

APPLICATION: MA/10/0612 Date: 13 April 2010 Received: 16 April 2010

APPLICANT: Mrs A Thompson, English Rural Housing Association

LOCATION: LAND EAST OF, SOUTH STREET ROAD, STOCKBURY, KENT, ME9 7UH

PARISH: Stockbury

PROPOSAL: Erection of eight local needs affordable housing units, with associated access and car parking as shown on A4 site location and drawing no. LP01, Site Survey and Draft Drainage Layout received on 13th April 2010 and 5198/03 RevD and 5198/04 RevB received on 4th May 2010.

AGENDA DATE: 22nd July 2010

CASE OFFICER: Richard Timms

The recommendation for this application is being reported to Committee for decision because:

- It is contrary to the views expressed by Stockbury Parish Council

1. POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, ENV33, ENV34, T13
Government Policy: PPS1, PPS3, PPS7, PPS9, PPG13

1. HISTORY

2.1 There is no planning history relevant to this application.

2. EXTERNAL CONSULTATIONS

- 3.1 Stockbury Parish Council:** Have promoted this development. They wish to see the application approved and request the application is reported to Planning Committee.
- 3.2 Southern Water:** No objections subject to Environment Agency agreement, and suggest the imposition of a condition relating to surface water drainage details as follows:

'Construction of the development shall not commence until details of the proposed means of surface water disposal have been submitted to and approved by the Local Planning Authority in consultation with Southern Water.

3.3 Environment Agency: No objections subject to the imposition of conditions requiring further details of soakaways in relation to surface and foul water drainage and contamination.

"Surface Water Drainage

There is no objection to the use of soakaways for the disposal of clean, uncontaminated surface water drainage providing the soakaways will not discharge into land impacted by contamination or land previously identified as being contaminated, or into made ground. Although no likely sources of contamination were identified on site during the site walkover, any visual or olfactory signs of contamination must be investigated when the soakaways are installed.

The use of deep bored soakaways is actually against our Groundwater Protection Policy (GP3). Policy P4-7 states that we will object to the use of deep bored soakaways unless the applicant can satisfy a number of criteria. It is considered reasonable that these criteria can be satisfied in this instance, but the soakaways will still need to be as shallow as possible, and no deeper than necessary into the upper chalk aquifer. It is not acceptable for them to be 40 metres deep as suggested within the drainage report.

Foul Drainage

We note that foul drainage is to be discharged via a package treatment plant to deep bored soakaways. As stated above, the soakaways will need to be as shallow as possible. The following is also applicable:

Contamination

We acknowledge receipt of the submitted desk study. Although the report has not identified the underlying aquifer as a potential receptor, we consider the current/previous use of this site to be of relatively low risk. The following condition is, however, still requested:

Condition

If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority, LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, details of how this unsuspected contamination shall be dealt with.

Reason

The site is underlain by the upper chalk principal aquifer, and is located within Source Protection Zone II for a number of potable water supply abstractions.

3.4 Natural England: Satisfied there are no widespread reptiles on site and that that this proposal should not be detrimental to local breeding bird populations.

"Protected species

Paragraph 98 of ODPM Circular 06/2005 states that 'The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat.' Paragraph 99 also states that 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision.'

Widespread reptiles

Natural England is satisfied that the survey information provided by the applicants demonstrates that no widespread reptiles are present within the application site.

Breeding birds

Providing any site clearance works are conducted outside of the breeding bird season and replacement nesting opportunities are provided through the landscaping strategy at the detailed application stage, Natural England is satisfied that this proposal should not be detrimental to local breeding bird populations."

- 3.5 Kent Wildlife Trust:** No objections subject to planning conditions being used to secure the completion of avoidance, mitigation, compensation and enhancement measures recommended in the reports. (However, we would wish to see a secured buffer zone provided alongside the existing hedge (northern boundary) to the dimensions and specification of that to be installed to protect the proposed hedgerow along the southern and eastern boundaries)

"Experienced consultants have carried out the ecological, reptile and tree surveys of the site and assessment of the development proposals. The Trust has no reason to question the findings and recommendations contained in the various reports but, given the risk to protected species arising from the development, we would urge the Council to test the proposal against the standing advice from Natural England.

We have no objection to the principles of the landscape scheme and management plan. However, we would wish to see a secured buffer zone provided alongside the existing hedge (northern boundary) to the dimensions and specification of that to be installed to protect the proposed hedgerow along the southern and eastern boundaries. Without this protection the proposed hedgerow along the western boundary may lose its essential connection to the established hedgerows to the north and north east.

