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# **Planning, Sustainability & Affordable Housing Statement**

**Land Adjacent to the Bull Inn, Bethersden**

CLIENT: Esquire Developments

July 2024  
LW/OK/32876



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# 1 INTRODUCTION

## 1.1 CONTEXT

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1.1.1 This Statement has been prepared by DHA Planning in support of an Outline application submitted on behalf of Esquire Developments ("the Applicant"). The proposals relate to the development of the Site for up to 40 homes at Land Adjacent to the Bull at Bethersden, hereafter referred to as "the Site" as shown on the Site Location Plan (ref. Appendix 1). The Site lies within the administrative area of Ashford Borough Council (ABC).

1.1.2 The application seeks:

*Outline planning permission (with all matters reserved except access) for the erection of up to 40 dwellings including access from Bull Lane, parking, landscaping, open space and associated infrastructure and earthworks.*

1.1.3 This statement provides:

- An overview of the Site and its context;
- Summarises the relevant planning history;
- Describes the development including details of pre-application advice;
- A Statement of Community Involvement;
- Identifies relevant National and local planning policies, and other relevant guidance; and
- Assesses the proposals against the identified planning policies and guidance and key material considerations.

1.1.4 It should be read alongside the supporting Design and Access Statement (DAS).

1.1.5 This statement concludes that the proposals deliver a high quality sustainable development that accords with adopted the adopted Development Plan. ABC cannot currently demonstrate a five year housing land supply and therefore the tilted balance is also engaged. Planning permission should therefore be approved without delay (NPPF, para 11d).

## 1.2 TECHNICAL REPORTS

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1.2.1 Alongside this Statement, a number of other technical reports have also been submitted which include those listed below. These should be read alongside this statement, together with the submitted planning drawings.

| REPORT TITLE                              | AUTHOR                             |
|-------------------------------------------|------------------------------------|
| Design & Access Statement                 | ON Architecture                    |
| Transport Statement                       | DHA                                |
| Flood Risk Assessment & Drainage Strategy | DHA                                |
| Arboricultural Report                     | GRS                                |
| Agricultural Land Classification          | Kernon Countryside Consultants Ltd |
| Cultural Desk Based Assessment            | RPS                                |
| Phase 1 Desk Study                        | Lustre                             |
| Local Housing Need Assessment             | Marrons                            |
| Landscape and Visual Impact Assessment    | Lloyd Bore                         |

TABLE 1.1: TABLE OF ACCOMPANYING REPORTS

### 1.3 ABOUT ESQUIRE DEVELOPMENTS

- 1.3.1 Esquire developments is a multi-award winning SME housebuilder based in Longfield, Kent. Founded in 2011, they have quickly established themselves through the delivery of high quality bespoke residential developments in Kent.
- 1.3.2 Esquire Developments has adopted a tailored approach to its developments adapting designs and layouts to reflect local characteristics and respond to local community's needs. This is through positively engaging with the local community in addition to using their expert local knowledge and understanding of a place, allowing for a focussed approach to planning, design and greater understanding of the needs of the local community.
- 1.3.3 Each development is bespoke, with no fixed house types. This allows total flexibility when it comes to the choosing the right mix and design of each home. This is reflected in the high-quality architecture and use of materials, in addition to the quality of open spaces and the environment in which each development sits.
- 1.3.4 As an SME Housebuilder building approximately 120-150 dwellings per year, they can expediently deliver a high-quality product that brings variation and choice to the market and complement volume housebuilders.
- 1.3.5 They have also committed to proactively addressing the Climate Change Emergency through delivering 'all electric' developments and seeking to achieve at least a 50% carbon reduction in their homes based against current Building Regulations. This is achieved through a fabric first approach (thicker insulation and cavity walls and greater efficiency windows etc) as well as the use of Air Source Heat Pumps (i.e. no gas boilers). Electric Vehicle Charging points are fitted as standard on all dwellings.

## 2 SITE CONTEXT

### 2.1 GENERAL LOCATION

- 2.1.1 Bethersden is located approximately 8km west of Ashford town centre. The village is predominantly residential, with a number of services and facilities to serve the local population. These include, but are not limited to, public houses, farm shop, butchers, post office, primary school and village hall.
- 2.1.2 A bus route serves the village providing connections between Ashford town centre and Tenterden. The nearest bus stops lie c.400m north of the Site along School Lane. The A28 is the main access route through the village, which connects to Ashford, leading to the M20.
- 2.1.3 The nearest train station is Pluckley c.3.4km north of Bethersden which provides regular connections between London to Dover and Ramsgate via Ashford.
- 2.1.4 The Site is located to the south east of the village of Bethersden, adjacent to the edge of the settlement boundary.

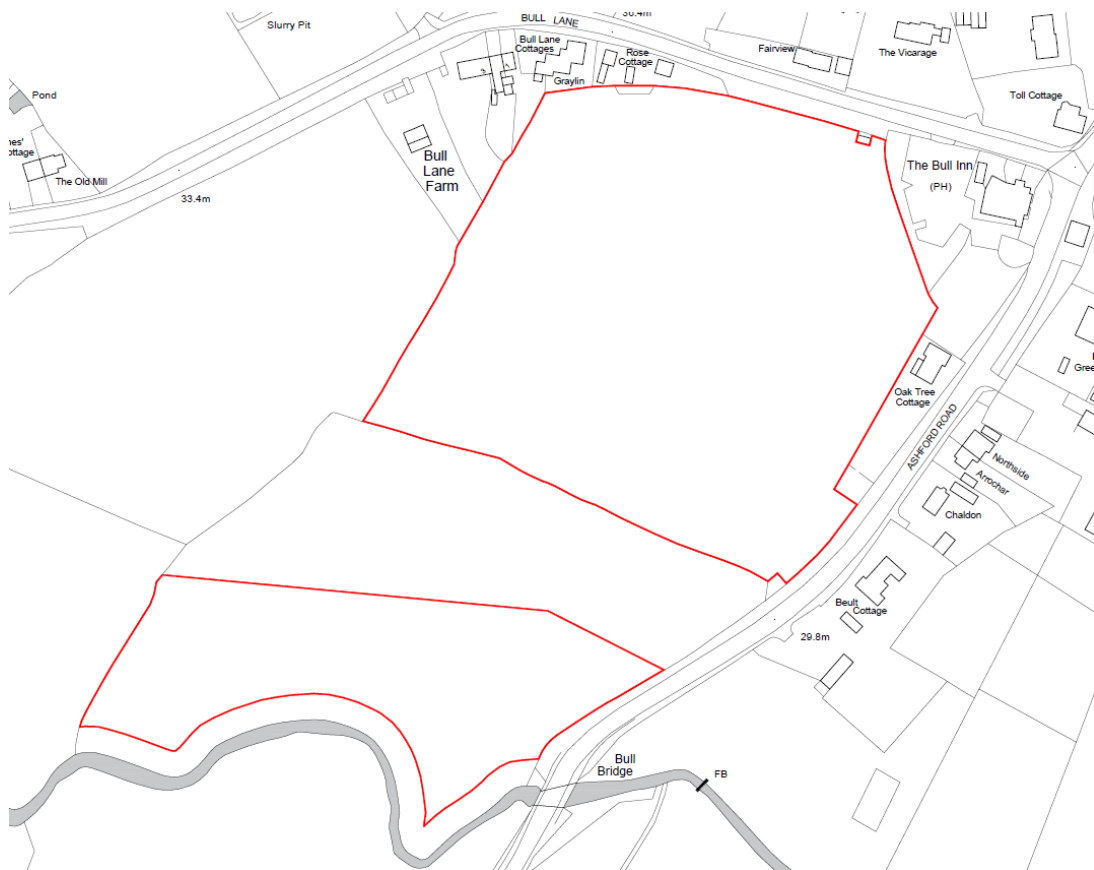


FIGURE 2.1: SITE LOCATION PLAN (ON ARCHITECTURE)

- 2.1.5 The Site lies on Bull Lane which is characterised by a loose urban grain which transitions from the village settlement into open countryside.

## 2.2 SITE OVERVIEW

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- 2.2.1 The Site is of an irregular shape and extends to c. 3.98 ha in size comprising former agricultural land, more recently used for grazing. The Site is split over two areas comprising the development area in the north and a biodiversity area in the south.
- 2.2.2 The northern extent of the Site is bound by Bull Lane and the rear gardens of properties that line it, and the southern and western by agricultural land. The eastern extent is bound by the rear gardens of properties that line the A28, Ashford Road, as well as the curtilage of the Grade II list Bull Inn public house and associated car park.
- 2.2.3 The Site generally falls from north to south, with the boundaries defined by existing hedgerows.
- 2.2.4 The Site lies within the Low Weald Landscape Character Area, and the far south of the Site (the biodiversity area) lies in Flood Zones 2 and 3. A very small area to the south of the Site is also within a Minerals Safeguarding Area for river terrace deposits. The Site is not subject to any other environmental designations or restrictions.

## 2.3 RELEVANT PLANNING HISTORY

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- 2.3.1 A review of the ABC website indicates the Site has not been subject to any planning applications.

## 3 PROPOSED DEVELOPMENT

### 3.1 OVERVIEW

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- 3.1.1 The application seeks Outline planning permission (with all matters reserved except access) for the development of up to 40 dwellings including public open space, drainage, landscaping, parking and associated infrastructure, with access taken from Bull Lane.
- 3.1.2 The following section should be read alongside the supporting Design & Access Statement (DAS). As set out in the DAS, the proposals follow a thorough review of the Site's opportunities and constraints, to create a high-quality and distinctive residential environment which has been informed by pre-application engagement with Officers of ABC and Kent County Council Highways.
- 3.1.3 Whilst in Outline, the submitted parameter plans and supporting DAS demonstrate the proposals can deliver a high-quality residential development which includes:
- Up to 40 dwellings comprising 40% affordable housing with a mix of 1-5 bedroom properties;
  - Potential for self-build plots;
  - Mixture of houses and bungalows which are NDSS compliant;
  - Served off a new access at Bull Lane;
  - Areas of open space including informal open space, play area and ecological mitigation and incorporation of native planting, providing recreational opportunities for both existing and future residents;
  - Retention of majority of trees and hedgerows on the Site boundaries, along with landscape buffers and creation of new tree lined streets to create a well-landscaped environment;
  - All homes to be provided with private external amenity space in the form of gardens;
  - All houses will be a maximum of 2-storeys in height with some 1.5 and 1-storey properties towards the eastern boundary;
  - Developable area carefully positioned to secure acceptable distances from existing neighbouring properties to ensure the residential amenity of existing residents is secured;
  - Provision of land set aside for SuDs and biodiversity enhancement;

- Sufficient space for allocated and visitors parking as well as cycle parking to be provided in accordance with adoptable standards;
  - All homes will be electric including air source heat pumps and each to have EV charging points.
- 3.1.4 Overall, the parameter plans identify a minimum of 0.246ha of open space on Site with a net developable area of 2.88ha resulting in a development density of 13.9dph.
- 3.1.5 Whilst details of housing mix are not to be secured at this stage, an indicative housing mix has been provided, which allows for a mix of homes, as follows:

| No. Bedroom | Indicative Numbers |
|-------------|--------------------|
| 1-bedroom   | 4                  |
| 2-bedroom   | 12                 |
| 3-bedroom   | 18                 |
| 4-bedroom   | 3                  |
| 5-bedroom   | 3                  |

- 3.1.6 Whilst a matter reserved for the reserved matters stage, example elevations and material palettes are detailed within the DAS which demonstrate how the Site can sensitively accommodate 40 high quality homes which are in keeping with the character of Bethersden, incorporating typical Kentish details. Indicative materials include:
- Black timber weatherboarding
  - Clay hanging tile
  - Clay roofing
  - Red stock brick

## 3.2 PRE-APPLICATION ADVICE AND CONSULTATION

- 3.2.1 The proposals have been informed by pre-application advice from ABC. The advice from ABC is summarised in the Statement of Community Involvement Chapter (Section 5).

### 3.3 PUBLIC CONSULTATION

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- 3.3.1 Local residents were also consulted in the emerging proposals in March 2024. Full details are provided in the Statement of community Involvement Chapter (section 5).

## 4 PLANNING POLICY FRAMEWORK

### 4.1 INTRODUCTION

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- 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 consideration 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);
  - Ashford Local Plan 2030 (2019)
- 4.1.3 In addition to the Development Plan, there are other material considerations including the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) and other supplementary planning guidance and standards.

### 4.2 KENT MINERALS AND WASTE LOCAL PLAN 2013-2030 (2016 UPDATED 2020)

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- 4.2.1 A small area to the southern part of the Site lies within a mineral safeguarding area for river terrace deposits. This is however such a small area it is not considered suitable for mineral extraction. No development however is proposed in this location. As such, the Kent Minerals and Waste Local Plan is not considered further.

### 4.3 ASHFORD BOROUGH COUNCIL LOCAL PLAN (2030)

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- 4.3.1 The Ashford Borough Council Local Plan was adopted in 2019 and sets out key planning policies for the Borough until 2030.
- 4.3.2 **Policy SP1** outlines the Council's strategic objectives for the Borough. These form the basis of the Local Plan's policy framework, as well as providing the core principles that planning applications are expected to adhere to. These are as follows:
- a. To focus development at accessible and sustainable locations which utilise existing infrastructure, facilities and services wherever possible and makes best use of suitable brownfield opportunities;
  - b. To conserve and enhance the Borough's natural environment including designated and undesignated landscapes and biodiversity and promote a

connected green infrastructure network that plays a role in managing flood risk, delivers net gains in biodiversity and improves access to nature;

- c. To conserve and enhance designated and non-designated heritage assets and the relationship between them and their settings in a way that promotes distinctive places, proportionate to their significance. Place-based heritage will be a key principle underpinning design and spatial form of development;
- d. To create the highest quality design which is sustainable, accessible, safe and promotes a positive sense of place through the design of the built form, the relationship of buildings with each other and the spaces around them, and which responds to the prevailing character of the area;
- e. To ensure development is supported by the necessary social, community, physical and e-technology infrastructure, facilities and services with any necessary improvements brought forward in a co-ordinated and timely manner;
- f. To promote access to a wide choice of easy to use forms of sustainable transport modes including bus, train, cycling and walking to encourage as much non-car based travel as possible and to promote healthier lifestyles;
- g. To provide a mix of housing types and sizes to meet the changing housing needs of the Borough's population including affordable homes, self-build and custom build properties, specialist housing for older and disabled people, accommodation to meet the needs of the Traveller community, spacious, quality family housing and for newly forming and downsizing households;
- h. To provide a range of employment opportunities to respond to the needs of business, support the growing population and attract inward investment; and,
- i. To ensure new development is resilient to, and mitigates against the effects of climate change by reducing vulnerability to flooding, promoting development that minimises natural resource and energy use, reduces pollution and incorporates sustainable construction practices, including water efficiency measures.

4.3.3 **Policy SP2** outlines Ashford's strategic approach to housing delivery. A total housing target of 13,118 net additional dwellings applies for the Borough between 2018 and 2030. In order to achieve this target, additional housing sites are proposed to provide choice and competition in the market up to 2030.

The housing target will be met through a combination of committed schemes, site allocations and suitable windfall proposals. The majority of new housing development will be at Ashford and its periphery, as the most sustainable location within the Borough, based on its range of services and facilities, access to places

of employment, access to public transport hubs and the variety of social and community infrastructure available. With this in mind, in addition to existing commitments, new land allocations to deliver 4,872 dwellings are proposed.

