

# Officer's Assessment Sheet

**Application Number** PA/2025/0769  
**Type** Full planning permission  
**Location** Hexden Marsh, Hastings Road, Rolvenden, Cranbrook, TN18 5PX  
**Proposal** Extension to existing aircraft hangar including two-storey extension to include facilities and viewing platform and construction of helicopter landing area.  
**Case Officer** Laura Payne  
**Registration Date** 22/04/2025      **Consultation Ends** 30/07/2025  
**Valid Date** 04/07/2025      **Deadline Date** 03/10/2025  
**Applicant** Mr Jeremy Cowley  
**Agent** Mr Jonathan Lee

## Environmental Impact Assessment

Is EIA Required: No      Reason:

## RECOMMENDATION

**Approve with Conditions**

### Site and Surroundings

The application site comprises approximately 5 hectares of low-lying pastureland south of the Hexden channel and east of the A28 Hastings Road at Hexden Bridge, about one kilometre north of the village of Newenden. Falling outside of the built-up confines of the village the site is in the countryside and the High Weald National Landscape.

### Proposal

Planning permission is sought for a two-storey extension to an existing aircraft hangar which would include facilities and a viewing platform and construction of helicopter landing area.

### Relevant Planning History

**00/01611/AS** Use of barn for parking aircraft during inclement weather (single engine plane)  
**Permitted** 18/01/2001

**00/01731/AS** Clad Three Sides of Barn  
**Permitted** 07/12/2000

**03/01136/AS:** Variation of condition 03 of planning permission 00/01611/AS to allow a total of six aircraft to be parked in barn (Retrospective)

**Permitted** 14/04/2004

**06/00839/AS** Continued use of barn for the parking of 6 aircraft

**Permitted** 20/07/2006

**DM - PA/2023/0543** - Change of use from Agricultural Land to mixed use agricultural and use as an airfield for 56 days in each calendar year.

**Approve with Conditions** 01/08/2023

**DM - PA/2023/2344** - Variation of Condition 4 (Type of aircraft) of PA/2023/0543 (Change of use from Agricultural Land to mixed use agricultural and use as an airfield for 56 days in each calendar year) and to remove reference to microlight

**Approve with Conditions** 19/03/2024

## **Planning Policy**

The Development Plan for Ashford borough comprises:

- i. the Ashford Local Plan 2030 (adopted February 2019),
- ii. the Chilmington Green AAP (adopted July 2013),
- iii. the Wye Neighbourhood Plan (adopted March 2016),
- iv. the Rolvenden Neighbourhood Plan (adopted December 2019),
- v. the Boughton Aluph & Eastwell Neighbourhood Plan (adopted October 2021)
- vi. the Egerton Neighbourhood Plan (adopted March 2022)
- vii. the Charing Neighbourhood Plan (adopted July 2023)
- viii. the Pluckley Neighbourhood Plan Review 2023 (adopted July 2024)
- ix. the Aldington & Bonnington Neighbourhood Plan (adopted October 2024)
- x. the Tenterden Neighbourhood Plan (adopted October 2024)
- xi. the Kent Minerals and Waste Local Plan 2024 to 2039 (2025) & the Kent Minerals Sites Plan (2020)

Although not yet part of the Development Plan, the following emerging Neighbourhood Plans are a material consideration:

None at present.

The relevant policies from the Development Plan relating to this application are as follows:

### **Ashford Local Plan 2030**

SP1 - Strategic Objectives

SP6 Promoting High Quality Design

ENV1 – Biodiversity

ENV3a – Landscape Character and Design

ENV3b - Landscape Character and Design in the AONBs

ENV4 - Light pollution and promoting dark skies

ENV6 - Flood Risk

ENV12 - Air Quality

## **Draft Ashford Local Plan 2042**

On the 31 July 2025, the Council's Cabinet approved a consultation version of the draft Ashford Local Plan 2042 (Regulation 18). Consultation on the draft Ashford Local Plan will take place on 18 August – 13 October 2025. At present, the policies in this emerging Local Plan should be afforded limited weight.

## **Supplementary Planning Documents**

Landscape Character SPD 2011  
Dark Skies SPD 2014

## **Supplementary Planning Guidance**

High Weald AONB Management Plan 2019-2024

## **Government Guidance**

National Planning Policy Framework December 2024  
Planning Practice Guidance  
National Design Guide 2021

## **Consultations/Representations**

**Newenden Parish Council:** No comments received

**Rolvenden Parish Council:** Makes the following comment.

Would like a condition set that the number of helicopter movements will be monitored.

**Officer Comment** The number of helicopter movements is already restricted under application PA/2023/2344

**KCC Ecological Advice:** Sufficient ecological information has been submitted in support of this application. No further information is requested from the applicant prior to determination of the planning application.