Otherwise, the Trust has no objection, in principle, to the development subject to planning conditions being used to secure the completion of avoidance, mitigation, compensation and enhancement measures recommended in the reports. The Council should also require, by condition or agreement, the funding of an appropriate management regime for habitat enhancement features that is responsive to the results of periodic key habitat and species monitoring."

- 3.6 Kent Highway Services:** No objections subject to tracking diagrams to indicate that refuse vehicles/fire engines and deliveries are able to access the site, turn round and leave in a forward gear. (The officer has since commented that this is achievable but request plans for confirmation). Conditions are recommended relating to dropped kerbs and tactile paving to allow access for all pedestrians, space for construction vehicles, securing parking provision, cycle parking, properly consolidated surfaces and visibility splays. Informatives relating to surface water drainage and construction vehicle washing facilities.

"The application proposes 8 affordable homes with 16 parking spaces. This level of parking is acceptable for this size of development at this location.

A new single point of access is proposed from South Street 4.1m in width. Tracking diagrams are required to indicate that refuse vehicles/fire engines and deliveries are able to access the site, turn round and leave in a forward gear.

A footway link is provided into the site opposite an existing footway on the western side of South Street. Dropped kerbs and tactile paving are required to allow access for all pedestrians."

3. INTERNAL CONSULTATIONS

4.1 MBC Housing: Have promoted this development and are satisfied that a level of need for 15 households exists.

"The attached draft s106 agreement is generally acceptable and follows our standard template for schemes of this nature. There might be the odd minor amendment or inclusion to make, but it would be substantially as set out in the attached draft document. The local connection and eligibility criteria (defined within the draft s106) for prospective applicants applying for a proposed scheme of this nature in Stockbury is what has been agreed between Housing and the Parish Council.

There were 15 households identified within the Local Housing Need Survey, undertaken by Action with Communities in Rural Kent, on behalf of Stockbury Parish Council (June 2006), that reported they were unable to rent or purchase a home suitable for their needs on the open market. The survey itself is based on one used by Rural Housing Enablers nationally and the methodology is well tried and tested and been in operation for several years.

A Village Information and Consultation Event was held in Stockbury in February 2009, and events such as this are often used as an opportunity to update original housing needs surveys. This is normal procedure and required as an evidence base to support any case for rural housing development, particularly if a lengthy period of time (usually three years) has elapsed since the original survey. Local people with a need for an affordable home were asked to complete a Registration of Interest Form indicating their housing needs, which also looks at the nature of their local connection, reasons for re-housing, and household incomes. These forms were then assessed by Action with Communities in Rural Kent to give an independent and impartial report on current levels of housing need, and to determine whether there had been a change in circumstances.

Analysis of the data identified 15 households, comprising of 28 individuals, who reported they were in housing need, the same number of households as reported in the original survey. An updated assessment of local housing costs within Stockbury has also been undertaken to determine affordability, which shows that prospective applicants are priced out of the open market. I am therefore satisfied that a level of need exists."

4.2 MBC Landscape Officer: No objections subject to a revised landscaping scheme for the hedges being submitted using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines and trees being laid out less formally.

"The objectives of this report were to survey and identify any tree related constraints to the development, provide practical recommendations and address the matters raised by MBC in relation to the preliminary design. In addition to the tree survey an ecological scoping report was undertaken. There are no trees which are subject to TPO however the site is located within the Kent Downs AONB.

Referring to the tree survey, there are 3 Ash trees located on the highway (T4, T5 and T6) and the northern boundary consists of Berberis hedge with a single Holly tree (T2). The report has classed the Ash trees as high quality and the Holly tree as moderate quality. I consider the grading of the trees appropriate. However, given that they are hedgerow trees and the landscaping scheme

shows that T5 and T6 are to be integrated into the scheme I do not consider it expedient to make them subject to a TPO. The removal of T4, to improve the vision splay to the highway, will not have a detrimental effect on the amenity value of the landscape. A number of other trees have been noted however they do not pose a constraint to this scheme.

As part of the report the Root Protection Area (RPA) has been calculated and, as a result, two trees (T2 and T6) will encounter encroachment within their RPA. It has been calculated that T2 will experience 11% whilst T6 will have 15% encroachment to accommodate the car park to the front. The building footprint will be approximately 2.5m from T2 and therefore there may be a possibility that further damage to the tree will arise during the construction of the development. This may ultimately result in T2 having to be removed.

The landscaping scheme shows that the site will be enclosed on the western, southern and eastern boundary with a mixed hedgerow consisting of Hawthorn, Oak, Blackthorn, Hornbeam, Spindle and Dog Rose. Whilst the contents of the hedge are native they are not in keeping the Landscape Character Assessment and Landscape Guidelines document and therefore a revised scheme should be submitted. The hedge on the northern boundary is to be retained in its current form.