4.3.4 **Policy SP6** promotes high quality design. Development proposals must be of high quality design and demonstrate a careful consideration of and positive response to each of the following design criteria:

- a. Character, distinctiveness and sense of place
- b. Ease of movement
- c. Legibility
- d. Mixed use and diversity
- e. Public safety and crime
- f. Quality of public spaces and their future management
- g. Flexibility and liveability
- h. Richness in detail
- i. Efficient use of natural resources

4.3.5 **Policy HOU1** states that the Council will require the provision of affordable housing on all schemes promoting 10 dwellings or more (and on sites of 0.5 hectares or more), with provision being not less than the area specific requirements. All proposals are expected to meet their full affordable housing provision on-site.

The site is located in the classed as the Rest of the Borough and so is expected to provide 40% affordable housing at a tenure split of 10% affordable/social rented and 30% Affordable Home Ownership (including a minimum of 10% shared ownership).

4.3.6 **Policy HOU5** discusses residential windfall development in the countryside. It states that proposals for residential development adjoining or close to the existing built up confines of Bethersden will be acceptable, subject to the following criteria:

- a) The scale of development proposed is proportionate to the size of the settlement and the level, type and quality of day to day service provision currently available and commensurate with the ability of those services to absorb the level of development in combination with any planned allocations in this Local Plan and committed development in liaison with service providers;

- b) The site is within easy walking distance of basic day to day services in the nearest settlement, and/or has access to sustainable methods of transport to access a range of services;
- c) The development is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network without adversely affecting the character of the surrounding area;
- d) The development is located where it is possible to maximise the use of public transport, cycling and walking to access services;
- e) The development must conserve and enhance the natural environment and preserve or enhance any heritage assets in the locality; and,
- f) The development (and any associated infrastructure) is of a high quality design and meets the following requirements:-
  - i. it sits sympathetically within the wider landscape,
  - ii. it preserves or enhances the setting of the nearest settlement,
  - iii. it includes an appropriately sized and designed landscape buffer to the open countryside,
  - iv. it is consistent with local character and built form, including scale, bulk and the materials used,
  - v. it does not adversely impact on the neighbouring uses or a good standard of amenity for nearby residents,
  - vi. it would conserve biodiversity interests on the site and / or adjoining area and not adversely affect the integrity of international and national protected sites in line with Policy ENV1.

4.3.7 **Policy HOU6** states that sites delivering 20 or more dwellings in a rural area must supply no less than 5% of services dwelling plots as self or custom build.

4.3.8 **Policy HOU12** states that all new residential development is to comply with the Nationally Described Space Standards.

4.3.9 **Policy HOU15** discusses private external open spaces. Unless drawings indicate alternative provision of private useable external open space, new dwellings, whether created as 'new build', subdivision or conversion shall be provided with an area of private open space. Unless demonstrably unfeasible, this should not be overlooked from the road or other public spaces.

For flats, a minimum of 5m<sup>2</sup> of private outdoor space should be provided for 1 or 2 bedspace dwellings, and an additional 1m<sup>2</sup> should be provided for each

additional bedspace. The minimum depth and width for all balconies and other private external spaces (e.g. roof garden, patio) should be 1.5m.

For houses, as a starting point, the private garden area should be calculated as the width of the dwelling (m) x 10m. This standard can be flexible providing it can be adequately demonstrated that alternative solutions provide a sufficient area of usable private outdoor space which contributes positively to the character and appearance of the area and ensures a high standard of living conditions can be achieved.

These standards also apply to any proposals which result in the loss of private external space to existing residential property.

- 4.3.10 **Policy HOU18** discusses providing a range and mix of dwelling types and sizes. Development proposals of 10 or more dwellings will be required to deliver a range and mix of dwelling types and sizes to meet local needs. The specific range and mix of dwellings to be provided should be informed by proportionate evidence that is robust, up to date and provides an assessment of need.
- 4.3.11 **Policy TRA3(a)** outlines the Council's parking requirements. It is expected that all parking provision is provided on site. Visitor parking should be provided primarily off plot in short stay car parks. **Policy TRA3(b)** sets out the Council's requirements for non-residential development.
- 4.3.12 **Policy TRA4** regards promoting the local bus network. The potential for bus patronage should be considered as part of any proposal for new residential or commercial development. Applications should demonstrate whether modal shift in favour of public transport can be achieved through existing bus services or improvements to the network as a key determinant of the scheme's sustainability. This should be demonstrated through a Travel Plan, Assessment or Statement (submitted under Policy TRA8).

Enhancements could include the delivery of bus priority measures, the provision of a new service or the alteration/expansion of an existing service, contributions towards bus related infrastructure and operational subsidy for the service in the early years of occupation of the development.

Where S106 contributions are sought, their scale and timing shall be agreed by the Borough and County Councils following consultation with relevant bus operators, prior to the granting of planning permission.

- 4.3.13 **Policy TRA5** discusses planning for pedestrians. Development proposals shall demonstrate how safe and accessible pedestrian access and movement routes will be delivered and how they will connect to the wider movement network. Opportunities should be proactively taken to connect with and enhance Public Rights of Way whenever possible, encouraging journeys on foot.
- 4.3.14 **Policy TRA6** outlines requirements for cycling. The Council will seek to improve conditions for cyclists through the following measures:

- Promoting and developing a Borough-wide network of cycle routes;
- Developments should, where opportunities arise, include safe, convenient and attractively designed cycle routes, including, where possible, connection to the Borough-wide cycle network;
- Promoting and providing cycle parking facilities in town centres, at railway stations and at major public buildings, and requiring new development to provide cycle parking facilities in agreement with the Council;
- Taking opportunities to consider active travel when designing new routes and establishing connections with existing routes, encouraging journeys by bicycle.

Requirements are also outlined for cycle parking.

- 4.3.15 **Policy TRA7** states Developments that would generate significant traffic movements must be well related to the primary and secondary road network. New accesses and intensified use of existing accesses onto the road network will not be permitted if a clear risk of road traffic accidents or significant traffic delays would be likely to result.

Proposals which would generate levels and types of traffic movements, including heavy goods vehicle traffic, beyond that which local roads could reasonably accommodate in terms of capacity and road safety will not be permitted.

Applicants must demonstrate that traffic movements to and from the development can be accommodated, resolved, or mitigated to avoid severe cumulative residual impacts. In some cases, this may require exploring the delivery of mitigation measures prior to the occupation of a development. Consideration of mitigation and impact will be assessed through the fulfilment of the requirements of Policy TRA8.

- 4.3.16 **Policy TRA8** highlights that planning applications will be supported by either a Transport Statement, or a Transport Assessment depending on the nature and scale of the proposal and the level of significant transport movements generated. Where appropriate, the Council will liaise with the relevant authority in relation to what sort of evidence is required. The recommendations of these studies, including Travel Plans, will be required to be delivered prior to or as part of the development and will be secured through condition or S106 agreement.
- 4.3.17 **Policy ENV1** discusses biodiversity. Proposals that conserve or enhance biodiversity will be supported. Proposals for new development should identify and seek opportunities to incorporate and enhance biodiversity. In particular, development should take opportunities to help connect and improve the wider ecological networks. Proposals should safeguard features of nature conservation interest and should include measures to retain, conserve and enhance habitats, including BAP (Priority) habitats, and networks of ecological interest, including

ancient woodland, water features, ditches, dykes and hedgerows, as corridors and stepping stones for wildlife.

4.3.18 **Policy ENV3a** regards landscape character and design. All proposals for development in the borough shall demonstrate particular regard to the following landscape characteristics, proportionately, according to the landscape significance of the site:

- a. Landform, topography and natural patterns of drainage;
- b. The pattern and composition of trees and woodlands;
- c. The type and composition of wildlife habitats;
- d. The pattern and composition of field boundaries;
- e. The pattern and distribution of settlements, roads and footpaths;
- f. The presence and pattern of historic landscape features;
- g. The setting, scale, layout, design and detailing of vernacular buildings and other traditional man-made features;
- h. Any relevant guidance given in the Landscape Character SPD;
- i. Existing features that are important to and contribute to the definition of the local landscape character shall be retained and incorporated into the proposed development; and,
- j. Any non-designated, locally-identified, significant landscape features justified in a Parish Plan or equivalent document.

4.3.19 **Policy ENV9** discusses sustainable drainage. All development should include appropriate sustainable drainage systems (SuDS) for the disposal of surface water, in order to avoid any increase in flood risk or adverse impact on water quality, and to mimic the drainage from the pre-developed site.

On greenfield sites, development should discharge at a maximum of 4l/s/ha, or 10% below current greenfield rates for the existing 1:100 storm event, whichever is lower. There must be no increase in discharge rate from less severe rainfall events, with evidence submitted to demonstrate this principle.

On Previously Developed Land, development must endeavour to achieve 4 l/s/ha runoff or seek to achieve 50% reduction of existing peak runoff rates for the site where existing discharge rates can be established.

All development proposals will be required to:

- a. Ensure all new developments are designed to reduce the risk of flooding, and maximise environmental gain, such as: water quality, water resources, biodiversity, landscape and recreational open space;
- b. Ensure that all new developments are designed to mitigate and adapt to the effects of climate change;
- c. Lower runoff flow rates, reducing the impact of urbanisation on flooding;
- d. Protect or enhance water quality. Incorporating appropriate pollution control measures, to ensure there are no adverse impacts on the water quality of receiving waters, both during construction and in operation;
- e. Be sympathetic to the environmental setting and the needs of the local community;
- f. Incorporate a SuDS scheme that is coherent with the surrounding landscape and/or townscape;
- g. Provide a habitat for wildlife in urban watercourses; and encourage natural groundwater recharge (where appropriate);
- h. Demonstrate that opportunities have been taken to integrate sustainable drainage with biodiversity enhancements through appropriately designed surface water systems, as well as contribute to amenity and open spaces;
- i. Demonstrate that the first 5mm of any rainfall event can be accommodated and disposed of on-site; and,
- j. Demonstrate that clear arrangements have been established for the operation and maintenance of the SuDS component for the lifetime of the development.

4.3.20 **Policy ENV12** highlights that all major development proposals should promote a shift to the use of sustainable low emission transport to minimise the impact of vehicle emissions on air quality.

Development should be located where it is accessible to support the use of public transport, walking and cycling.

Development proposals that might lead to a significant deterioration in air quality or national air quality objectives being exceeded, either by itself, or in combination with other committed development, will require the submission of an Air Quality Assessment to be carried out in accordance with the relevant guidance. This should address:

- a. The cumulative effect of further emissions; and,

- b. The proposed measures of mitigation through good design and offsetting measures that would prevent the National Air Quality Objectives being exceeded or reduce the extent of the air quality deterioration.

Proposals which will result in National Air Quality Objectives being exceeded will not be permitted.

#### 4.4 NATIONAL PLANNING POLICY FRAMEWORK (NPPF) (2023)

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4.4.1 The NPPF sets out the Government's planning policies for England and how they should be applied, providing a framework within which locally prepared plans for housing and other development can be produced. The NPPF must be considered in preparing the Development Plan and is a material consideration in planning decisions.

4.4.2 The entire Framework should be read (including its footnotes and annexes); however, the parts considered most relevant to the proposed development are outlined below. The NPPF was recently revised in December 2023 and this Statement refers to this up-to-date version.

##### Achieving Sustainable Development

4.4.3 Paragraph 7 states 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.

4.4.4 Paragraph 8 states achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

4.4.5 Paragraph 10 states that a presumption in favour of sustainable development is at the heart of the framework.

4.4.6 Paragraph 11 requires plans and decisions to apply a presumption in favour of sustainable development. For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) 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:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

4.4.7 Paragraph 12 furthers that the presumption in favour of development does not change the statutory status of the development plan as the starting point for decision making. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

#### Decision Taking

4.4.8 Paragraph 38 regards that local planning authorities should approach decisions on proposed development in a positive and creative way, Decision-makers at every level should seek to approve applications for sustainable development where possible.

4.4.9 Paragraph 39 furthers that early engagement could potentially improve the efficiency and effectiveness of the planning application system for all policies.

4.4.10 Paragraph 47 adds that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

4.4.11 Paragraph 54 states that planning conditions must not restrict national permitted development rights unless there is a clear justification to do so.

4.4.12 Paragraph 58 emphasises that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.

#### Delivering a Sufficient Supply of Homes

4.4.13 Paragraph 60 states that 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.

#### Promoting Healthy and Safe Communities

- 4.4.14 Paragraph 96 outlines that planning policies and decisions should aim to achieve healthy, inclusive, and safe places which promote social interaction, are accessible and safe, and enable and support healthy lifestyle. Paragraph 97 states that the social, recreational, and cultural facilities and services the community needs should be provided for through planning policies and decisions.

#### Promoting Sustainable Transport

- 4.4.15 Paragraph 108 outlines that transport issues should be considered from the earliest stages of plan making and development proposals.

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed, and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
- e) patterns of movement, streets, parking, and other transport considerations are integral to the design of schemes and contribute to making high quality places.

- 4.4.16 Paragraph 108 highlights the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

#### Making Effective Use of Land

- 4.4.17 Paragraph 123 outlines that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

- 4.4.18 Paragraph 126 requires planning policies and decisions to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability.

Achieving Well-Designed and Beautiful Places

- 4.4.19 Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
- 4.4.20 Paragraph 135 emphasis that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit;
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create 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.
- 4.4.21 Paragraph 136 explains that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees

are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

#### Meeting the Challenge of Climate Change

4.4.22 Paragraph 159 states that new development should be planned for in ways that:

- a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and
- b) can help to reduce greenhouse gas emissions, such as through its location, orientation, and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.

#### Conserving and Enhancing the Natural Environment

4.4.23 Paragraph 180 sets out how planning decisions should contribute to and enhance the natural and local environment, including through the protection and enhancement of valued landscapes and sites of biodiversity or geological interest.

4.4.24 Paragraph 186 says that when determining applications, local planning authorities should apply the principles that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Equally proposals that conserve or enhance biodiversity to seeking net gains should be supported and encouraged.

#### Conserving and Enhancing the Historic Environment

4.4.25 Paragraph 200 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

4.4.26 Paragraph 207 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the

substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use

- 4.4.27 Paragraph 208 continues that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

#### Planning Practice Guidance

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- 4.4.28 The Planning Practice Guidance (PPG) builds on the principles within the NPPF and provides further detailed technical guidance, with reference to relevant legislation and other advice. The PPG is a “living document” and is constantly being updated/reviewed.
- 4.4.29 As well as providing technical guidance, the PPG sets out the importance of good design. It advocates the need for good quality design which it considers as integral to achieving the fundamental objective of sustainable development. The relevant sections of the PPG are listed below:
- Climate Change;
  - Design;
  - Effective Use of Land;
  - Flood Risk and Coastal Change;
  - Housing: Optional Technical Standards;
  - Natural Environment
  - First Homes;
  - Travel Plans; and
  - Transport Assessments & Statements.

#### 4.5 SUPPLEMENTARY PLANNING GUIDANCE

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- 4.5.1 ABC has a number of supplemental policies and guides. Those relevant to this application include:
- Affordable Housing SPD, June 2019

- Landscape Character SPD, April 2011
- Residential Parking SPD, October 2010
- Sustainable Drainage SPD, October 2010
- Residential Space & Layout SPD, March 2015
- Public Green Spaces and Water Environment SPD, July 2012
- Dark Skies SPD, July 2014
- Fibre to Premises SPD, October 2020
- Climate Change Guidance for Development Management, December 2022
- Bethersden Village Design Statement

#### **4.6 SUPPORT FOR SMALL AND MEDIUM HOUSEBUILDERS (SMES)**

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- 4.6.1 There has been a substantial and conscious recognition from Central Government in respect of seeking to support existing SMEs and in seeking to encourage more SME Housebuilders into the market. The Role of SMEs and the challenges they face has been set out in Appendix 2 of this statement. Appendix 2 sets out the attempts that Government has made to help diversify the market, recognising the positive role SMEs can play in helping offer choice and delivery in the housing market. Appendix 2 identifies the declining role SMEs have had in the housing market, how the planning system is skewed against them (in a plan making sense) and how, firstly through the amendments to the NPPF (para. 69) and more recently through the House of Lords Built Environment Committee 'Meeting Housing Demand' report recommendations.
- 4.6.2 The applicant, being a local SME, strikes a chord with the Governments direction of seeking to support SMEs and help deliver choice, through high quality developments.