**Environmental Protection:** Requests informatives and conditions relating to

- Construction
- Reporting of Unexpected Contamination

**Neighbour Consultations** 24 consulted 1 letter of support received

## **Assessment**

## **Landscape Character and Appearance**

The application site lie within the High Weald National Landscape. National Landscapes such as the High Weald are designated by the Government for the purpose of ensuring that the special qualities of the finest landscapes are conserved and enhanced. In planning policy terms, they have an equivalent status to National Parks and afforded the highest level of landscape protection. Accordingly, and in accordance with duties set out under Section 85 of the 2000 CROW Act, the LPA is required to have regard to the statutory purpose of National Landscapes.

Policies SP6 and ENV3a require all development proposals to be of high-quality design and demonstrate regard to the characteristics of the landscape in which it is located. Attention must be paid, amongst other things, to the presence and pattern of historic landscape features, the setting of vernacular buildings and guidance given with the landscapes character SPD. This approach is consistent with the NPPF which seeks development which adds to the overall quality of the area as a result of good architecture, layout and appropriate and effective landscaping.

Policy ENV3b requires all development proposals within the National Landscape to ensure, amongst other things, that the location, form, scale, materials and design would conserve and where appropriate, enhance or restore the character of the landscape. Regard is to be had to those landscape characteristics outlined in Policy ENV3a, proportionate to the high landscape significance of the National Landscape.

The proposed extension is of an acceptable functional design and would be seen as a continuation of the building which, is sited in the most practical and discreet location. It would not appear unduly prominent or intrusive with views of the building partially obscured by the existing hedgerow Whilst the hedgerow is deciduous and therefore glimpse of the building would be possible in the winter, given the muted colour palette of the proposed materials, I considered that the visual harm caused would be minor and insufficient to warrant refusal.

Considering the proposed helipad would be at ground level I am satisfied that there would be no significant or unacceptable visual harm.

On balance in light of the above and given the time visibility I am satisfied that no harm, over and above that already experienced from the existing hangar, would be caused to the wider landscape a designated National Landscape.

## **Access and Highway Safety**

Access to the site is existing and the highway visibility is good in both directions Given the use of the site and the vehicle movements associated with this use, it is not considered that any significant or unacceptable issues regarding highway safety would arise from this proposal.

Given the above and proposed use, the development would not result in significant or unacceptable harm to highway safety.

## **Residential Amenity**

Given the site's isolated rural location, I do not consider that the proposal would result in significant or unacceptable harm to residential amenity.

## **Ecology**

A Preliminary Ecological Appraisal (David Archer Associates, November 2024) has been submitted, and comprehensive and no further ecological surveys are recommended. Instead, reasonable avoidance measures can be consolidated into a Construction and Environmental Management Plan (CEMP) secured via planning condition: The Biodiversity Officer has been consulted and is satisfied with the conclusion of the PEA.

### **Impact on Dungeness, Romney Marsh and Rye Bay SSSI/Ramsar Site**

The application site lies within the Impact Risk Zone (IRZ) of the Dungeness, Romney Marsh and Rye Bay SSSI and Ramsar site. According to guidance published by Natural England, proposals involving airports, helipads, or other aviation-related development within an SSSI IRZ should be subject to consultation with Natural England.

However, the site is already used as an airfield for a limited period each year (56 days), and permission for helicopter use at the site has previously been granted. Given this established use, and the scale of the development proposed, I am satisfied that the proposal would not impact the terrestrial Site of Special Scientific Interest (SSSI). Therefore I consider it unlikely that the development would have a significant adverse effect on the SSSI.

## **BNG**

Under amendments to the Natural Environment and Rural Communities Act 2006 introduced by the Environment Act 2021, local authorities have a statutory duty to conserve and enhance existing biodiversity in their administrative area through policies and objectives, and to deliver and report on the achievements in respect of those objectives. The statutory duty is supplemented by national planning policy in the NPPF at para 186 which details how existing habitats and biodiversity should be considered when making planning decisions which affect or impact those habitats.

Development proposals are required to demonstrate they have adhered to the mitigation hierarchy set out in the NPPF, avoiding significant harm to habitats wherever possible, and only if not possible, mitigating, or compensating for habitat loss or damage.

In addition to the above, this application is affected by the requirement under the Environment Act 2021 to demonstrate a measurable increase in biodiversity, consisting of a minimum of 10% biodiversity net gain (BNG) when compared to a pre-development 'baseline' calculation – i.e. eventual biodiversity must be 110% of the 'baseline' position. This is assessed in units of area habitat, hedgerow habitat, and/or watercourse habitat.

The submitted BNG assessment confirms that the site is largely composed of priority habitat coastal floodplain grazing marsh (CFGM) in moderate/poor condition. The proposals will result in the loss of a 0.05ha area of CFGM, but a 0.29ha area is retained which may be enhanced (through increasing the species richness of the grassland), delivering a 10% biodiversity net gain (an increase in 0.27 biodiversity units). This route to delivering biodiversity gains is considered acceptable. Moreover, the enhancement of highly distinct habitats (such as CFGM) is considered to be ‘significant’ by the Biodiversity Officer

Where the proposed biodiversity enhancements are considered significant, they must be secured appropriately. Government guidance states that such enhancements should be secured through a legal mechanism—either a planning obligation (Section 106 agreement) or a conservation covenant. Accordingly, when the Biodiversity Net Gain (BNG) plan is submitted, the applicant will be required to enter into a Section 106 agreement with the Local Planning Authority to secure the delivery and long-term management of the enhancements.

