

WOODCHURCH PARISH COUNCIL

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Land north of 14 and 15, Kirkwood Avenue

Planning Application 21/02142/AS (Formally 21/00474/AS, rejected)

Erection of 3 x 3 bedroom bungalows and the provision of new public amenity space, together with associated access, parking and landscaping.

While the Woodchurch Parish Council (PC) continue to agree with the philosophy of three-bedroom bungalows being developed close to village centre, the PC **object** to planning application 21/02142/AS, on the same basis as the former application under 21/00474/AS, i.e., we firmly believe that the proposal to develop within the Woodchurch Conservation Area, continues to remain contrary to those policies on which Ashford Borough Council Local Planning Authority rejected development on this land on 6th August 2021 (even with dwellings reduced to 3) i.e., policies SP1, SP6, ENV3a, ENV13 and ENV14 of the Ashford Local Plan 2030, the Woodchurch Village Design Statement and National Policy Framework (2021).

The main elements of concern are summarised and clarified within the following paragraphs:

- Adverse impact on the green heart/conservation area of Woodchurch village.
- Implementation of the Management Company and associated Woodchurch Parish Council responsibility concerns, with respect to the ecological enhancement plan, amenity land planning, implementation, long-term management and its funding.
- Potential for further creep into adjacent green land.
- The Proposed amenity land will not have an appropriate maintenance & public access route.
- The proposed amenity land arrangement would not be of a benefit to all of Woodchurch's community due to its location.
- Security with respect to the proposed amenity land not addressed.
- Increased domestic traffic.
- Construction traffic placing existing (potentially weak) buried water mains along Kirkwood Avenue under undue high imposed loads.
- The past history (prior to 2021) not being included on the planning portal for review and consideration.
- The proposed dwellings can potentially be easily enlarged.
- The bungalows may not be affordable by local community.
- Stormwater runoff and surface drainage concerns.
- Financial implications due to KCC not adopting the access road.
- Impact on local wildlife.

1. The proposed project site currently comprises managed grasslands enclosed by hedgerows and mature trees with important wildlife habitats. The designated development area (both for housing and landscaping) falls entirely within the Woodchurch Conservation Area, that comprises part of the remaining green heart and open field space, that uniquely characterise Woodchurch Village (Ref: *Woodchurch Village Design Statement and Conservation Appraisal*). Development within this section of the Conservation Area will consequently have an adverse impact on the village and not preserve or enhance the Borough's existing heritage asset. We believe this will be in contravention of Policy's ENV13 & ENV14.
2. It is suggested that the "landscape scheme extends to cover an additional large portion of land south west which would be offered to the Parish Council and maintained by a Management Company", (Ref: *Town & Country Planning Solutions, report dated December 2021, Paragraph 4.15*). The Woodchurch PC confirm that there is no agreement or understanding in place with C.S Developers (or Mr & Mrs C & L Suggitt), for the Woodchurch PC to take on and manage the "additional lands" associated with this application.

For transparency, C.S Developers wrote to the Woodchurch PC on 4/10/2021 and stated that due to the change in their proposed scheme, they were able to unconditionally gift additional land comprising the allotment area, ecological area for Plots 1 to 3 Lower Road and remaining fields. The Woodchurch PC discussed this offer at their open meeting on the 25th November 2021 and replied that evening as follows:

"Dear Mr & Mrs Suggitt,

Re proposed revised development plans on lands adjacent to Kirkwood Avenue

The members of Woodchurch Parish Council have asked me to contact you regarding your amended pre-application plans for the above-named proposed development.

We wish to thank you for your recent letters to the Woodchurch Parish Council (dated 4/10/21 & 03/11/21) and note that the potential project site remains within the Woodchurch Conservation Area (as defined in the 2016 Management Plan), and on green land open space not identified for development within the 2030 Local Plan.

We also acknowledge the offer to unconditionally potentially gift land associated with the revised scheme. Unfortunately, we are unable to comment on the gift of land at this time, until more information is made available to the Woodchurch community".

In C.S. Developments letter dated 03/11/2021, the developers enclosed their new site layout and preliminary bungalow floor plans, no additional reference was made to the gifting of land.

No further direct correspondence between the Woodchurch Parish Council and C.S. Developers has taken place since the 25th November 2021.

As of this time the Woodchurch Parish Council do not agree to take on the lands and management scheme.

An Ecological Enhancement and Management Plan (Ref: Native Ecology, Rev B, dated November 2021), is included with the planning application, but does not present estimated financial details or how it will be funded in the short (5 years) and long term. The KCC Ecological Advice service have also expressed concerns, in their letter dated 13th January

2022, with the existing and future management of the important 2m strip between the northern curtilages and the priority habitat hedgerow.

In C.S.Developers letter to ABC dated 20th January 2022, as uploaded to the ABC Planning Portal on 24th January 2022, the developers have indicated that “Sage Enviro”, are in place to carry out the ecological management programme. Unfortunately, the 2-year programme costs are not presented. The quotation is dated 11th May 2020. It is not clear if after 15 months that this document is still valid.