## 5 STATEMENT OF COMMUNITY INVOLVEMENT

### 5.1 OVERVIEW

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- 5.1.1 One of the key purposes of the Planning and Compulsory Purchase Act 2004 was to improve community involvement in the planning process. The NPPF encourages applicants to carry out pre-application consultation and community engagement prior to submitting planning applications.
- 5.1.2 Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community (NPPF, para 39). The more issues that can be resolved at pre-application stage, including the need to deliver improvements to infrastructure, the greater the benefits (NPPF, para 41).
- 5.1.3 The PPG includes a section on 'Before Submitting an Application' which sets out the process and expectation for preapplication discussions. It encourages engagement with the community where it will be of value to the application process.
- 5.1.4 ABC published its Statement of Community Involvement (SCI) in 2023. The SCI encourages developers to engage with local communities at an early stage to improve design quality in the built environment and provide an opportunity to comment on proposals before they reach an advanced stage.
- 5.1.5 Esquire Developments Ltd has engaged with the local community, Bethersden Parish Council, ABC Officers and KCC Highways, resulting in a scheme which has sought to take into account the views of all parties as far as possible prior to the submission of this application.

### 5.2 PRE-APPLICATION ENGAGEMENT

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- 5.2.1 A formal pre-application meeting was held with Planning Officers on 19 February 2024 and feedback was received on 19 April 2024.
- 5.2.2 The key matters raised were as follows:
- Concerns it may appear as a disjointed development rather than a natural extension;
  - In assessing suitability against Policy HOU5 the distance is measured from the facilities and services rather than the edge of settlement;

- Accessibility issues, Bull Lane lacks streetlights or footpaths. Without adequate footpaths or cycleways the development would not constitute a “sustainable form of development” unless it could be demonstrated otherwise;
- Principle of development considered unacceptable due to the Site’s location;
- Provision of a large number of self-build plots would not carry much weight in the decision notice;
- Residential housing extension of this size would be unacceptable. Should you wish to proceed with a rural exception scheme, this will need to be supported by the latest Local Housing Needs Assessment carried out in support with the Parish Council. However these results would be insufficient to justify the quantum of development proposed.
- Proposed layout is an over-engineered central spine road and the absence of street trees is notable. Proposed plot configurations showcase a uniform and orderly arrangement, which does not reflect the less formal, irregular plot arrangements typical of village settings;
- Layout is extremely suburban which does not reflect the rural character of Bethersden;
- The proposal would result in a significant encroachment into the countryside and lead to unacceptable landscape harm. If an application is submitted it should be supported by an LVIA;
- Any application should be supported by a Phase 1 Habitat Survey and any species specific surveys. It will also need to demonstrate 10% BNG.

5.2.3 As discussed with Officer post-receipt of the written pre-application advice, the written feedback was not considered reflective of the verbal discussion with Officers where the principle of development was not raised as an issue. However, we address this matter fully within section 6 of this Statement, together with comments regarding the quantum of the development and appropriateness of the location.

5.2.4 Comments received on the design and layout at the pre-application stage have been taken on board to inform the final design of the development. The DAS illustrates how the proposals respond to the comments received, informing the design evolution of the proposals.

### 5.3 PUBLIC ENGAGEMENT

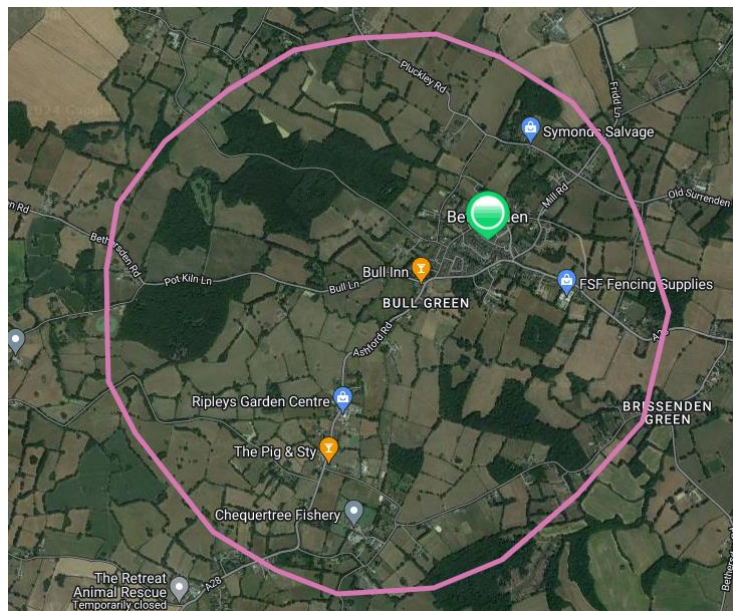
- 5.3.1 From the outset, the project team's intention was to ensure as many people as practical in the local area were made aware of the planning application prior to its submission to ABC, and to obtain feedback.

### 5.4 METHODOLOGY

- 5.4.1 In addition to a presentation to Bethersden Parish Council on 13 September 2023, a public consultation event was held at Bethersden Village Hall. It offered a well-known venue located centrally within the village, with on-site parking facilities as well as the necessary space to accommodate the exhibition and visitors. The venue also had ancillary facilities and disabled access, necessary for such an event.
- 5.4.2 As well as an in-person consultation, it was considered necessary to provide a consultation website that people could access should they not be able to make the event in person.

### 5.5 PUBLICITY

- 5.5.1 From the outset, the intention was to ensure that as many people in the local area were made aware of the public consultation event.
- 5.5.2 A leaflet was produced which provided an overview of the proposed development, details of the consultation event and the consultation website. Leaflets were delivered to c. 800 homes prior to the event with 1.5km of the Site. The extent of the distribution area for these leaflets is set out below.



- 5.5.3 The Parish Council were also provided details on the consultation event.
- 5.5.4 Overall, it is considered the consultation was suitably advertised and accessible to those with or without internet access.

## 5.6 PUBLIC EXHIBITION DETAILS

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- 5.6.1 The in-person public exhibition took place on 28 February 2024. The event consisted of a series of roller banners illustrating the design and evolution of the scheme and the final development proposals.
- 5.6.2 The event was fully staffed by representatives from Esquire Developments, ON Architecture, Lloyd Bore Landscape and DHA Planning and Transport.
- 5.6.3 A feedback form was produced, which was designed to gauge the views of people attending the event and to gain information as to their concerns and thoughts. The forms were provided at the exhibition and a box provided for the return of completed forms. Members of the public were also directed to the dedicated consultation website where they could leave their feedback or they could return their feedback via post or email.
- 5.6.4 In excess of 70 members of the public attended the public exhibition.

## 5.7 WEBSITE

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- 5.7.1 Alongside the in-person event, a public consultation website was made available for members of the public to view which provided virtual copies of the exhibition boards. It further provided a virtual copy of the feedback form which visitors could submit.

## 5.8 FEEDBACK RESPONSE OVERVIEW

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- 5.8.1 A variety of methods were provided for people to give feedback:
- 1) By response form at the event;
  - 2) An online form on the website
  - 3) By email to [bethersden@esquiredevelopments.com](mailto:bethersden@esquiredevelopments.com)
  - 4) By post to Esquire Developments Ltd
- 5.8.2 Thirteen members of the public completed feedback forms and fourteen provided comments via email.

5.8.3 The feedback has been analysed to assess the residents' overall comments regarding the proposed development. An overview of the comments received is provided below and a more detailed summary can be found at Appendix 3.

- Site is outside of the village envelope;
- Loss of green space, rural aspect and wildlife;
- Well thought out and considerate proposals;
- Concerns with traffic impact from the development in both the construction and operational phases;
- Existing problems with speeding along the A28 and Bull Lane;
- Concerns with speeding through the village;
- 30mph limit should be extended on Bull Lane and a pedestrian crossing provided;
- Three respondents supported the general design approach and three respondents did not;
- Better drainage is needed, existing sewage problems in the village;
- Infrastructure concerns including schools and doctors;
- There is a need for housing and affordable housing;
- Approached by a local electrical company to tender for the construction phase.

#### Traffic Impact & Pedestrian Connectivity

5.8.4 One of the key concerns raised by residents was traffic impact of the development. The estimated trip generation from the development is 19 vehicle movements across the AM peak hours and 20 over the PM peak hours. This is not considered to present a significant highways impact and can be easily accommodated on the local road network.

5.8.5 Some concern was raised regarding access for construction traffic. Construction traffic will access the Site via Bull Lane and full details of this will be covered by a Construction Management Plan which will be secured by condition.

5.8.6 The proposals also seek to provide an extended footpath to the north of Bull Lane, and a new pedestrian crossing point to the Site. This enhances the connectivity with the village and provides a betterment for existing residents along Bull Lane, as well as future residents.

- 5.8.7 Whilst a matter reserved for future consideration, the illustrative layout demonstrates that the proposals will provide a policy compliant level of parking spaces.
- 5.8.8 Concern was also raised by residents regarding vehicle speeds through the village, particularly along the A28 Ashford Road. The proposals therefore seek to enhance the speed mitigation measures along this road as part of the proposals. This will include the relocation of the 'slow' markings further south and 30mph repeater signs, red surfacing and roundels provided in their place. Existing 30mph signs further south will also be reinforced with red surfacing and roundels.
- 5.8.9 Overall, it is considered matters of access, parking and traffic impact have been appropriately considered when developing proposals and there would be no adverse impact on the surrounding highway network as a result of the development. Further details are provided in the accompanying Transport Statement which confirms there are no technical concerns with the proposals.

#### Impact on Local Infrastructure

- 5.8.10 The proposed development will make proportionate contributions via S106 to local infrastructure needs to offset the impact of the proposed development. Full details are provided in Section 6.13 in the appraisal section of the report.

#### Loss of Green Space and Impact on Wildlife and Biodiversity

- 5.8.11 Ecological surveys have been undertaken to determine the Site's biodiversity value. The assessment has found that the Site has the potential to support some foraging and commuting wildlife, and so best practice construction measures will be implemented in order to protect wildlife and ecology during the construction period, which will be secured by condition. A number of other ecological enhancement measures are proposed as part of the scheme including bat bricks, bat tubes, bee bricks, bird boxes and hedgehog highways. The ecologists have further had input into the proposed landscape design to enhance the biodiversity value of the Site.
- 5.8.12 Further reptile surveys are being undertaken as the Site was identified to have moderate potential to support reptiles. The results of this survey will be submitted during the life of the application and the necessary mitigation measures required implemented and secured by condition.
- 5.8.13 Further details are set out in Section 6 and in the accompanying Ecological Appraisal which confirms there are no technical concerns with the proposals
- 5.8.14 The proposals would see the development of a greenfield parcel of land. However the land in its current form isn't accessible to members of the public. The proposals seek to provide a large area of green amenity space including a children's play area which would be accessible for use by those both on and off the Site which would otherwise not be accessible. A parcel of open space and biodiversity

enhancement area is further proposed to southern part of the Site which will maintain a sense of openness and aide the transition to the adjacent countryside.

Development Location

- 5.8.15 Comment was raised that the Site is not a suitable location for development, outside of the village envelope. Policy HOU5 of the ABC Local Plan (LP) allows for residential development, or infilling of a scale that is proportionate with the existing settlement of Bethersden, where it is within or immediately adjoining the settlement boundaries. It is a positive development policy subject to proposals satisfying a number of criteria.
- 5.8.16 The policy is designed to bring forward windfall developments in sustainable locations such as Bethersden and is fundamental to the delivery of housing in Borough to meet identified housing requirements.
- 5.8.17 The Site adjoins the settlement boundary of Bethersden, and would provide a logical extension to the village in line with LP Policy HOU5.

## 6 APPRAISAL

### 6.1 INTRODUCTION

- 6.1.1 The following section appraises the development proposals against planning policy and other material considerations, with reference to the supporting technical reports where appropriate. It demonstrates that the proposals accord with the Adopted Development Plan. Notwithstanding, it further demonstrates that the most important policies for determining the application in the adopted Development Plan are out of date and therefore the tilted balance is engaged (NPPF, para 11). In all other respects the proposals comply with the adopted Local Plan (LP)

### 6.2 PRINCIPLE OF DEVELOPMENT

- 6.2.1 Policies SP1 and SP2 of the LP seek to focus development in sustainable areas and development in rural settlements will need to take account of accessibility, facilities, services and environmental constraints.

#### Policy HOU5

- 6.2.2 Policy HOU5 allows for residential development in the countryside adjoining or close to the existing built up confines of a settlement, subject to a number of criteria being met. The Site immediately borders the settlement boundary of Bethersden (Figure 6.1 below) and this Policy is therefore applicable to the proposed development. Having regard to the criteria of Policy HOU5, the proposals are assessed against each of the criteria below.

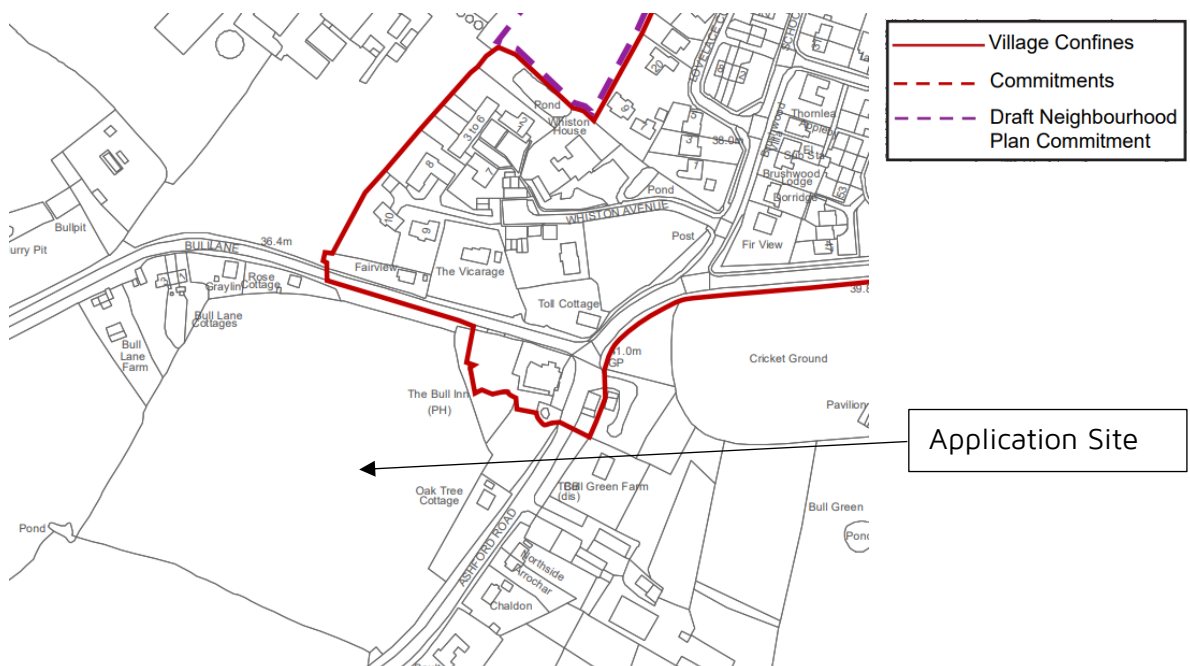


FIGURE 6.1: APPLICATION SITE IN RELATION TO SETTLEMENT CONFINES

**a) The scale of development proposed is proportionate to the size of the settlement and the level, type and quality of day to day service provision currently available and commensurate with the ability of those services to absorb the level of development in combination with any planned allocations in this Local Plan and committed development in liaison with service providers**

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- 6.2.3 The Site lies adjacent to the settlement boundary of Bethersden and would provide a logical extension to the village. Bethersden has been identified as a settlement capable of accommodating growth given its inclusion under Policy HOU5 and includes a number of services and facilities to support a development of this scale.
- 6.2.4 Policy HOU5 requires any development to be proportionate to the size of the settlement. There are currently c.650 homes in Bethersden. The proposals would increase this by 6.1%. A recent appeal decision in High Halden (ref. APP/E2205/W/22/3300798) further confirmed that when considering Sites under Policy HOU5 account needs to be taken of all committed developments in the settlement, and whether these combined with the proposed development would still present a proportionate increase to the size of the settlement. Bethersden has had 25 new homes granted consent under HOU5 and no allocated sites in the Local Plan. Combined with the proposed development this would lead to a total of 65 and is well within the parameters of being “proportionate” to the size of the settlement, and a 10% increase in homes in the village approved. This is not a substantial increase, and is a level of growth that the village is capable of accommodating.
- 6.2.5 The village provides a good range of services as acknowledged in the Local Plan evidence base (Settlements Matrix, August 2018) including providing for education, health care and day to day shopping facilities. The level of services available is therefore also considered proportional to the development, with the development contributing to the long term retention of local shopping/facilities.
- 6.2.6 The scale of the development is therefore proportionate to Bethersden and will meet an identified housing need in the village. The proposals therefore comply with criterion a) of Policy HOU5.

