determination of the application and appropriate contributions will be secured in accordance with Regulation 122 of the CIL Regulations.
- 5.16.2 Consultation with KCC Economics and Dover District Council has indicated that the Heads of Terms for a S106 is likely to include contributions to the following:
- Primary school provision
  - Secondary school provision
  - Community Learning
  - Youth Services
  - Library Services
  - Social Services
  - Waste
  - Thanet Coast Sandwich and Bay SPA Mitigation Tariff
  - 30% affordable housing provision
- 5.16.3 As above, any contributions will need to satisfy the CIL Regulations and will mitigate the impacts of development, in accordance with the NPPF (para 55).

## **5.17 Sustainability**

- 5.17.1 In accordance with the NPPF, sustainable development is at the heart of the planning system. With reference to the above, the proposals have been considered against the three limbs as set out below:
- 5.17.2 **Economic Objective:** The Site is allocated and will secure the delivery of development in the right location to support growth in the district as well as generating economic benefits through the construction phase of the development.

- 5.17.3 **Social Objective:** The proposals make the most efficient use of the Site to deliver a mix and range of houses which meet an identified local need. The Site is sustainably located with good access to services and facilities and will deliver a well-designed and high-quality environment. The Site is located within walking distance from the local facilities in the centre of Ash Village and close to public transport nodes. Bus stops are located on both New Street and Sandwich Road servicing the wider area. There are a number of bus services which run from outside of the Site towards Ash village centre and towards Sandwich. The development will also provide an area of public open space, supporting the social and well being of its residents as well as the residents of the wider area, including the wider allocated site.
- 5.17.4 **Environmental Objective:** The development will limit adverse effects on the built or natural environment and will contribute towards improving biodiversity. It will also help minimise pollution and the use of natural resources through the incorporation of sustainable technologies (as set out further below). The FRA has demonstrated that the proposed development will not increase flood risk on the Site or elsewhere whilst allowing for climate change.
- 5.17.5 A Sustainability Statement has also been prepared by Sol Environment to ensure that the proposal complies with sustainability standards set out by the Local Authority.
- 5.17.6 The statement sets out how measures related to energy use, flood risk, water use, and materials have been considered. In addition, biodiversity, travel and noise are also addressed in the statement. The Statement demonstrates how the proposals will secure the delivery of a sustainable development.
- 5.17.7 Owing to the outline stage, a high-level Energy Strategy has also been prepared, by Sol Environment. The strategy sets out a number energy efficiency measures and site-integrated renewable technologies to achieve required and emerging planning policy requirements for carbon reductions. Whilst there are a number of ways of achieving the required reductions, the strategy demonstrates that the proposals could utilise passive design measures, well insulated and airtight building fabric and high efficiency Air Sourced Heat Pump (ASHP) heating system. Where required this could be supplemented by a PV array to generate renewable energy and offset further emissions.
- 5.17.8 It further confirms the provision of EV charging and use of water saving measures. The final strategy would be subject to detailed design and as such the final strategy, can be conditioned to accompany the reserved matters application.
- 5.17.9 The measures proposed ensure that the proposal will accord with National policy to secure sustainable development, adopted Policy CP5, draft Local Plan Policies CC1-CC4, and ANP Policy ANP5.

## 5.18 Compliance with the Site Allocation Policies

- 5.18.1 Below is an overview confirming compliance with the site allocation policies or in the case of any variation setting out why this is justified. The Ash Neighbourhood Plan is the more recently adopted document, and as such its policy takes precedence, however both policies are considered for completeness.

Policy LA21 – Land Allocations Local Plan	Compliance with Policy
i. any application for development is preceded by, and is consistent with a development brief for the whole of the site which has been agreed by the Council;	Application has been shaped by the allocation policy and has undergone pre-application with the Council to assess scheme and demonstrate how the proposals would not prejudice the wider site coming forward, having regard to the recent applications on the adjacent site, which also form part of the allocation. The supporting illustrative layouts demonstrate how the wider site can still come forward and thus fulfills the purpose of a brief.
ii. there is a comprehensive approach to development of the whole site but if the site is developed incrementally, each phase must demonstrate that it will not prejudice the implementation of the whole development;	YES  Illustrative plans demonstrate the proposal will not prejudice the wider site allocation. The Zonal Plans submitted for approval further safeguard locations for connecting access points to the adjacent sites, to ensure the proposals can be integrated.
iii. the impact of development on the setting of the village and wider landscape is minimised through the siting, massing and scale of new buildings;	YES  The supporting LVA demonstrates that landscape impacts have been minimised and are considered acceptable.
iv. the existing boundary hedgerows and vegetation are retained and enhanced as part of the development;	The existing vegetation on the Site is mainly of low quality and its retention would not facilitate the efficient development of this mainly brownfield site. Where possible vegetation on the site boundaries will be retained and bolstered. However, vegetation within the Site will require removal, with its loss more than mitigated with replacement planting throughout the Site.  As already outlined in Section 5.11 above. The removal of part of the northern hedge is further considered necessary and justified notwithstanding the TPO, which does not prevent removal of part of the hedge.
v. vehicular access is located from Sandwich Road with an emergency access from New Street;	YES  Access is located on both Sandwich Road and New Street. The access on New Street has not been proposed restricted to an emergency access in line with Policy ANP7a which takes precedent.



vi. there is no vehicular access from the development on Cherry Garden Lane;	YES – none is proposed
vii. development should provide a connection to the sewerage system at the nearest point of adequate capacity and ensure future access to the existing water supply infrastructure for maintenance and upsizing purposes; and	The Utilities Assessment demonstrates that there are suitable connections points within the vicinity of the Site. As part of the detailed design process and under separate consenting regimes, appropriate upgrades to infrastructure will be secured to serve the development.
viii. a mitigation strategy to address any impact on the Thanet Coast and Sandwich Bay Ramsar and SPA sites and Sandwich Bay SAC site is developed. The strategy should consider a range of measures and initiatives.	YES  As set out in the ecology section of this statement, the proposals will secure contributions towards the strategic. In addition, the proposals provide for pedestrian connections which connect into existing footways, allowing easy access to walking routes within the local area, reducing pressure on the coast to access similar walking facilities.