### **Working with the applicant**

In accordance with paragraph 39 of the NPPF Ashford Borough Council (ABC) takes a positive and creative approach to development proposals. ABC works with applicants/agents in a positive and creative manner as explained in the note to the applicant included in the recommendation and the decision notice.

### **Human Rights**

I have also taken into account the human rights issues relevant to this application. In my view the “Assessment” section above and the Recommendation below represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties) and the wider public interest.

### **Conclusion**

To conclude in light of the above assessment, the proposal is considered acceptable. The proposal would comply with national policy as set out within the NPPF/NPPG and the Development Plan. Accordingly, and with no overriding matters which would otherwise indicate refusal I recommend that application is permitted subject to conditions

### **Conditions:**

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase

Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

<b>Description</b>	<b>Date</b>
Proposed Ground Floor Plan - 31022C_201 Rev A	22 April 2025
Proposed First Floor Plan - 31022C_202 Rev A	22 April 2025
Proposed SW and NE Elevation - Coloured - 31022C_204	22 April 2025
Proposed SW and NE Elevations - 31022C_204	22 April 2025
Proposed NW and SE Elevations- Coloured - 31022_203 Rev A	22 April 2025
Proposed NW and SE Elevation - 31022_203 Rev A	22 April 2025
Proposed Site Plan 31022C_200 B	7 May 2025
Site Location Plan 31022C-CLA-EXSL-00-PD-A-0001-P01	4 July 2025
Proposed Block Plan 31022C-CLA-PRSL-00-PD-A-0002 P01	4 July 2025

**Reason:** For the avoidance of doubt and in the interests of proper planning.

- 3 No development shall be undertaken (including any site and/or vegetation clearance) until a construction ecological management plan (CEMP) which contains full details of the measures outlined in section 5 of the Preliminary Ecological Appraisal (David Archer Associates, November 2024) has been submitted to and approved in writing by the local planning authority.

The CEMP shall be based on up-to-date ecological survey information, as advised by a suitably qualified ecologist and include the following:

- a) Measures to avoid impacts to priority coastal floodplain grazing marsh (CFGM) habitat, including identification of construction exclusion zones;
- b) Specific measures (which may be presented as a series of method statements) to avoid impacts to nesting birds, badgers, great crested newts, reptiles and bats;
- c) The role and responsibilities of an Ecological Clerk of Works (ECoW) or similarly competent person(s); and
- d) Copies of any protected species mitigation licences issued by Natural England as required.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

**Reason:** To protect biodiversity in accordance with the NPPF 193 and Local Policy ENV1, to avoid an offence under the Wildlife and Countryside Act 1981 (as amended) and with consideration for Species of Principal Importance under the Natural Environment and Rural Communities Act 2006.

- 4 A landscaping scheme for the site (which may include entirely new planting, retention of existing planting or a combination of both) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Thereafter, the approved landscaping/tree planting scheme shall be carried out fully within 12 months of the completion of the development. Any trees or other plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority give prior written consent to any variation.

**Reason:** In order to protect and enhance the amenity of the area.

- 5 The development shall be carried out in accordance with the details of external materials specified in the application which shall not be varied.

**Reason:** In the interests of the visual amenity of the locality.

- 6 Part 1  
If unexpected contamination is found at any time when carrying out the approved development it must be reported in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2.

Part 2  
Following completion of the remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be prepared and submitted for approval in writing by the Local Planning Authority.

**Reason:** To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

**Informatives:**

- **Biodiversity Net Gain**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission, would be Ashford Borough Council.

There are statutory exemptions which mean that the biodiversity gain condition does not always apply and these are set out in The Biodiversity Gain Requirements Exemptions Regulations 2024.

**This permission will require the approval of a Biodiversity Gain Plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.**

For a template and guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the approved development please follow the link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan)

Applicants will need to ensure that the Biodiversity Gain Plan to be submitted to the local planning authority for approvals is prepared in general conformity with the approved habitat plans.

**The effect of section 73D of the Town and Country Planning Act 1990**

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

- Where the proposed biodiversity enhancements are considered significant, they must be secured appropriately. Government guidance states that such enhancements should be secured through a legal mechanism—either a planning obligation (Section 106 agreement) or a conservation covenant. Accordingly, when the Biodiversity Net Gain (BNG) plan is submitted, the applicant will be required to enter into a Section 106 agreement with the Local Planning Authority to secure the delivery and long-term management of the enhancements.
- In accordance with paragraph 39 of the NPPF, Ashford Borough Council (ABC) takes a positive and proactive approach to development proposals focused on solutions.

ABC works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service,
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application,
- where possible suggesting solutions to secure a successful outcome,
- informing applicants/agents of any likely recommendation of refusal prior to a decision and,
- by adhering to the requirements of the Development Management Customer Charter.

In this instance

- the application was acceptable as submitted and no further assistance was required.