**b) The site is within easy walking distance of basic day to day services in the nearest settlement, and/or has access to sustainable methods of transport to access a range of services**

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- 6.2.7 Bethersden includes a number of services and facilities which are in walking distance of the application Site. This is supported by the Settlements Matrix (August 2018) which was prepared to support the Main Modifications of the now adopted Local Plan. The report characterised the settlement as having a “wide range of services in a large village with no national landscape constraints”. It was therefore considered suitable for inclusion under Policy HOU5.

- 6.2.8 However, as part of the pre-application advice ABC considered that this was not the case noting that:

*Therefore, in terms of proximity, while the site may lie close to the edge of the village, it would be at a distance of approximately 600-1000m from the nearest facilities and services, namely the butcher's shop, village hall, primary school, etc.*

*As stated above, there are no footpaths or streetlights along Bull Lane. It is noted that there is a very narrow footpath which starts from the junction formed by Bull Lane and the A28. However, given its narrowness and the fact that it is largely covered by vegetation, technically, while the site is within reach of Bethersden's facilities and services, there is a lack of demonstrated access via walking and cycling.*

- 6.2.9 A mapping exercise has therefore been undertaken of the facilities within Bethersden and their distance from the application Site. The full map can be found in Appendix 4, however the distances are summarised below.

**Facilities within a 5 minute walk time (400m):**

- Public House c.40m
- Farm Shop c.220m
- Bus Stops c.400m
- Cricket Club c.200m
- Primary school c.400m

**Facilities within a 10 minute walk time (800m):**

- Local Shop c.700m
- Public House c.700m
- Church c.650m
- Post Office c.750m
- Village Hall c.750m

- 6.2.10 As demonstrated by the above, the Site is within close proximity and of suitable walking distance of all the facilities within Bethersden village.
- 6.2.11 A mapping assessment has also been undertaken for another recent housing development in Bethersden which was approved under application 20/01146/AS pursuant to Policy HOU5 (and therefore deemed to meet criterion b). This can be found in Appendix 5. It demonstrates that this site was only within a 5 minute walk time (400m) of bus stops and the village hall. All other services and facilities in the village were within a 10 minute walk time (800m). In comparison, the application Site is far better located than the Site approved under application ref. 20/01146/AS, and therefore meets criterion b) of Policy HOU5 even under the Councils own application of the policy. The pre-application position is contradictory to the Councils position on sites it has approved.
- 6.2.12 With regards to pedestrian and cycle connectivity between the application Site and the main village, it is proposed to not only widen the existing footway along the A28/Bull Lane junction but extend the footway along Bull Lane, provide a

pedestrian crossing point to the Site access. This will offer a safe pedestrian access to the village facilities. Other than recreational routes, there are no established cycle paths within Bethersden, which is typical of rural environments and accordingly Cyclists would therefore need to cycle in the road.

- 6.2.13 The proposals therefore comply with criterion b) given the Site is within suitable walking distances of a number of services and facilities, and with the proposed upgrades footway and pedestrian crossing upgrades, the development will provide suitable pedestrian access to sustainably access these.

***c) The development is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network without adversely affecting the character of the surrounding area***

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- 6.2.14 As set out in the transport section and in the accompanying Transport Statement (TS), traffic movements from the development do not result in severe impacts on the highway network. The development can also be safely accessed via a new junction at Bull Lane to the north of the Site, without adversely affecting the character of the surrounding area.

- 6.2.15 The proposals therefore comply with criterion c) of Policy HOU5.

***d) The development is located where it is possible to maximise the use of public transport, cycling and walking to access services;***

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- 6.2.16 As demonstrated under the assessment of criterion b), Bethersden is home to a number of services and facilities, the majority of which lie within 400m of the Site and others within 800m. The proposals seek to enhance pedestrian connectivity between the Site and the village through the improvement and extension of the existing footway on the A28/Bull Lane junction and with a new pedestrian crossing point to the Site access. Bus stops are also within close proximity to the Site (c. 400m) and provide services to Ashford, Tenterden and Rolvenden, providing sustainable travel to these larger settlements and their facilities.

- 6.2.17 The proposals therefore meet the requirements of criterion d) of Policy HOU5.

***e) The development must conserve and enhance the natural environment and preserve or enhance any heritage assets in the locality***

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- 6.2.18 The scheme has been carefully designed to limit impact on the surrounding countryside and provide a sensitive transition to the settlement. The accompanying LVIA confirms that there would inevitably be change within the Site given the proposals seek to develop greenfield land, the proposal can be successfully accommodated within the surrounding area of Bethersden without undue harm to the landscape character and visual amenity. Furthermore the LVIA

demonstrates, alongside the illustrative material in the DAS, that the proposals would appear as a seamless addition that is in keeping with the character and grain of development in Bethersden.

6.2.19 The Site lies immediately adjacent to the Grade II Listed Bull Inn Public House, and so the scheme has been carefully considered to limit any impact on this heritage asset. There is a substantial buffer of both landscaping and open space to the eastern boundary of the Site which will separate the built form from the listed building and preserving its setting. The accompanying Heritage Assessment confirms that there would be no harm to this Listed Building or its setting, or other nearby Listed Building as a result of the development proposals.

6.2.20 The proposals therefore meet criterion e) of Policy HOU5.

**f) The development (and any associated infrastructure) is of a high quality design and meets the following requirements:**

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**i) it sits sympathetically within the wider landscape**

**ii) it preserves or enhances the setting of the nearest settlement**

**iii) it includes an appropriately sized and designed landscape buffer to the open countryside**

**iv) it is consistent with local character and built form, including scale, bulk and the materials used**

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6.2.21 The scheme has been carefully designed to respect the existing settlement pattern of Bethersden as well as the surrounding landscape character to provide a sympathetic extension to the village, positively contributing to its setting and character. The accompanying LVIA demonstrates that the scheme can be appropriately incorporated into the surrounding landscape without undue harm. A substantial buffer is further provided to the south of the Site, aiding with the transition between the Site and surrounding countryside.

6.2.22 Detailed designs of the dwellings and the materials to be used are reserved for future consideration, however the submitted DAS provides an indication of what the future elevational treatments and material palette could be, which takes reference from those found in the surrounding area. It is therefore demonstrated that the proposals can deliver a high quality development according with criterion f).

**v) it does not adversely impact on the neighbouring uses or a good standard of amenity for nearby residents**

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- 6.2.23 As identified on the submitted parameters, a substantial buffer is provided between the proposed developable area and neighbouring residents which would protect the amenity of neighbouring occupiers. Thus criterion v) is satisfied

**vi) it would conserve biodiversity interests on the site and / or adjoining area and not adversely affect the integrity of international and national protected sites in line with Policy ENV1.**

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- 6.2.24 The application is accompanied by a full suite of ecology surveys and an ecological assessment which secures suitable mitigation measures. A dedicated biodiversity net gain (BNG) area is also provided on Site which along with enhanced landscaping would achieve above the 10% BNG requirement, achieving a gain of 25.28% in habitat units and 27.16% in hedgerow units.
- 6.2.25 The proposals therefore comply with criterion f) of Policy HOU5.
- 6.2.26 As set out above, and within this statement, the proposals satisfy all criteria of Policy HOU5, reinforcing the assessment that the Site is sustainably located and suitable for residential development. The principle of residential development is therefore acceptable and accords with Policy.

**Five Year Housing Land Supply**

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- 6.2.27 The NPPF (para 74) requires that Local Planning Authorities (LPAs) identify and update annually a supply of specific deliverable sites, sufficient to provide minimum of five years' worth of housing land.
- 6.2.28 ABC is unable to demonstrate a five year supply of housing land, with the current estimate to be between 3.5 years and 4.54 years supply of housing land, (as confirmed in appeal ref. APP/E2205/W/22/3300798).
- 6.2.29 As such, the titled balance as set out in paragraph 11(d) of the NPPF is engaged. This states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

*d) 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 this Framework that protect areas or assets of particular importance provides a 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 policies in this Framework taken as a whole.*

6.2.30 Footnote 8 confirms that when considering if policies for determining the application are out-of-date, this includes, situations where the LPA cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, para 73). On this basis, the policies relevant to the supply of housing, and which seek to restrict development in the countryside are out of date. The application should therefore only be refused if any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

6.2.31 The application Site lies immediately adjacent to the settlement confines of Bethersden within walking distance of the number of services and facilities that the village has to offer. The Site further complies with the requirements of Policy HOU5 which allows windfall development in the countryside, as demonstrated above. The Site is also not impacted by any other designations which would otherwise disengage the presumption. Furthermore, the proposals will result in no harm to the significance of identified heritage assets.

#### ***Housing Need in Bethersden***

6.2.32 In addition to there being a borough-wide housing need, there is also a substantial need for new housing in Bethersden itself. A Local Housing Needs Assessment prepared by Marrons accompanies the application which concludes that there is an outstanding minimum requirement of between 189 and 206 homes in the village to 2031. There are no allocated Sites for development within the village, and work on the Bethersden Neighbourhood Plan, which had sought to allocate housing, ceased in 2020. There are therefore no immediate prospects of this need being addressed.

6.2.33 The proposals would provide an additional 40 homes to meet this need, accounting for c.20% of the village's projected housing need. This is a significant benefit. Including the provision of 40% affordable housing for which the report also identifies a significant need, with affordability issues providing a further barrier to housing for many people in Bethersden which the proposals would contribute to alleviating.

6.2.34 In addition to identifying a significant housing need in Bethersden, it identifies the need for different properties and the impact of the village's aging population on its social infrastructure. The illustrative proposals demonstrate that a mix of homes can be provided, including a high proportion of 2 and 3 beds, increasing access to more affordable homes and re-addressing the current imbalance where Bethersden has a high proportion of 4-bedroom properties.

6.2.35 The delivery of new homes which are the right size and type will help draw in a new demographic, more likely to contribute to maintaining local facilities, especially where the local child age population has stagnated.

- 6.2.36 The proposals will therefore significantly contribute to meeting identified housing need at the Borough and local level which will have wider social and economic benefits. As such, these are matters which should be weighed heavily in favour of the proposals.

### **Sustainability of the Site**

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- 6.2.37 The NPPF (para 8) provides the Government's overarching objectives for achieving 'sustainable development', which includes economic, social and environmental objectives. An assessment of how the proposals meet each of these criteria is provided below.

#### *Economic Objective*

- Additional jobs would be created throughout construction on Site, with increased investment in tradesmen and suppliers;
- The addition of housing will help support businesses in the local area.

#### *Social Objective*

- The provision of additional homes assists with maintaining the vitality of rural areas;
- The development includes a range of dwelling sizes providing opportunity and choice in the housing market to meet needs.

#### *Environmental Role*

- The Site, previously of agricultural use would not result in the loss of land which is of high ecological value and the development would provide a net gain in biodiversity of 25.28% in habitat units and 27.16% in hedgerow units;
- Development will deliver sustainable homes incorporating renewable energy technologies.

- 6.2.38 The proposals therefore accord with the principles of sustainable development.

## **6.3 HOUSING MIX AND AFFORDABLE HOUSING**

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- 6.3.1 The proposals provide for 16 (40%) affordable homes in line with policy HOU1 of the LP. In line with policy the affordable tenure split is also as follows:
- 10% Affordable/Social Rent

- 30% Affordable Home Ownership Products, including first homes.

6.3.2 The affordable homes, with a local needs connection criteria, will be secured by the S106.

6.3.3 Whilst a matter reserved for the RM stage, an indicative housing mix for the development is provided below:

| No. Bedroom | Indicative Numbers |
|-------------|--------------------|
| 1-bedroom   | 4                  |
| 2-bedroom   | 12                 |
| 3-bedroom   | 18                 |
| 4-bedroom   | 3                  |
| 5-bedroom   | 3                  |

6.3.4 In line with Policy HOU18, the scheme can provide a range and mix of dwelling types and sizes to meet local needs, as already set out and supported by the Marrons Housing Needs Assessment. The Parameter Plan also allows for some of these units to be bungalows and chalet bungalows following responses received during the public consultation, helping to meet a need in the local area for single storey accommodation.

6.3.5 In line with Policy HOU6 there is the potential for self/custom build housing should the Council require them.

6.3.6 Policy HOU6 requires 2 self/custom build homes. In pre-application discussions, Officers indicated this was not needed due to the lack of need. However, should they be considered necessary then these can be secured by planning condition.

6.3.7 Taking the above into account, the proposal delivers a suitable mix of market and affordable housing that responds to the Site, reflects the needs within the Borough and village, contributes to the creation of balanced and mixed communities, as well as responds to the character and setting of the Site.

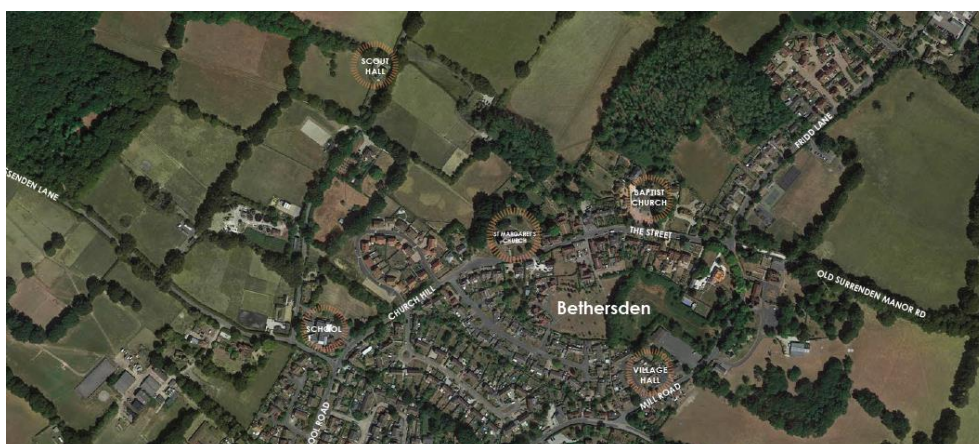
6.3.8 The development proposals therefore align with Policies HOU1, HOU6 and HOU18 of the LP.