<b>Policy ANP7a – Ash NDP</b>	<b>Compliance with policy</b>
7a.1 Any application for development is preceded by and is consistent with a development brief that has been agreed by Dover District Council; this must include an ecological survey;	Application has been shaped by the allocation policy and has undergone pre-application with the Council to assess scheme and demonstrate how the proposals would not prejudice the wider site coming forward, having regard to the recent applications on the adjacent site, which also form part of the allocation. The supporting illustrative layouts demonstrate how the wider site can still come forward and thus fur fills the purpose of a brief.
7a.2 Any application of development is preceded by an archaeological assessment of the site and its submission to Kent County Council;	Desk-based Archaeological study has been completed and accompanies the application. Archaeological works will be secured works can be secured by condition.
7a.3 There is a comprehensive approach to development of the whole site but if the site is developed incrementally, each phase must demonstrate that it	YES  Illustrative plans demonstrate the proposal will not prejudice the wider site allocation.

<p>will not prejudice the implementation of the whole development;</p>	
<p>7a.4 The impact of the development on the setting of the village and wider landscape is minimised by reference to Policies ANP4, ANP5 and ANP6;</p>	<p>The supporting LVA demonstrates that landscape impacts have been minimised and are considered acceptable.</p> <p>The proposals are in Outline, but the supporting Sustainability and Energy Reports demonstrate how the proposals can incorporate measures to address climate change including reducing carbon emissions This including the incorporation of low carbon technologies, EV charging, public open space and facilitate walking and cycling through the development.</p> <p>The supporting DAS and this Statement further demonstrate how the proposals will deliver a high-quality development that respects the character of Ash and respects the setting of Listed Buildings (see separate Heritage Impact Assessment).</p>
<p>7a.5 The existing boundary hedgerows and vegetation are retained and enhanced as part of the development;</p>	<p>The existing vegetation on the Site is mainly of low quality and its retention would not facilitate the efficient development of this mainly brownfield site. Where possible vegetation on the site boundaries will be retained and bolstered. However, vegetation within the Site will require removal, with its loss more than mitigated with replacement planting throughout the Site.</p> <p>As already outlined in Section 5.11 above. The removal of part of the northern hedge is further considered necessary and justified.</p>
<p>7a.6 Vehicular access to the site is from Sandwich Road and New Street;</p>	<p>YES</p>
<p>7a.7 There is no vehicular access to the site from Cherry Garden Lane;</p>	<p>YES – none is proposed.</p>
<p>7a.8 Open and/or shared spaces should be maintained by a management company established by the developer with on-going maintenance</p>	<p>YES</p> <p>This can be secured by condition/S106.</p>

responsibilities being held by this company; and	
7a.9 Development should ensure that occupation is phased to align with the delivery of sewerage infrastructure, provide connection to gas supply and ensure future access to existing water supply and/or wastewater infrastructure for maintenance and capacity improvements.	The Utilities Assessment demonstrates that there are suitable connections points within the vicinity of the Site. As part of the detailed design process and under separate consenting regimes, appropriate upgrades to infrastructure will be secured to serve the development ahead of occupation.

## 6 SUMMARY AND CONCLUSION

### 6.1 Summary

6.1.1 An outline planning application has been submitted to Dover District Council, for the development of the land off of 52 New Street, Ash, for residential development on behalf of Classicus Estates Ltd.

6.1.2 Outline permission is sought for:

*"Outline planning permission with all matters reserved (except for access) for the demolition of existing buildings, including 51-53 Sandwich Road, and the erection of up to 52 new homes, including affordable, access from New Street and Sandwich Road, together with associated parking, open space, landscaping, drainage and associated infrastructure"*

6.1.3 The Site has been allocated for residential development in the Adopted Dover Land Allocations Plan and the Ash Neighbourhood Local Plan.

6.1.4 The Site is located within flood zone 1 and is not subject to any landscape or ecological designations which might restrict development. The development of the Site is not constrained by biodiversity and suitable mitigation and enhancement measures can be incorporated.

6.1.5 In accordance with adopted policy, the application demonstrates that the Site can be brought forward without prejudicing the delivery of the wider allocated site and is deliverable now, serviceable by its own access off the Sandwich Road, and thus will contribute to the Council maintaining its rolling 5 yr housing land supply.

6.1.6 Overall, the supporting assessment demonstrates that the proposals are acceptable delivering a quantum of development that is entirely suitable for the Site and in keeping with the local area. Furthermore, the illustrative material demonstrates it will deliver a high-quality environment that will compliment and enhance the character of the local area.

6.1.7 Accompanied by a suite of technical assessments, it is demonstrated that the proposals are acceptable in all other regards and will deliver a sustainable development.

6.1.8 The proposals have been considered in detail against the adopted Site allocation policies and demonstrated that the proposals substantially accord with these policies and in the case of any variation, this is considered justified.

### 6.2 Conclusion

6.2.1 As demonstrated in this Statement the proposals deliver a high quality and sustainable development that accords with adopted planning policy and thus outline consent should be approved without delay in accordance with the NPPF (Para 11c).