

Orchard Farm

Sales Briefing Paper

23 October 2025

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EXECUTIVE SUMMARY

- Residential development site of 5.84 ha, allocated for housing within the current Ashford BC Local Plan. Approved Master Plan for the entire site to deliver 122 dwellings
- Full planning permission granted for Phase 1, 25 dwellings (all open market)
 - all pre-commencement conditions discharged.
 - solutions secured for Nutrient Neutrality and Wildlife Habitat Mitigation.
 - Approved and fully costed s.278 works solution.
- Outline planning application “Resolved to Grant” by Ashford BC for Phase 2 and 3 (33 and 64 dwellings respectively) with access only for consideration (already agreed with KCC Highways Team)
 - Proposed Nutrient Neutrality solution awaiting approval from Ashford BC but agreed in principle
 - S.106 Agreement to be negotiated.



1 PLANNING

1.1 Local Plan

1.1.1 Orchard Farm is included in the Ashford Local Plan to 2030 as a residential land allocation within site policy S2.

1.2 Planning Permissions

1.2.1 19/00834 and PA/2023/0338

1.2.1.1 Outline and Reserved Matters consent granted for phase 1 (25 dwellings). Includes a Master Plan for the whole of Orchard Farm showing 122 dwellings (i.e. including phases 2 and 3)

1.2.2 OTH/2023/0222, OTH/2023/2198 , OTH/2023/0463, and OTH/2024/1588.

1.2.2.1 Discharge of all pre-commencement conditions relating to Phase 1, all approved. OTH/2024/1588 includes translocation of reptiles for which a legally binding Agreement has been signed with a neighbouring farmer (see paragraph 3.5.5 below).

1.2.3 PA/2023/0945

1.2.3.1 Installation of drainage attenuation basin, package treatment plant, access road and associated landscaping. This approval enables the sewage treatment plant and SUDS system required for the nutrient neutrality solution for Phase 1. It also includes the necessary treatment plant to serve phases 2 and 3 and delivers a surplus of nutrient credits , which could enable about 25 further dwellings i.e. about 50 in total) to be built and sold before off-site credits are required. Appropriate legal Options have been entered into with the five neighbours in Orchard Lane, whose septic tanks will be decommissioned and with the adjoining owner of land for the discharge sewer from the PTP.

1.2.4 PA/2023/2162

1.2.4.1 Outline application, with access only for approval, for phase 2 and 3 (33 dwellings and 64 dwellings respectively). Phase 2 to be accessed from widened Canterbury Road access, using part of 399 Canterbury Road, all as agreed with KCC; and Phase 3 to be accessed from Willesborough Road across adjoining land. The adjoining land owner is required by s.106 Agreement in respect of adjacent land (p.p. reference 19/00025) to deliver an appropriate vehicular access at no cost to us.

1.2.4.2 Ashford BC have now 'Resolved to Grant' PA/2023/2162 subject to signing a section 106 Agreement and subject to negotiating a nutrient neutrality solution. We have an appropriate solution and we are pursuing this actively with Ashford. This includes the on-site PTP, including decommissioning neighbours septic tanks, and purchasing off-site credits at a cost of **£152,720**.



2 CONSTRUCTION

2.1 S.278 Works in Canterbury Road

2.1.1 Detailed design work has been completed for this element of the works and approved by KCC Highways Team.

2.1.2 The works have been put out to tender and Walker Construction were the lowest tender received at £544,791.

2.2 Public Realm for Phase 1

2.2.1 Fully detailed Technical Design (RIBA Work Stage 4), suitable for tendering, has been prepared for the construction of the public realm for Phase 1, including full civil engineering and landscape designs.

2.3 Public Realm for Phase 2.

2.3.1 Concept Design and Spatial Coordination (RIBA Work Stage 3), suitable for full planning application, has been prepared for the construction of the public realm for Phase 2, including full civil engineering and landscape designs.

2.4 Public Realm for Phase 3.

2.4.1 Concept Design Coordination (RIBA Work Stage 2), suitable for outline planning application, has been prepared for the construction of the public realm for Phase 2, including full civil engineering and landscape designs.



3 **LEGAL**

3.1 Title.

3.1.1 The development site at Orchard Farm comprises the whole of the land registered at the Land Registry with title numbers K130247 and TT13153.

3.1.2 The land required to widen the existing access is part of 399 Canterbury Road TN25 4DU, land registered at the Land Registry with title K884111, which OFKL wholly owns through a subsidiary. The access can be widened without the need to demolish the existing house at 399 Canterbury Road, which has an estimated market value of **£800,000**.

3.2 Overage

3.3 Phase 1

3.3.1 Agreement has been reached with the previous owners that the full planning permission for Phase 1 does not result in an uplift in land value.

3.4 Phase 2 and 3

3.4.1 Using the same input figures as for the Phase 1 calculations, it is anticipated that overage payments of **£207,981** and **£307,326** for Phase 2 and Phase 3 respectively, will be triggered on grant of full planning permission for those phases.

3.5 Section 106 Planning Obligations.

3.5.1 Phase 1 - 19/00834 and PA/2023/0338

3.5.2 The first s.106 Agreement dated 25th August 2020 provided for contributions to various social infrastructure, including Monitoring, Adult Social Care, Allotments, Play Space, Community Learning, Health Care, Informal Natural Green Space, Libraries, Outdoor Sports Facilities, Primary School, Secondary School, Strategic Park, Youth Services, as well as provision on site of seven Social Housing units.

3.5.3 A Deed of Variation dated 10th December 2024 and linked to the Reserved Matters approval, varied the First Agreement with the following principal amendments:-

The definition of **Planning Permission** is broadened to include any future application submitted under section 73 of the TCPA (non-material amendments). This enables the application for the revised s.278 works, reference PA/2024/2352, to be approved without a further s.106 undertaking.

The obligation to provide on-site affordable housing is removed and replaced with an obligation to make a cash contribution to the Council for off-site affordable housing provision.

The on-site Nutrient Neutrality mitigation, broadly as described in paragraph 1.2.3.1 above, is required to be delivered prior to occupation.

3.5.4 Phase 2 and 3 - PA/2023/2162

3.5.5 Negotiations are on-going in this respect and Ashford BC have set out their requirements in the Resolution to Grant report to committee.



3.6 Section 278 Highways Agreement.

3.6.1 Phase 1 - [19/00834, PA/2023/0338](#) and [PA/2024/2352](#)

3.6.2 Detailed design of the s.278 Highway Works has been approved by KCC Highway Team and the works can progress immediately.

3.6.3 **Phase 2 and 3 - [PA/2023/2162](#)**

3.6.4 It is anticipated that there will be no requirement for any s.278 works for these Phases, since KCC requires only on-site modifications to the access road for access to Phase 2 and their requirements for access to Phase 3 is accommodated within the planning permission for the adjacent site.



4 KEY DOCUMENTS

- 4.1 SCHEDULE OF ACCOMODATION.**
- 4.2 Phase 1 – 25 dwellings (full p.p. granted PA/2023/0338).
- 4.3 Phase 2 – 33 dwellings (pending outline approval PA/2023/2162).
- 4.4 Phase 3 – 64 dwellings (pending outline approval PA/2023/2162).
- 4.5 CUS_OFK_MP_01.2_015 - APPROVED MASTERPLAN for 122 dwellings across entire site**
- 4.6 CUS_OFK_LA_02A_016 – Site Layout for 122 dwellings across entire site**
- 4.7 CUS_OFK_PH_016 - PHASING PLAN showing phases 1, 2, and 3.**