## 6.4 LAYOUT, SCALE AND APPEARANCE

6.4.1 The Parameter Plan provides a framework for a future Site layout. Residential development will be located to the west of the main access road with large areas

of open space to the eastern and southern boundaries.. Substantial landscape buffers to each of the Site boundaries are also to be retained and enhanced. This aides with the transition to the adjacent countryside whilst also retaining separation between the existing and future properties.

- 6.4.2 The built form is to be set back from Bull Lane, with a landscape buffer provided to the Site frontage. This preserves an element of openness for those leaving or entering the village.
- 6.4.3 From a visual perspective, the DAS demonstrates that the parameters for the development have been determined by a landscape led approach to transition the development between the built form of Bethersden to the east and the countryside to the south and west.
- 6.4.4 The majority of the developable area on Site will be limited to 2-storeys in height, with an area of 1.5 and 1 storey development to the south-eastern corner to allow for bungalows in response to comments received from the public consultation.
- 6.4.5 The Illustrative Layout provides an indication of what future development on the Site may look like and demonstrates that 40 dwellings can be comfortably accommodated without appearing cramped or overdeveloped. Whilst the detailed layout is a matter for future consideration, as part of the pre-application advice, concern was raised that the layout was over-engineered, suburban and lacked street trees. The Illustrative Layout has been revised to address these concerns, providing a looser grain development, reducing the large areas of hardstanding and increasing the level of open space and landscaping on Site, demonstrating a sympathetic development can be secured.
- 6.4.6 As part of the pre-application advice ABC further considered that 40 dwellings was unacceptable, although the advice does not expand further on why. However as demonstrated on the illustrative layout, the proposals can accommodate a suitable mix of detached, semi-detached and terraced dwellings whilst still providing sufficient levels of open space and landscaping. The Figure Ground Plans within the accompanying DAS further demonstrate that the proposed density is of a similar grain to existing development in Bethersden and therefore in-keeping with the settlement pattern. The number of homes proposed is also assessed as acceptable from a landscape impact perspective (discussed further in section 6.8).
- 6.4.7 Accompanying the application is a Wider Illustrative Site Plan which provides an aerial view of the village, including the proposed development, demonstrating how the proposals would fit into the village from a wider context. An extract of this plan is provided below (figure 6.1). As shown, the settlement is somewhat linear in form, with spurs of development coming away from the centre, along Fridd Lane, Ashford Road and off of Church Hill. The addition of the development from Bull Lane fits well within the pattern of development in the settlement. It does not appear out of place and comprises a logical addition to the village.



- 6.4.8 Matters of appearance is reserved for the RM stage. However, it is anticipated that reference will be taken from the surrounding character of the village. Indicative materials at this stage include the use of black timber weatherboarding, clay hanging tile, clay roofing and red stock brick.
- 6.4.9 Development on the Site for 40 homes is therefore considered acceptable and capable of providing a sensitive addition to the village.
- 6.4.10 Taking into consideration the above, the proposals would present a sensitive addition to Bethersden. The outline proposals accord with LP Policies SP1 and SP6 and NPPF para 135 through securing a development that will positively contribute to the local context, in keeping with the local area and delivering an attractive distinctive place to live.

## 6.5 HIGHWAYS, ACCESS AND PARKING

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- 6.5.1 This application is supported by a Transport Statement (TS) prepared by DHA Transport. The TS notes that the Site has good access to the local highway network and is within reasonable walking distance of everyday services and transport options.
- 6.5.2 Vehicular access to the Site is sought in full as part of the application, and is proposed via a new priority junction from Bull Lane. Suitable visibility splays are available along Bull Lane.
- 6.5.3 The TS demonstrates that the development is estimated to generate 19 movements across the AM peak hour, 20 movements across PM weekday peak hour and 178 two-way vehicle trips across the 12-hour working day. It is

anticipated that these vehicle trips will readily dissipate into the wider highway network and they would not give rise to 'severe' residual transport impacts (NPPF para 115). There would therefore be no significant impacts on highway capacity or amenity as a result of traffic movements from the development.

- 6.5.4 Although parking is not a consideration at this stage, the Illustrative Layout has been designed to accommodate parking in line with ABC's parking standards set out in Policy TRA3(a). Where tandem parking is indicated additional visitor parking has been incorporated into the design in accordance with Policy.
- 6.5.5 As part of the pre-application advice concern was raised regarding the lack of pedestrian connectivity between the Site and the village centre. There are no footways available along Bull Lane and the existing footway along the A28/Bull Lane junction is very narrow. The proposals therefore seek to widen this existing footway and extend it along the northern side of Bull Lane to the development Site. A pedestrian crossing is further proposed along Bull Lane for use of future residents to link with the new footway and access the village. This further provides a betterment to existing residents along Bull Lane who currently do not have pedestrian access to the village. It also improves accessibility to the Bull Inn.
- 6.5.6 Pre-application comments also referred to the lack of street lighting as an accessibility concern. Street lighting however isn't common in villages such as Bethersden, with little to no street lighting in the surrounding area. It is therefore not considered suitable or compatible to have street lighting in this location.
- 6.5.7 As part of the proposals, mitigation works are also proposed along the A28, Ashford Road following comments received by residents regarding vehicle speeds. The existing 'Slow' markings will be relocated 15m to the south of their existing location, with 30mph repeater signs, red surfacing and roundels provided in their place. Further to the south, the existing 30mph repeater signs will be reinforced with red surfacing and roundels. The northern radius of the A28 / Bull Lane junction will further be amended to 10m as part of the off-site highway works.
- 6.5.8 The proposals should therefore not have any material adverse transport impacts and there should be no sound transport-based objection to the planning application have regard to policies TRA3a, TRA5 and TRA8 of the LP and the NPPF.

## 6.6 LANDSCAPE AND VISUAL IMPACT

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- 6.6.1 A Landscape and Visual Impact Assessment (LVIA) prepared by Lloyd Bore accompanies this application. The report acknowledges that the scheme would significantly alter the physical appearance of the Site by virtue of its change in use from farmland to residential. However, given the Site's location at the existing settlement edge, it is found that the development will have little to no effect on overall landscape character beyond the Site boundary at the local scale.

- 6.6.2 It is acknowledged that the Site lies within a designated Landscape Character Area (LCA). The LVIA finds that the Site does not individually make a significant or unique contribution to the LCA nor would the development fundamentally alter the character of the remaining LCA.
- 6.6.3 The LVIA concludes that whilst the proposals have the potential to cause some short term adverse impacts from a limited number of locations, mainly from the residential properties that abut the Site, this will likely be as a reaction to the physical change in the view, rather than lowering the condition or value of their views and in the long term people will become used to these altered views. The scheme is further found to have a neutral impact on views experienced by the general public at large.
- 6.6.4 It is acknowledged that Officers raised concerns with the potential landscape impact of the development at the pre-application stage. However, as demonstrated above and in more detail in the LVIA, the proposed development would have no impact on landscape character in terms of typography, land use, settlement extents and urban grain with the potential at worst to cause neutral impacts on the landscape character.
- 6.6.5 The proposals therefore comply with Policy ENV3a of the LP and NPPF.

## **6.7 FLOOD RISK AND DRAINAGE**

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- 6.7.1 A Flood Risk Assessment and Drainage Strategy prepared by DHA accompanies the application.
- 6.7.2 The report confirms the majority of the Site lies within Flood Zone 1 and is therefore at low risk of flooding. Whilst some areas to the south of the Site lie in Flood Zones 2 and 3, development is not proposed in these locations. The proposed development is further found to not result in any increase in flooding in the surrounding area whilst also taking into account the impacts of climate change.
- 6.7.3 Surface water drainage is proposed to be dealt with via Sustainable Urban Drainage (SuDS). The Site will drain via a network into a new attenuation basin to the south of the Site where it will then drain into the existing watercourse to the Site's southern boundary. Overall, it is demonstrated that once accounting for climate change, the proposals will not increase the rise of flood on or off the Site.
- 6.7.4 In terms of foul drainage, it is proposed that this will be collected in a system of gravity sewers which will then discharge into the existing foul sewer located in Ashford Road.
- 6.7.5 The development proposals are assessed to accord with the NPPF in terms of flood risk and drainage, LP Policies ENV6 and ENV9 and the Public Green Spaces and Water Environment SPD.

## 6.8 ECOLOGY AND BIODIVERSITY NET GAIN

- 6.8.1 A Preliminary Ecology Appraisal accompanies the application prepared by PJC. The assessment found that the development would not impact habitats of ecological importance, however further reptile surveys are required. The results from the survey are summarised below:
- **Bats** – Multiple trees on Site were identified as having potential to support roosting bats. A no construction buffer zone and strict pollution prevention protocol should be adhered too during all phases of the development. The Site was identified as having moderate suitability to support commuting and foraging bats. A sensitive lighting strategy and best environmental practice should be adopted during the construction and operational phases of development.
  - **Badgers** – the Site has some suitable foraging and commuting opportunities for badgers. A pre-works survey should be undertaken before construction begins;
  - **Dormice** – The Site was identified as providing some suitable foraging, commuting, nest building and hibernating opportunities for dormice. The proposals do not impact upon the dormice habitat and so no further surveys are required;
  - **Great Crested Newts** – The Site has potential to support GCN. A District Level Licence will be applied for.
  - **Nesting Birds** – The Site has potential to support nesting birds. Habitat clearance works should therefore be carried out outside the main nesting season. If this is not possible, an inspection is required by an ecologist immediately prior to clearance works being undertaken.
- 6.8.2 The above measures can be secured by planning condition with the exception of the reptile surveys which will be completed shortly and the accompanying report updated to secure required mitigation if necessary.
- 6.8.3 The report also recommends a number of ecological enhancements including the planting of native species rich hedgerows and the creation of species-rich meadow grassland both of which have been incorporated into the final landscape design. Additional enhancement measures include installing bat bricks or bat tubes and bee bricks into new buildings, bat boxes on suitable trees, installation of bird boxes and the inclusion of hedgehog highways, which can be secured by planning condition.
- 6.8.4 A Biodiversity Net Gain Assessment accompanies the application confirming the proposed development would provide a Net Gain of 25.28% in habitat units and a percentage change of 27.16% in hedgerow units, far in excess of the 10% net gain required by the Environment Act 2021. In accordance with the requirements

of Biodiversity Net Gain, a 30-year management plan will be put in place, which can be secured by way of suitably worded condition.

- 6.8.5 The submitted development proposals accord with LP Policy ENV1 and the provisions in the NPPF (paras 186) where it will not result in harm to biodiversity and the development proposals will secure enhancement measures.

## 6.9 LANDSCAPING AND OPEN SPACE

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- 6.9.1 The indicative landscape strategy has been informed following a thorough review of the landscape context of the Site and surrounding area. The landscape proposals have sought to building on this, creating an attractive landscape framework for development, with the retention and enhancement of the existing landscape features to the Site boundaries and the provision of well-designed areas of open space which would sensitively incorporate drainage and ecology requirements.
- 6.9.2 Whilst indicative at this stage, the layout has been designed to provide a large area of open space to the entirety of the eastern part of the Site and the total open space provision on Site is c. 0.246ha, this is in excess of the requirements as set out in the Public Green Spaces and Water Environment SPD which requires 0.192ha of informal natural greenspace. This comprises an area of amenity grassland incorporating a play area (c. 0.048ha in line with policy), and a substantial landscape buffer comprising a mix of native planting, new tree planting and wildflower meadow grassland. This provides a soft edge to the development and provides a substantial buffer between the proposed built form and the Grade II listed Bull Inn.
- 6.9.3 Substantial landscape buffers are further proposed to each of the Site boundaries which are likely to comprise a mix of shrub and native planting. The buffer to the southern and western boundaries assists with the transition to the countryside beyond, and the landscape buffer to the north provides separation between the proposals and existing properties in the interests of residential amenity. Proposed landscaping along Bull Lane at the Site entrance softens the frontage of the development, providing a sensitive transition as one enters or exits the village.
- 6.9.4 The far southern part of the Site is to remain undeveloped, as an ecological enhancement and BNG area and provides the attenuation pond for the development. The area would retain and enhance the existing habitats in this location comprising semi-natural open space including tree and shrub planting, scrub and wildflower grassland. As well as ecological enhancement, this area aides with sensitive transition of the Site towards the open countryside and avoiding a hard edge to the village. This area will be inaccessible to the public.
- 6.9.5 The development provides a comprehensive landscaping scheme incorporating enhanced native planting and open space. The proposals therefore comply with LP Policies SP6 and ENV3a and the NPPF.

## 6.10 TREES

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- 6.10.1 An Arboricultural Impact Assessment accompanies this application and identifies that part of a low-quality category c hedgerow will need to be removed to facilitate the development. Being low quality the removal of the hedgerow would not result in a change to the character to the local landscape. All individual trees will be retained.
- 6.10.2 The proposals will therefore not have an unacceptable impact on trees, and where a small part of a hedgerow requires removal, this will be more than mitigate for through substantial new planting across the Site, and through future management will secure their long-term protection and management in line with NPPF para 136. The proposals further provide opportunities for substantial tree planting across the Site.

## 6.11 ARCHAEOLOGY

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- 6.11.1 An Archaeological Desk Based Assessment prepared by RPS accompanies this application. The report identifies that the Site is located within two areas of Archaeological Notification however there has been an almost total lack of archaeological evidence from the 1.5km study area and as such the Site is likely to have a general low archaeological potential for all periods of human activity.
- 6.11.2 The proposed development, therefore, can be considered unlikely to have a significant, negative impact or cause significant harm on any potential, underlying archaeological assets.
- 6.11.3 However given the Site's location in an Archaeological Notification area it is considered that a programme of archaeological work will be required but that this can be secured by way of suitably worded condition.
- 6.11.4 The proposals are therefore found to comply with Policy ENV13 of the LP.

## 6.12 HERITAGE

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- 6.12.1 The Site lies within 100m of four Grade II listed buildings; The Bull Inn, the Stables of the Bull Inn, Bridge Farmhouse and Weatherboarded Barn to the south-west of Bridge Farmhouse. This application is therefore accompanied by a Built Heritage Assessment prepared by RPS.
- 6.12.2 In terms of the Bull Inn and the Stables of the Bull Inn, the Assessment finds that the Site forms part of the setting of these heritage assets, although intervisibility between them is limited. The application Site did historically form part of the Bull Inn landholding, however given the change in use of the building, from agricultural to pub, along with the changes to its immediate setting and tree planting, now mean that this historic relationship is no longer appreciable and so the contribution

of the site to the significance of this asset can be considered as low. The same conclusion is found for the stables, where the Site is found to make limited contribution to the significance of this asset. As such, the report concludes that there is no harm to these two heritage assets as a result of the proposals.

- 6.12.3 In regard to Bridge Farmhouse and Weatherboarded Barn the Assessment finds that the significance of both buildings are drawn primarily by their architectural and historic interest. The application Site forms parts of the setting of these built heritage assets, although intervisibility between them is reduced by the presence of a thick tree line that borders the site along its southern border. There is no direct view from the listed buildings into the application Site and so it therefore makes a limited contribution to the significance of these assets as this forms part of their general rural surrounds.
- 6.12.4 The proposals incorporate design measures including enhanced planting, careful positioning of the open space and proposed building heights to ensure that the sense of rurality on this approach is retained and strengthened, further filtering or restricting views of the development. There will be no impact or change to the setting of these listed buildings.
- 6.12.5 The proposals are therefore found to comply with Section 16 of the NPPF and Policy ENV13 of the LP.

