

14 December 2023



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NOTIFICATION OF DECISION OF THE LOCAL PLANNING AUTHORITY

Case Reference	22/00571/AS
Site Address	Land north of Possingham Farmhouse, Ashford Road, Great Chart, Kent (TN26 1JR)
Proposal	Outline application for the development of up to 655 residential dwellings (including 30% affordable dwellings) to consider access only (excluding internal circulation routes), with all other matters reserved

DECISION: Planning Permission is REFUSED for the following reasons:

Refusal Reasons:

The application is contrary to policies SP1, SP2, SP6, HOU1, HOU5, HOU6, HOU14, HOU18, TRA4, TRA5, TRA6, TRA7, TRA8, ENV1, ENV3a, ENV6, ENV8, ENV9, ENV12, ENV13, COM1, COM2 and IMP1 of the Ashford Local Plan 2030, the Council's Climate Change Guidance for Development Management and guidance contained in the NPPF for the following reasons:

1. The development would constitute an overly dense and urban form of development that would visually encroach on the countryside and harm the landscape character of the area. The density of the development would fail to accord with the character of the permitted adjacent Chilmington Green development and would consequently harm the setting of that development. The density of the development would also result in a failure to provide a good standard of public amenity for future residents of the development.
2. The development would be located in a presently unsustainable location where future residents of the development would not have access to appropriate local services and facilities that are convenient and accessible by sustainable modes of transport.
3. In the absence of a comprehensive and robust assessment of the impact of the development on the strategic and local highway network and highway safety, the applicant has failed to demonstrate that the development would not have a severe impact on the highway network and/or an unacceptable impact on highway safety,

and/or a requirement to contribute to the repayment of forward-funding secured and used by the Council to provide highway capacity at Drovers roundabout and/or M20 Junction 9.

4. In the absence of appropriate surveys and a robust assessment of the cumulative impact of development in the vicinity of the site, the applicant has failed to demonstrate that the development would not cause harm to protected species. The applicant has also failed to demonstrate that appropriate mitigation measures can be secured.

5. In the absence of appropriate information about the impact of the development on flood risk and the delivery of a sustainable drainage system as part of the development, the applicant has failed to demonstrate that the development would not result in a risk of flooding or that an appropriate sustainable drainage solution would be proposed.

6. The applicant has failed to demonstrate that public benefits would be delivered by the development that would outweigh the less than substantial harm to the setting of an adjacent listed building (Possingham Farmhouse).

7. The applicant has failed to demonstrate that the development would be resilient to, and help mitigate against, the effects of climate change.

8. The applicant has failed to demonstrate that the development would not add to the deterioration of the water quality at the Stodmarsh European designated site, thereby harming internationally-protected habitats.

9. In the absence of a legal agreement to secure planning obligations, including affordable housing provision, Building Regulations M4(2) and M4(3) compliant dwellings, custom and self-build housing, and financial contributions to mitigate the impact of the development on local services and infrastructure, together with the costs of monitoring and reporting, the application fails to secure the infrastructure and facilities required to meet the needs generated by the development.

Signed



Simon Cole
Assistant Director - Planning and Development

REFUSAL OF PLANNING PERMISSION

Notes for the Applicant

Appeals

1. If you are unhappy with the disclosed Decision to refuse permission, you may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. Any appeal must be made within 6 months of the date of decision, or 6 months from the expiry of the period which the LPA had to determine the application. If you intend to submit an appeal that you would like

examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate at least 10 days before submitting the appeal. You can notify the Planning Inspectorate via email at:-(inquiryappeals@planninginspectorate.gov.uk). Further details are available on www.gov.uk However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is: 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made. 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months). NB – the LPA determination period is usually 8 weeks (13 weeks for major developments and 28 days for non-material amendment applications). If you have agreed a longer period with the LPA, the time limit runs from that date. The necessary form is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or by telephoning on:-0303 444 5000 or via their website: www.planning-inspectorate.gov.uk/pins/index.htm A longer period for the giving of notice of an appeal may be allowed by the Planning Inspectorate but normally asks what special circumstances there are which excuse the delay in giving notice of an appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Borough Council.

Beneficial Use

2. If permission to develop land is granted subject to conditions, whether by the Borough Council or by the Secretary of State and you, as owner of the land, claim that it has become incapable of reasonable beneficial use, you may serve on the Borough Council a Purchase Notice requiring the Borough Council to purchase your interest in the land in accordance with the provision of Part IV of the Town and Country Planning Act 1990. Before following this course of action it is suggested that you seek the advice of a Planning Consultant or a Solicitor.