The Woodchurch Parish Council are consequently not confident that the Ecological Enhancement and Management Plan will be effective for current and future requirements.

3. The Developer was advised within ABC’s pre-application letter (for 21/00474/AS), to engage with the Woodchurch PC. However, only brief outline layout plans have been forwarded to the Woodchurch PC (information has subsequently been made available to the Woodchurch PC via ABC’s planning portal as part of the 21/02142/AS planning application). The Developer did not consult the wider community prior to submitting his first and second applications. The PC’s brief independent village wide factual Q&A consultation, undertaken last year, gave similar results to ABC’s current Neighbourhood 21/02142/AS consultation i.e., a majority against development within the conservation area.

The Woodchurch PC consequently request that if 21/02142/AS is not initially refused but deferred prior to determination, sufficient time is given for undertaking a Woodchurch Village wide consultation to clearly understand the ramifications for continued development within this section of the Conservation Area and the its consequences (financial and environmentally) for short-term and long-term land management. C.S. Developments and other parties would be an integral part of this consultation.

4. Application 21/02142/AS does not fully integrate advice presented within the Woodchurch Village Design Statement (VDS) 2008 and the Woodchurch Conservation Area Appraisal & Management Plan 2016, as recommended by ABC’s pre-planning advice for 21/00474/AS, but clearly states the proposal will reflect the architecture of properties in Kirkwood. The current designs do not reflect the architecture of Kirkwood or the Wealden nature of dwellings within the Woodchurch Conservation Area.
5. With respect to 21/02142/AS runoff/surface drainage. The PC believe that water efficiency for each proposed unit not been sufficiently demonstrated in accordance with Policy ENV9 of ABC’s Local Plan 2030, CIRIA C753 The SuDs Manual and the NPPF.
 - a. It is unclear for the current design if foul water is to report to Lower Road or Front Road systems. It is known that the existing reticulation system is currently under strain. No Southern Water capacity check report has been presented as part of the planning application.
 - b. No additional geotechnical information has been made available for 21/02142/AS. Only preliminary infiltration calculations undertaken for 21/00474/AS are available, which are deemed inadequate. From historical (two) shallow geotechnical trial pits, low permeability Clay is evident at approximately 600mm below the surface. However, due to this paucity of geotechnical and in-situ testing data, optimistic drainage assumptions have been made and a potentially ineffectual permeable surface runoff drainage system appears to have been designed. Sandstone has not been proven to exist at shallow depth. During storm events once, the retention capacity of the artificially formed gravel layer is reached, local flooding will occur as drainage into underlying strata is not proven.

- c. The proposed permeable surface path and access road is stated for 21/00474/AS to require cleaning 3 to 4 times a year to keep it fully operational. It is assumed that the same design is proposed for 21/02142/AS. KCC Highways will not be adopting this access road. Should the surface not be regularly cleaned by the owners it will fail and surface water flooding will occur, resulting in local environmental impact and remediation monetary pressure on the new owners.
6. No Construction Management Plan for Kirkwood Avenue appears to be evident to manage the high volume of construction material deliveries expected during peak development days.
7. In addition to the security concerns with respect to the biodiversity enhancement / public amenity area the PC suggest that:
 - a. The proposed amenity site will be remote from the majority of villagers, can only be accessed via Kirkwood Avenue and so will not benefit the public at large.
 - b. The Police have not been consulted for advice on safe management.
 - c. Initial access to the designed amenity area is proposed to be via the developments access road (i.e., part of the proposed surface drainage system). If the road is not adopted by the KCC and is in private joint ownership, open access by this route could potentially be restricted.
 - d. The proposed 3m wide access track adjacent to the developments south western boundary and Plot 3 is designed with inadequate width. As the adjacent hedgerow along this boundary has been identified as a habitat of principle importance (for priority habitat) under the NERC Act 2006 (Ref., Ecological Advice Service dated 14th April 2021), this hedge could be significantly impacted by the close passage of wide maintenance traffic.
 - e. A wider better defined and workable access route design is consequently needed to make the biodiversity enhancement / public amenity proposal realistic.
8. A Section S106 Agreement or similar, is requested to restrict future development and confirm land use for:
 - a. The proposed biodiversity enhancement / public amenity area.
 - b. The proposed access track from Kirkwood Avenue.
 - c. The small green area to the northern end of the access road (hammer head).
 - d. The full length of the 2m wide northern hedge buffer zone.
9. The Woodchurch PC believe that the current application (21/02142/AS) does not fully meet the Policy requirements as set out in Housing Policy HOU5 – Residential Windfall Development in the Countryside.
10. More detail is needed with respect to ensuring adherence to The Dark Sky's SPD.

Based on the above and the number of individual neighbourhood comments presented on ABC's planning portal, if the application is not initially refused on the same grounds as 21/00474/AS, the Woodchurch PC encourage that a Planning Committee is called to fully appraise the viability of the current planning proposal 21/02142/AS and for the Woodchurch PC to be given time to undertake a more detailed Village wide consultation.

Woodchurch Parish Council

27 January 2022