## 6.13 SUSTAINABLE CONSTRUCTION

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- 6.13.1 The proposed homes would be constructed to be resilient to the impact of climate change. The development would be all electric which will help achieve a carbon reduction of c. 50% above the current building regulations.
- 6.13.2 This will be achieved by a fabric first approach which involves maximising the performance of the building components and materials, alleviating the need for mechanical or electrical building services systems. This improves energy efficiency and reduces carbon emissions at source. Such design components with the fabric first approach are as follows:
- Maximising airtightness
  - Maximising thermal mass
  - Using increased levels of insulation
  - Optimising natural ventilation.
- 6.13.3 In addition, all homes will also be provided with air source heat pumps and parking spaces fitted with rapid electric vehicle charging points.

- 6.13.4 The Council's Climate Change Guidance for Development Management Document expects development to provide solar technology, electric vehicle charging points and rainwater harvesting facilities. The proposals will provide both EV charging points in accordance with building regulations and water butts for each property. The location of each of these will be determined as part of future reserved matters applications.
- 6.13.5 The proposals however do not include the provision of solar panels as required, because solar panels aren't normally as efficient in smaller units as a fabric first approach and air source heat pumps. The guidance requires solar panels because "*the Council's objective is to significantly increase the amount of energy generated from renewable and low carbon technologies*". The proposals will still meet this requirement, albeit through the use of a different form of renewable energy.
- 6.13.6 The guidance confirms that other technologies may be suitable. Therefore, the proposed use of air source heat pumps, and a fabric first design which achieves a carbon reduction of c.50% above current Building Regulations, is considered suitable and in accordance with the objectives Climate Change Guidance.
- 6.13.7 These measures result in a development which goes above the current building regulations, helping to mitigate the impacts of climate change. The proposals therefore satisfy section 14 of the NPPF and the Council's Climate Change Guidance for Development Management Document.

#### 6.14 AGRICULTURAL LAND CLASSIFICATION

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- 6.14.1 An Agricultural Land Classification (ALC) Survey accompanies the application which confirms the site comprises moderate Grade 3b agricultural land, and is therefore not best and most versatile.
- 6.14.2 The loss of this Grade 3b agricultural land is therefore considered acceptable in the context of the NPPF (paras 190 and 181).

#### 6.15 IMPACT ON LOCAL INFRASTRUCTURE

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- 6.15.1 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 ABC during the determination of the application and appropriate contributions will be secured in accordance with Regulation 122 of the CIL Regulations. Any contributions will need to satisfy the CIL Regulations and will mitigate the impacts of development, in accordance with the NPPF (para 57).
- Primary school provision
  - Secondary school provision

- Community Learning
- Youth Services
- Library Services
- Social Services
- Waste
- 40% affordable housing provision

## 7 SUMMARY AND CONCLUSION

### 7.1 SUMMARY

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- 7.1.1 An Outline planning application has been submitted to Ashford Borough Council, for the development of Land Adjacent to the Bull Inn, Bethersden, for residential development, by Esquire Developments.
- 7.1.2 Outline planning permission is sought for:
- Outline planning permission (with all matters reserved except access) for the erection of up to 40 dwellings including access from Bull Lane, parking, landscaping, open space and associated infrastructure and earthworks.*
- 7.1.3 Ashford Borough Council cannot demonstrate a five year housing land supply, with its current figure being somewhere between 3.5 – 4.54 years. As such, the tilted balance (NPPF, para 11d) is engaged and the development should only be refused if any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 7.1.4 Overall, the supporting assessment demonstrates that the proposals are acceptable, delivering a quantum of high quality development that is entirely suitable for the Site and is in keeping with the local area.
- 7.1.5 Accompanied by a suite of technical assessments, it is demonstrated that the proposals are acceptable in all other regards and will deliver sustainable development.
- 7.1.6 The scheme would deliver up to 40 dwellings, of which 12 would be affordable, within an area where there is an identified housing need on both a Borough and Local level, with an outstanding minimum requirement of between 189 and 206 homes in Bethersden to 2031. The proposed development would make a substantial contribution to the need.

### 7.2 CONCLUSION

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- 7.2.1 As demonstrated in this Statement, the proposals deliver a high quality and sustainable development that accords with adopted planning policy and thus planning consent should be approved without delay in accordance with the NPPF (para 11d).

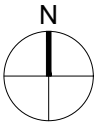
# APPENDIX

1





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Project Title  
**Proposed Residential Development  
Land Adjacent to Bull Inn Bethersden  
Esquire Developments**

Drawing Title  
**Site Location Plan**

| Scale          |  | Date         | Drawn | Checked |
|----------------|--|--------------|-------|---------|
| 1:1250@A3      |  | January 2024 | PTW   | DK      |
| Drawing Status |  |              |       |         |

| Project No. | Drawing No. | Status | Revision |
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| 23.073      | 0001        |        | P1       |

# APPENDIX

2





## THE ROLE OF SMEs

- 1.1 This statement set out the importance currently being placed by Central Government on the role of Small to Medium Enterprises (SMEs) in the housebuilding Industry and demonstrates the vital role SME Housebuilders will play in complementing volume housebuilders to deliver the Council's housing requirements and in turn the national housing target.

### **A. The Government's Position on SME'S**

#### **i) Building More Homes – July 2016**

- 1.2 The Government has made it clear that it is committed to increase housebuilding to deliver 300,000 homes per year by the mid 2020's. The target figure of 300,000 homes per year comes from a recommendation in the House of Lords Economic Affairs Committee report, 'Building More Homes', published in July 2016<sup>1</sup>. The figure takes into account estimated population change but also to address the backlog created by the failure to build enough homes over many years. All the main political parties have accepted the 300,000 dwelling per annum figure.
- 1.3 Statistics monitoring completions across the UK (gov.uk) confirm Housebuilding has not achieved this level of growth since 1977-78 (314,090 dwellings – Live\_Table 109) and in 2017-18<sup>2</sup> only 222,194 dwellings (Live\_Table 122) were completed. Whilst this is an increase since 2012-13 (124,722 completed dwellings), this is still well short of the 300,000 dwelling target.

#### **ii) Home Builders Federation – January 2017**

- 1.4 In January 2017, the Home Builders Federation prepared a research paper titled 'Reversing the decline of small housebuilders: Reinvigorating entrepreneurialism and building more homes'<sup>3</sup>. This document highlighted a number of facts, inter alia:
- In 1988, small builders were responsible for 4 in 10 new build homes (40%). Today it is just 12%.
  - In 1988, 12,000 SMEs were building houses. In 2017, this figure was only 2,500 SMEs.

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<sup>1</sup> <https://publications.parliament.uk/pa/ld201617/ldselect/ldeconaf/20/20.pdf>

<sup>2</sup> 2018-19 data is not yet complete.

<sup>3</sup> [https://www.hbf.co.uk/documents/6879/HBF\\_SME\\_Report\\_2017\\_Web.pdf](https://www.hbf.co.uk/documents/6879/HBF_SME_Report_2017_Web.pdf)



- The average permissioned housing scheme has increase in size by 17% since 2007, suggesting many allocated sites are out of reach for smaller companies.
- Small sites are consistently efficient in their delivery.
- Delay and risk during the planning stage has influenced lender attitudes to housebuilding meaning terms SMEs borrow on are restricting growth opportunities.
- In 2007-2009, 33% of small companies ceased building homes.
- Returning to 2007 home builder levels could see housing supply boosted by 25,000 dwellings per year.

1.5 The HBF report attributes the reasons for the decline in SMEs has been for two principal reasons:

1. A long-term trend following landmark planning legislation in 1990 which tipped the balance of control significantly further away from entrepreneurial home builders to LPAs; and,
2. The above long-term trend compounded by the Global Financial crisis in the late 2000s when the availability of development finance became a concern.

1.6 The report continues that *'the above effects are further compounded by the availability of suitable housing sites and the constant struggle of securing an implementable planning consent through the planning process beset by delays and bureaucracy. These delays and associated costs have tangible impacts on SMEs and their ability to grow. Whilst larger companies can mitigate risk across a number of sites, small firms encountering delays on one or two sites will be the difference between a year of growth and a year of contraction'*.

### iii) White Paper – February 2017

1.7 The release of the Government's White Paper in February 2017 titled 'Fixing our Broken Housing Market'<sup>4</sup> only reinforced the concerns about the lack of SMEs building Houses. The Report identified 3 main problems and described the housing market as 'broken', blaming the supply shortage, *"for too long, we haven't built enough homes"*. The three problems were identified as:

1. Not enough local authorities planning for the homes they need;
2. House building is simply too slow; and,

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/590464/Fixing\\_our\\_broken\\_housing\\_market\\_-\\_print\\_ready\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/590464/Fixing_our_broken_housing_market_-_print_ready_version.pdf)



3. The construction industry is too reliant on a small number of big players. (our emphasis)

- 1.8 The white paper outlined the Government's plans to change ('fix') the market. It called for *'a new approach to house building that included: building homes based on need; building homes faster; diversifying the house building market; and by making it more affordable for people to buy homes.'* (our emphasis)
- 1.9 The White Paper was clear that the Government intends to open the housing market to smaller builders and those who embrace innovative and efficient methods.

**iv) House of Lords Debate – January 2018**

- 1.10 On 11 January 2018, the House of Lords debated 'Housebuilding in the UK'<sup>5</sup> and noted the performance of the UK's major house builders. The debate acknowledged the 2017 HBF report and focussed on the HBF suggestion that part of the practice of local authorities focusing on larger sites with a very high number of units may be counterproductive. The debate acknowledged *'that while it may be efficient in strong market areas, it is inefficient in weaker market areas. While the NPPF has been lauded for increasing the number of planning consents, it is argued that the number of sites permissioned, in areas of need, remains short of where it needs to be.'*

**v) Revised NPPF – July 2018**

- 1.11 The manifestation of the above discussions set about the introduction of a new approach within the revised NPPF 2018<sup>6</sup>, which sought to encourage the use of smaller sites and the requirement that 10% of the housing requirement on sites no larger than 1ha should be identified. The 10% target and 1ha was amended from the consultation version suggestion 10% of 'allocations' and only 0.5ha sites. The increase acknowledged the greater variety of sites SMEs are attracted to.

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<sup>5</sup> <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/LLN-2018-0001#fullreport>

<sup>6</sup>

<https://webarchive.nationalarchives.gov.uk/20181206183454/https://www.gov.uk/government/publications/national-planning-policy-framework--2>



vi) **Letwin Independent Review of Housing Build Out Rates – October 2018**

- 1.12 In October 2018, Sir Oliver Letwin issued his final ‘Independent Review of Build Out’<sup>7</sup> report and recommendations on how to close the significant gap between the number of housing completions and the amount of land allocated or permissioned on large sites in areas of high housing demand.
- 1.13 Whilst the main body of the report focussed on the perceived issue of land banking, Sir Oliver Letwin identified that the *‘build out rate’ on small sites is intrinsically likely to be quicker than on large sites; (to take the limiting case, a site with just one house will take only as long as required to build one unit).’*

vii) **Homes England Strategic Plan 2018-2023 – October 2018**

- 1.14 In October 2018, Homes England released its 5-yr ‘Strategic Plan 2018-2023’<sup>8</sup> plan to detail how it will improve housing affordability, helping more people access better homes in areas where they are needed most. The plan outlines their ambitious new mission and the steps that they will take, in partnership with all parts of the housing industry sector, to respond to the long-term housing challenges facing the country.
- 1.15 The Strategic Plan goes to some lengths identifying the decline in SME housebuilders and the result being the house building market is increasingly made up of a small number of house builders, meaning there is insufficient diversity, competition and capacity. The report continues:

***There are a number of barriers preventing smaller builders from delivering a greater number of homes including: a lack of development finance; a land market weighted in favour of larger builders; and a complex planning system.***

***This is why we’ll create a more resilient and competitive market by supporting smaller builders and new entrants. In addition, Homes England***

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/752124/Letwin\\_review\\_web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752124/Letwin_review_web_version.pdf)

<sup>8</sup> <https://www.gov.uk/government/publications/homes-england-strategic-plan-201819-to-202223>

***will work with house builders to promote better design and higher quality homes.***

- 1.16 Driving Market Resilience has therefore been identified as a key priority for homes England. This includes access to finance but crucially where HE own sites which are too large to be developed by smaller builders, they will look for opportunities to create smaller parcels which better suit their capacity. They will achieve this improving opportunities for smaller builders to access land, and introduce simpler tender and legal documents on smaller sites to make the bidding process easier.
- 1.17 Furthermore, the strategic report looks beyond the immediate 5-yr plan and identifies a longer term priority to explore opportunities for, inter alia, removing the planning burdens faced by smaller builders on more complex sites.

**viii) House of Commons Briefing Paper – December 2018**

- 1.18 On 12 December 2018, a House of Commons Briefing Paper titled *‘Tackling the Under-Supply of Housing in England’*<sup>9</sup> was released. The report addressed all facets of factors influencing the delivery of new homes and addressed in detail ‘Support for SME Developers’.
- 1.19 The Briefing paper recognised the barriers to delivery and the impact that competition for land has on SMEs. The report states that *‘While there is sufficient land to build on, land is scarce in economic terms as its supply is inherently limited and fixed. This leads, it is argued, to developers having to undergo ‘fierce’ competition for land “while remaining uncertain as to what planning permission they will be able to secure.” The price of land is certainly viewed as a barrier to housebuilding. The gain in value that planning permission offers is said to encourage strategic land trading, rather than development, resulting in the most profitable beneficiaries of residential development being the landowner, not the developer. High land prices can, in turn, force down the quality and size of new homes and present difficulties for small and medium sized enterprises (SMEs) when seeking to compete for sites to develop.’* (our emphasis)
- 1.20 The Briefing Paper further acknowledged the over reliance on a small number of developers and considered that *‘This concentration of market power is felt to inhibit competition and can exacerbate the impact of market shocks when all the large firms simultaneously reduce output’.*

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<sup>9</sup> <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7671#fullreport>



- 1.21 The briefing paper recognised that housebuilding requires considerable up-front investment, meaning that *‘in most cases, new housing developers need access to finance. For the housebuilding industry, a particular concern is access to finance for SME developers. The Aldermore Group, a bank specialising in finance to small businesses, have stated: ...smaller developers continue to struggle with access to finance, with a recent industry survey showing that more than 50,000 construction and real estate firms have begun the year in ‘significant’ financial distress...unless more is done by lenders to increase funding to smaller regional developers, the potential for the industry to reach... [the Government’s house building target]...will be less likely.’*
- 1.22 Problems accessing finance can have an impact on house builders’ ability to produce high quality housing, as well as on the overall capacity of the house building industry. As far back as the Budget 2014 a commitment was made to support SME access to finance with the government creating a £500 million Builders Finance Fund to provide loans to developers to unlock 15,000 housing units stalled due to difficulty in accessing finance. In July 2015, the then Housing Minister announced that the Fund would be extended. The Spending Review and Autumn Statement 2015 further extended the £1 billion Fund to 2020/22. In October 2016 the launch of a £3 billion Home Building Fund under which builders, including SME builders, can obtain loan finance to assist with development costs and infrastructure work was established.
- 1.23 The Autumn Budget 2017 announced a further £1.5 billion for this Fund “providing loans specifically targeted at supporting SMEs who cannot access the finance they need to build. The 2017 Budget also said: “The government will explore options with industry to create £8 billion worth of new guarantees to support housebuilding, including SMEs and purpose built rented housing.
- 1.24 The briefing continues that SME developers are less able to withstand market shocks. This is illustrated by the fact that their share of total housing starts declined after each of the last two house price crashes (as quantified in the 2017 HBF report). A factor that would reduce risk and improve confidence in the development process is house price stability.



**ix) Revised NPPF - February 2019**

1.25 In February 2019, the latest version of the NPPF<sup>10</sup> was released. This continues the March 2018 version in respect of the desire to encourage smaller sites to come forward in the planned system. Paragraph 68 of the NPPF 2019 states:

68. Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:
- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;
  - b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;
  - c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and
  - d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.

1.26 The NPPF makes it clear that that small and medium sized sites can make an important contribution to meeting housing requirements in an area. To this end and to encourage small and medium sites, para 68 (a) seeks that 10% of small sites no larger than 1ha should be identified.

1.27 WDC needs to respond to this guidance in a proactive way. As detailed above, due to the competition for SMEs to enter the market it is likely that sites being promoted by SMEs will fall into Rural Service Centres or smaller villages away from the main urban areas or areas perceived as having the greatest accessibility. In this respect, paragraphs 77 and 78 (Rural Housing) of the NPPF complement paragraph 68 insofar that they recognise that planning policies need to be responsive to local circumstances and support housing development that reflects local needs. Para 77 continues that to support opportunities for affordable housing,

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<sup>10</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/810197/NPPF\\_Feb\\_2019\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf)



some market housing should be considered to facilitate this. Para 78 further supports that housing should be located where it will enhance or maintain the vitality of rural communities. Policies should identify opportunities for villages to grow and thrive.

- 1.28 Small and Medium sized sites can make a valuable contribution to these locations principally because the approach of SMEs is more flexible than a volume housebuilder and therefore can at a scale and quality that reflect the characteristics of village locations.

**x) Speech by Minister of State for Housing, Esther McVey – September 2019**

- 1.29 Most recently, in September 2019, the Minister of State for Housing, Esther McVey gave a speech<sup>11</sup> at the convention for the residential property sector. Alongside reaffirming the commitment to 300,000 homes per annum, reference was made to improving the quality of housing and posed the following point *'and what about the jobs and the careers to build all these homes, we need to think about that. We need to be opening up this house building to SME's, bringing them onboard, bringing it to communities, bringing it to the self-build and bringing in modern methods of construction.'*

**xi) Statement of Minister of State for Levelling Up, Housing and Communities – July 2023**

- 1.30 In July 2024, the SoS spoke to the long-term plan for housing. Within this statement, the SoS committed to a new era of regeneration, inner-city densification and housing delivery across England, with transformational plans to supply beautiful, safe decent homes in places with high-growth potential in partnership with local authorities.
- 1.31 In addition to targeted action in a few high-potential areas, the government's plan delivers a package of reforms to unleash building on underused sites in high-demand regions. As part of the package of reforms, the SoS states that development should proceed on sites that are adopted in a Local Plan with full input from the local community, unless there are strong reasons why it cannot. Local Councils should be pragmatic in agreeing changed to developments where conditions mean that the original plan may no longer be viable, rather than losing the development wholesale or seeing development mothballed.

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<sup>11</sup> <https://www.gov.uk/government/speeches/resi-convention-2019>



- 1.32 Furthermore, the SoS encouraged the better use of small pockets of brownfield land by being more permission, so more homes can be built more quickly, where and how it makes sense, giving more confidence and certainty to SME builders.

**xii) Revised NPPF – December 2024**

- 1.33 In December 2023, the NPPF was further revised<sup>12</sup>. This continued the previous iterations of the NPPF in respect of the vision to encourage smaller sites to come forward through the plan-making system. The updated para 70 continues to make clear that small and medium sized sites can make an important contribution to meeting housing needs in an area. Para 70 goes on to seek that 10% of small sites are no larger than 1ha should be identified. The revised NPPF adds another requirement for:

**“e) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.”**

- 1.34 It is recognised that the delivery of smaller sites can address the immediate housing crisis in the short term. It is understood that smaller sites can come forward quickly, developed by local SMEs with a vested interest in delivering the site within a short timeframe. The larger strategic sites take significant time to be promoted through the Plan-making stage, as well as through the application stage, ensuring the infrastructure requirements to support large scale developments are fully considered before development can commence.

**B. Pace of Delivery of an SME**

- 1.35 SME’s help diversify the market and deliver choice and quality, but they can also deliver at a quicker pace than larger sites. This means that by supporting SME’s into the housing market, LPAs can strengthen its Housing Delivery and ensure a steady supply of deliverable sites.
- 1.36 Typically, Esquire Developments aim to take no more than 6 months from receipt of detailed consent to start on site.
- 1.37 The SME business model is usually set up differently to volume housebuilders. SME’s are more flexible in matters such as design and landowner negotiations. In addition, SME’s also

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<sup>12</sup> [https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf)



try to limit their financial risk/exposure. As a result, there are a number of factors that that affect an SME's approach to delivering a site. This includes:

1. Cash Flow

- SMEs tend not to land bank as a return on their financial exposure/risk is critical to maintaining a profitable business. In this respect Cash Flow is critical and due to the time lag involved in the return of funds from a development (i.e. once homes begin to be sold), it is essential SMEs seek to reduce the time taken from the point of receiving a planning permission to the point of the sale of a house. This means once an implementable planning consent is secured, SMEs commence as quickly as possible to start on site. Larger PLCs can better carry this risk through multiple sites and numerous pipeline of completions - whereas SME's will have fewer outlets and therefore less regular returns in this respect.

2. Infrastructure Requirements

- Infrastructure requirements on small to medium sized sites are less onerous. This means discussions/contracts with utility providers are less complicated and time taken to implement the required infrastructure is less allowing this element of the build to be quicker.

3. Land Negotiations

- Often small and medium sized sites have fewer legal complications. This includes fewer land registry titles and fewer landowners and as a result fewer negotiations/legal complications that larger sites or larger PLC companies require. This often makes the 'land deal' more straightforward and thus quicker.

4. Flexibility in Product and Process

- Due to an SME's flexible approach to design quality and that standard house types tend not to be adopted, SME's have the ability to be more flexible when it comes to product choices. This not only allows the SME to offer a variety of product or specifically address local characteristics/design requirements, but it also means the SME can respond quickly to any delays or changes to the supply. This is mainly due to the decision makers being involved in the process and being 'hands-on'. As a result, there is a less hierarchal structure and decisions can be made quickly and efficiently – again reducing time.

5. Working relationships

- SMEs tend to work with a close number of trusted consultants and suppliers who also tend to be SMEs. This not only ensures quality of service and product but allows for open communication when it comes to availability of supplies and delivery of products. This means any potential delays are anticipated and the ability to successfully work through solutions. In addition, the sale of the dwellings tends to be on a more bespoke basis meaning the dialogue and communication between SME and Buyer is also on an open and communicative basis.

#### 6. Sales Rates

- Once construction has commenced, completion rates, which follows sales rates matches the market demand and therefore an SME can build out at the same pace as larger volume housebuilders who adopt the same approach.

1.38 Whilst there is little literature addressing the delivery of small sites, there is a significant amount relating to the delivery of large-scale sites. Nathaniel Litchfield & Partners (NLP) produced a research paper titled ‘Start to Finish – How quickly do large-scale housing sites deliver? (November 2016)’<sup>13</sup>. The report recognised that *‘Large-scale sites can be an attractive proposition for plan-makers. With just one allocation of several thousand homes, a district can – at least on paper – meet a significant proportion of its housing requirement over a sustained period..... But large-scale sites are not a silver bullet. Their scale, complexity and (in some cases) up-front infrastructure costs means they are not always easy to kick start. And once up and running, there is a need to be realistic about how quickly they can deliver new homes’*.

1.39 The report continues that *‘past decades have seen too many large-scale developments failing to deliver as quickly as expected, and gaps in housing land supply have opened up as a result’*. NLP suggest that if authorities’ Local Plans and five-year land assessments are placing reliance on large-scale developments, including Garden Towns and Villages, to meet housing need, then *“the assumptions they use about when and how quickly such sites will deliver new homes will need to be properly justified.”*

#### xiii) Revised NPPF – July 2021

1.40 The NPPF was revised in July 2021<sup>14</sup> to accommodate a number of changes. This included a change in emphasis to good design and how good design was fundamental to what the

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<sup>13</sup> <https://lichfields.uk/media/1728/start-to-finish.pdf>

<sup>14</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

planning and development process should achieve. Furthermore more, it confirmed development that is not well designed, should be refused and conversely, significant weight should be given to developments which reflect local design policies and/or promote high levels of sustainability or help raise the standard of design more generally in an area. SME's as well placed in this regard to meet these challenges successfully.

- 1.41 The updated NPPF also amended the numbering of paragraph 68 to paragraph 69, but made no text changes to the 2019 version.

**xiv) The Bacon Review (August 2021)**

- 1.42 In August 2021, the Prime Ministers Independent Review into scaling up self build and custom housebuilding was published<sup>15</sup>. Led by Richard Bacon MP. Whilst primarily dealing with recommendations to government on how to support growth in all parts of the custom and self build market, helping to boost capacity and overall housing supply in our housing market, the review touched on the plight of smaller building firms.
- 1.43 The report outlined how smaller firms now account for only 12% of new housing stock and *'have been largely squeezed out by very big companies who can afford the time and cost involved in negotiating a path through the complex thickets of the planning system'*.
- 1.44 The review continues that *the SME sector has nearly been destroyed as a direct consequence of a regulatory environment which is both exceptionally complex and fraught with risk, so that the gaining of planning consents requires both very deep pockets and the ability to bear significant risks over very long periods of time.*

**xv) Meeting Housing Demand, House of Lords Select Committee (January 2022)**

- 1.45 In January 2022, the House of Lords Select Committee released its report 'Meeting Housing Demand'<sup>16</sup>. A series of recommendations to Government about addressing housing demand. This included recommendations on the planning system as well as the role of SMEs (Chapter 4). The report confirmed:

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<sup>15</sup> <https://www.gov.uk/government/publications/independent-review-into-scaling-up-self-build-and-custom-housebuilding-report>

<sup>16</sup> <https://committees.parliament.uk/work/1328/meeting-the-uks-housing-demand/publications/reports-responses/>

*'In this report, we call on the Government to take action and remove the administrative and other blockers which, at present, make increasing the number of homes built much more difficult. We recognise that these challenges play out differently across the country as a whole. London and the South East face different challenges to other regions, as do those at different ends of the affordability scale.'*

***Small and Medium-sized Enterprises (SMEs)***

*The role of SMEs in the housebuilding industry has collapsed: in 1988, SME housebuilders built 39% of new homes; now they build just 10%. If housing demand is to be met, SMEs should be supported through reduced planning risk, making more small sites available, and increased access to finance. We also provide options for a fast-track planning process for SMEs to reduce delays and planning risk.*

1.46 In terms of summary of conditions, in respect of SME's the report made the following:

***SMEs***

*12. The role of SMEs in the housebuilding industry has seen a sharp decline: in 1988, SME housebuilders built 39% of new homes, by 2020 this had dropped to 10%. The Government should encourage SME housebuilders in order to diversify the market and maintain competition. (Paragraph 103)*

*13. Local authorities should support SME housebuilders to navigate the planning process. One focus of the Government's planning reforms should be to reduce planning risk by making decisions more predictable and reducing delays, which will benefit SMEs. The Government should work with local planning authorities to create a fast-track planning process for SMEs. (Paragraph 104)*

*14. Wider adoption of the 'master developer' model, where larger sites are built out by a number of different housebuilders, would help SME housebuilders bid for more secure developments. The Government should require local planning authorities and Homes England to increase the percentage of homes on larger sites each year which are built by SME housebuilders. (Paragraph 108)*

*15. Access to finance is one of the key barriers for SME housebuilders. The Government should work with lenders to encourage them to provide more support to SME housebuilders on commercial terms. (Paragraph 112)*

- 1.47 In March 2022, the Government published its response to the report<sup>17</sup>. In response to matters relating to SME's, the Government responded in the following ways:

*'We agree with the Committee that there remain some specific barriers to increasing housing supply. To alleviate these, we are continuing to drive up the supply of good quality new homes that people need and want, including by diversifying the market and supporting SMEs through the Government's Levelling Up Home Building Fund'*

*The Government wants to increase competition in the housebuilding market, supporting SME housebuilders to deliver the choice of housing consumers need and want in this country. We agree with the Committee's report that SMEs have a vital role in making the housing market more diverse, competitive and resilient, and we are committed to ensuring the right support is in place. SMEs have a vital role in training and retaining their workforce, including delivering apprenticeships.*

*As stated in the Committee's report (p. 43), Government is aware that historically the three main barriers SMEs identify as facing are planning, land and finance. We have put in place a package of measures, including financial initiatives to help SMEs grow and develop, such as the Home Building Fund and the ENABLE Build Guarantee scheme. The Home Building Fund will see up to £3 billion of funding or short-term development loans provided to SMEs, custom builders and developers using modern methods of construction. It has supported many new sector entrants, with two thirds of the SMEs who have utilised funding existing for less than three years. We have committed 91% of the initial £2.5 billion development finance allocated to the Home Building Fund, and 94% of contracted transactions are with SMEs, two-thirds of which had existed for less than three years when accessing the fund. Home Building Fund development finance is now expected to support close to 70,000 homes once fully committed.*

*Funding has contributed to interventions like the Housing Accelerator Fund, a lending alliance between Homes England and United Trust Bank which provides SMEs with development finance at up to 70% Loan to Gross Development Value,*

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<sup>17</sup> <https://committees.parliament.uk/publications/9234/documents/159940/default/>



*and the Housing Delivery Fund, set up with Barclays, which provides £1 billion of loan finance to help support small and medium sized developers, speeding up the delivery of thousands of new homes across England.*

*To build on the success of the Home Building Fund, we have now launched a £1.5 billion Levelling Up Home Building Fund. This will provide loans to small and medium sized builders and developers to deliver 42,000 homes, with the vast majority going outside London and the South East.*

*We welcome the Committee's suggestions on planning and land. The Government is considering how to best take forward proposals around changes to the planning system, including how they align with and support our wider mission to level-up the country and regenerate left-behind places. Within this, we are exploring further options to support prompt and faster build-out of sites as part of our proposed changes. These changes will support diversification by providing small builders with more speed and certainty in the planning process.*

**xvi) Levelling Up and Regeneration Bill: Reforms to National Planning Policy (Dec 2022) Consultation**

- 1.48 In December 2022, the Government consulted on the 'Levelling-up and Regeneration Bill: reforms to national planning policy'<sup>18</sup>. This proposed a suite of amendments to the NPPF. Specifically, in relation to SME'S, the consultation made the following statement:

***More small sites for small builders***

*10. Small sites play an important role in delivering gentle density in urban areas, creating much needed affordable housing, and supporting small and medium size (SME) builders. Paragraph 69 of the existing National Planning Policy Framework sets out that local planning authorities should identify land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved. The Framework also asks local planning authorities to use tools*

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<sup>18</sup> <https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy#chapter-4--planning-for-housing>



*such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward; and to support the development of windfall sites through their policies and decisions. Local planning authorities are asked to work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.*

*11. We have heard views that these existing policies are not effective enough in supporting the government's housing objectives, and that they should be strengthened to support development on small sites, especially those that will deliver high levels of affordable housing. The government is therefore inviting comments on whether paragraph 69 of the existing Framework could be strengthened to encourage greater use of small sites, particularly in urban areas, to speed up the delivery of housing (including affordable housing), give greater confidence and certainty to SME builders and diversify the house building market. We are seeking initial views, ahead of consultation as part of a fuller review of national planning policy next year. Alongside this, the government has developed a package of existing support available for SME builders, including the Levelling Up Home Building Fund which provides development finance and Homes England's Dynamic Purchasing System which disposes of parcels of land.*

1.49 Two important questions were asked as part of the consultation:

**Q.24** Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?

**Q.25** How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?

1.50 The outcome of the Consultation is pending and further review of the planning system to support SMEs is expected.

### **C. Conclusion**



- 1.51 The role of SMEs has been fully recognised by Central Government (both in the house of Commons and House of Lords) and the wider Industry (HBF, NLP) in how important their role is to helping deliver the 300,000 homes per annum target. Constraints to SMEs have been identified, including that the plan-led system is orientated away from encouraging SMEs into the market and access to finance.
- 1.52 The 2019 NPPF has provision within it to specifically address this issue with a clear direction to Local Planning Authorities that 10% of all its housing requirements should be on sites that are 1ha or less i.e. approx. 35 dwellings and under per site. This is aimed at SME developers who deliver at or around this scale.
- 1.53 Most recently the Governments response to the House of Lords report 2022 confirms their commitment to supporting SMEs and recognising their role in meeting housing demand. The most recent consultation to the NPPF in 2022 however acknowledged that the NPPF as drafted is not having the desired effect for SMEs and that this specific matter will be addressed in due course.

#### **The Kent SME Developers Network**

**May 2024**

# APPENDIX

3



**Question 1 – what are your general views on the emerging development?**

| <b>Comment</b>                                                                                                                                            | <b>No. of respondents</b> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <b>No / not happy</b><br>Too close<br>Too large<br>Green space location<br>Inappropriate<br>Outside village envelope<br>Loss of rural aspect and wildlife | 4                         |
| <b>Access/roads</b><br>Traffic concerns<br>Road issues<br>Speed limit of road                                                                             | 1                         |
| <b>Looks fine</b><br>Well thought out and considerate                                                                                                     | 1                         |
| <b>Affordable Housing</b><br>Affordable Homes / First Homes                                                                                               | 1                         |

**Question 2 – do you support the general design approach to the homes? If not, please expand**

| <b>Comment</b>                                 | <b>No. of respondents</b> |
|------------------------------------------------|---------------------------|
| <b>Yes</b>                                     | 3                         |
| <b>No</b>                                      | 3                         |
| <b>Affordability</b>                           | 1                         |
| <b>Location</b><br>Outside of village confines | 1                         |

**Question 3 – what do you consider to be the most important consideration of any development (i.e. provision of family homes, downsizers, biodiversity, parking, design etc.)?**

| <b>Comment</b>                                                    | <b>No. of respondents</b> |
|-------------------------------------------------------------------|---------------------------|
| <b>Infrastructure</b><br>Drainage and flooding                    | 1                         |
| <b>Road capacity/traffic</b>                                      | 2                         |
| <b>Life of current residents</b><br>Impact on existing residents. | 1                         |
| <b>Pollution</b><br>Noise                                         | 1                         |
| <b>Views</b>                                                      | 1                         |
| <b>Environment</b><br>Wildlife                                    | 1                         |
| <b>Suitability</b>                                                | 1                         |

**Question 4 – do you consider the emerging development has considered all the opportunities and constraints? If not, why not?**

| <b>Comment</b>                                                                            | <b>No. of respondents</b> |
|-------------------------------------------------------------------------------------------|---------------------------|
| <b>No (/no connection to local)</b><br>Location of open space<br>Green belt<br>Unsuitable | 2                         |
| <b>Access/Road capacity concerns</b><br>Construction traffic. More cars with new houses   | 3                         |
| <b>Need better drainage</b><br>Help stop the flooding<br>Sewage                           | 2                         |
| <b>Not definitive that all constraints have been considered</b>                           | 1                         |

**Question 5 – do you have any other comments / views?**

| <b>Comment</b>                                                                                              | <b>No. of respondents</b> |
|-------------------------------------------------------------------------------------------------------------|---------------------------|
| <b>Access/traffic /road concerns</b><br>Extend the 30 zone past Bull Lane properties<br>Pedestrian crossing | 3                         |
| <b>Sewage concerns</b>                                                                                      | 2                         |
| <b>Opposed to development</b>                                                                               | 1                         |

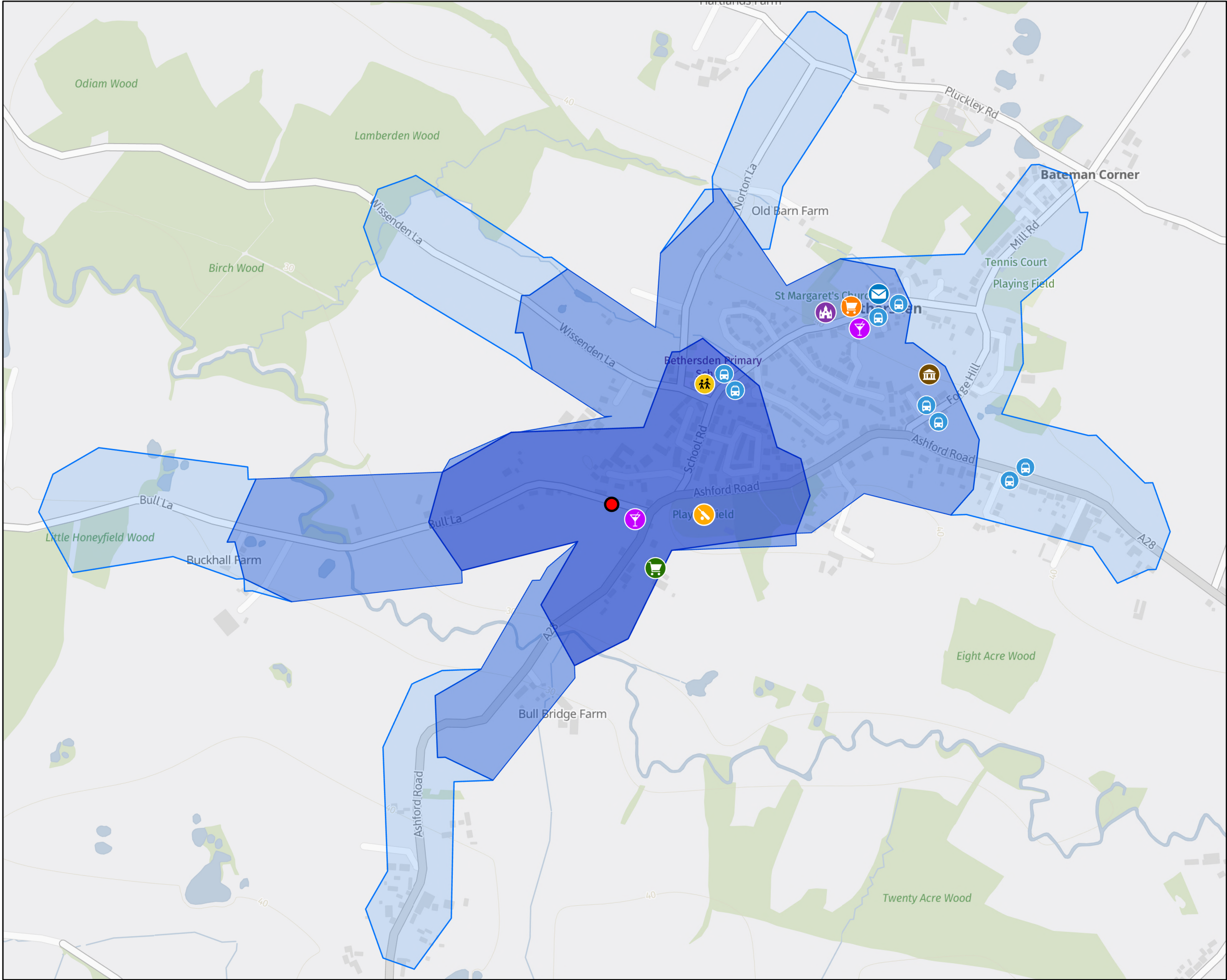
### Email summary

| <b>Comment</b>                                                                                                                                    | <b>No. of respondents</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| <b>Roads/Access</b><br>Traffic<br>Pedestrian crossing<br>New footpath<br>A28 Junction<br>Cycle access                                             | 8                         |
| <b>Infrastructure/facilities/amenities</b><br>Drainage / Sewage and flooding<br>School needs upgrading<br>Doctors needed                          | 6                         |
| <b>Need for Housing and affordable housing</b>                                                                                                    | 4                         |
| <b>Location</b><br>Outside of village confines                                                                                                    | 4                         |
| <b>Quality and Quantity of Housing</b><br>Overdevelopment                                                                                         | 1                         |
| <b>Transport</b>                                                                                                                                  | 1                         |
| <b>Environment</b><br>Impact on local environment and wildlife<br>Impact on neighbours<br>Lack of perceived value to local area<br>Impact on area | 4                         |
| <b>Forward Plans of the site to resident</b>                                                                                                      | 1                         |
| <b>Policy compliance</b>                                                                                                                          | 1                         |
| <b>For proposal</b><br>Would like opportunity to tender as electrical company for development.                                                    | 1                         |
| <b>Scale of development</b>                                                                                                                       | 1                         |

# APPENDIX

4





Key

- 15 minute walk time (1200m) from the site access
- 10 minute walk time (800m) from the site access
- 5 minute walk time (400m) from the site access
- Site Access
- Bethersden Primary School
- Bethersden Cricket Club
- Local Shops
- Bull Green Farm Shop
- Bethersden Village Hall
- St Margaret's Church
- Pubs
- Bethersden Post Office
- Bus Stops

**TITLE**  
**Amenities Within Walking Distances Of The Site Access**

**CLIENT**  
**Esquire Developments Ltd**

**PROJECT**  
**Land Adjacent To The Bull Inn**

|                    |             |                |                 |
|--------------------|-------------|----------------|-----------------|
| <b>SCALE AT A3</b> | <b>DATE</b> | <b>JOB NO.</b> | <b>DRWG NO.</b> |
| 1:7,500            | June 2024   | 32888          | G-01            |

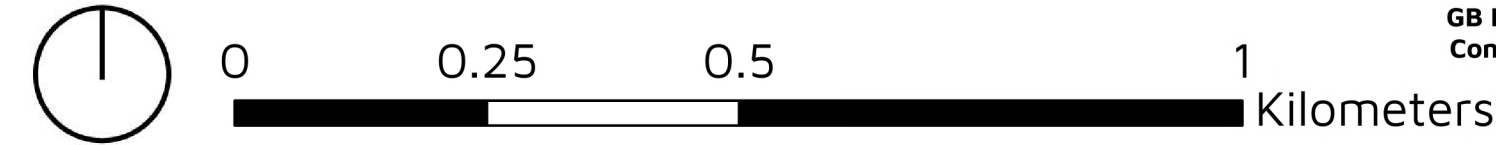


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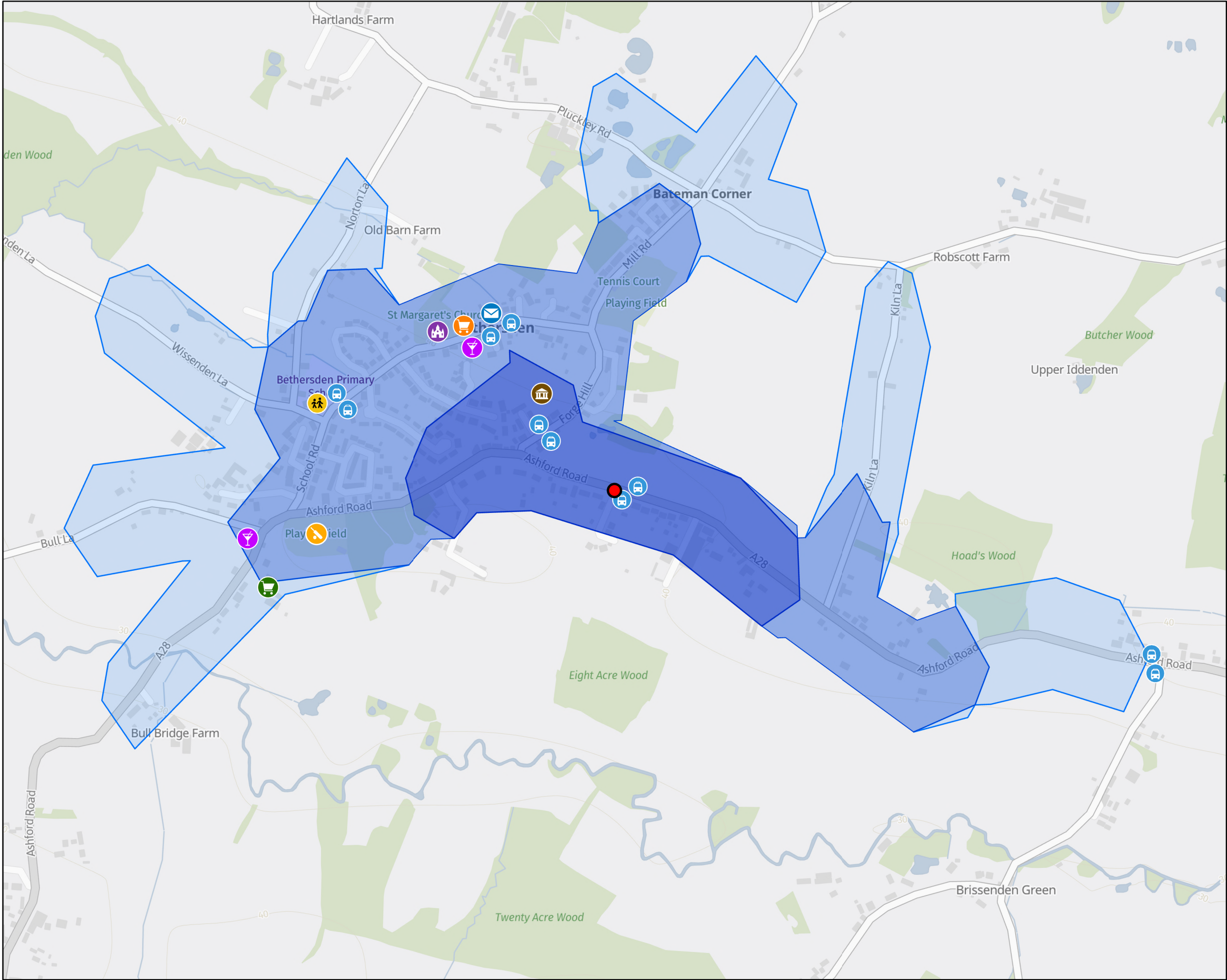


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# APPENDIX

5





# Key

- 15 minute walk time (1200m) from approved site access
- 10 minute walk time (800m) from the development access
- 5 minute walk time (400m) from the development access
- Site Access
- Bethersden Primary School
- Bethersden Cricket Club
- Local Shops
- Bull Green Farm Shop
- Bethersden Village Hall
- St Margaret's Church
- Pubs
- Bethersden Post Office
- Bus Stops

## TITLE

# Amenities Within Walking Distances Of The Housing Development Access

## CLIENT

Esquire Developments Ltd

## PROJECT

Land Adjacent To The Bull Inn

## SCALE AT A3

1:7,500

## DATE

June 2024

## JOB NO.

32888

## DRWG NO.

G-02

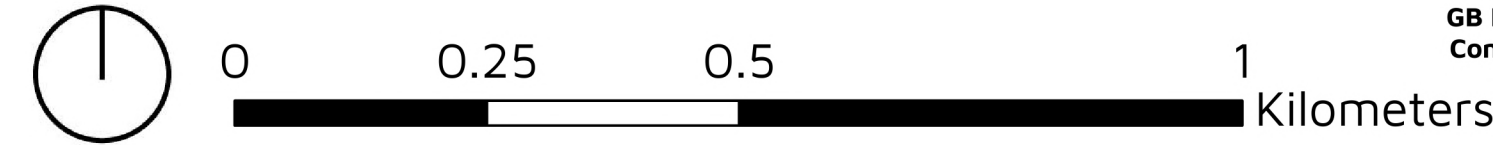


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