It is also proposed to have a variety of trees interspersed within the hedgerow including Wild Cherry, Oak, Wild Crab and Field Maple. Whilst the introduction of trees into this landscape is important in terms of visual appearance and improving biodiversity, I feel that the proposed layout will create a formal appearance to the site. I would prefer to see a reduced number of trees along the eastern boundary, for example only trees to the rear of each building. This will allow the trees to reach their full potential, whereas the previous scheme would not have allowed the trees to grow into their natural shape. The number of trees (Wild crab) along the southern boundary should also be restricted to two, again to allow them to reach their potential.

The ecological scoping survey concluded that the site contained typical plants associated with this area and no reptiles were observed on the site.

Recommendation

It is, therefore, recommended that on landscape/arboricultural grounds the application should be APPROVED with the following conditions.

A revised landscaping scheme for the hedges should be submitted using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines."

4.3 Environmental Health Manager: No objections subject to the imposition of a condition regarding foul sewage and standard informatives relating to construction.

"The site is in a semi rural area, and although approximately 600m from the busy A249 and 1km from the M2 I do not consider that traffic noise is likely to be a significant problem. Any demolition or construction activities will definitely have an impact on local residents and so the usual informatives should apply in this respect.

There is no indication of land contamination based on information from the Maidstone Borough Council's contaminated land database and historic maps databases; however, both a Contamination Desk Study report and an Envirocheck Report have been submitted with this application. The reports conclude that there is unlikely to be any significant contamination, but note that the site is in a radon affected area. The Contaminated land report states that no radon protection measures are necessary in the construction of new homes, but this is not strictly true. According to the Health Protection Agency "Indicative Atlas of Radon in England and Wales" (2007), the percentage of homes at or above the Action Level in the Stockbury area is 1-3%.

Having conferred with building control on this matter I would therefore recommend that radon protective measures are implemented during the build.

The application form and the drainage report state that foul sewage will be dealt with via a package treatment plant but there are no further details other than that provided so further information will be required."

4. REPRESENTATIONS

5.1 13 letters have been received with 8 objecting to the development and 5 offering support. One letter has questioned notification of the application. I summarise the issues that have been raised in these letters as follows:

- Detrimental impact upon visual appearance and encroachment into landscape in nationally protected AONB on Greenfield site.
 - No need has been established/overstated need/survey is weak/rental property is readily available with 500 affordable homes being built less than 10 miles away.
 - Stockbury is not a 'sustainable village'/people will need cars/no public transport.
 - Roads unsuitable for increased traffic and highway safety issues.
 - Will attract undesirable people.
 - No rural exception policy/does not comply with PPS7.
 - Parish Council's strange approach by not discussing the application.
 - Not an infill site and alternatives available at Bull Lane.
 - Loss of privacy
 - Could open the door for further development.
 - Some residents do not wish to comment as they don't want to upset the Parish Council.
 - Demographic inevitably changes over time.
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- Homes will enable people with strong connections to Stockbury to remain or move back which benefits the community.
 - Will help keep the community balanced and diverse and enable families to continue to support each other and support the farm shop, public house and village hall.
 - Families have had to move away due to high prices.
 - Risk of becoming a dormitory village where people have no local connection.
 - Will help sustain village life.
 - Site is acceptable and housing design is attractive.
 - Village has post office, vehicle garage, fancy dress shop, sports and social clubs and working farms.
 - Natural extension of existing row of houses.

5.2 **The Stockbury Parish Residents Group:**

- Concerned over scale and location within the AONB.
- No rural exception policy exists and conflicts with PPS7.
- Site adjacent to existing affordable housing has not been fully researched.
- Demographics of community inevitably change.
- Not a 'sustainable village'. Not Headcorn, Staplehurst or Lenham. No doctor's surgery, no school or nursery facilities, no offices/small bank branches, shops, library etc. No large number of retails or other employment opportunities and no public transport.
- No evidence produced of severe overcrowding.
- Stockbury does not have family businesses where housing is essential to support ongoing livelihoods.
- Only 9 UBR-paying businesses in Parish.
- Much more affordable rental accommodation has become available with 500 affordable homes in Swale.

5.6 CPRE (Maidstone): Supportive of application.

- Application satisfies most of criteria for affordable local rural housing on exception sites.
- Thriving local community with a large shop come post office, pub and village hall,
- Stockbury is a sustainable community.

5.7 CPRE (County Branch): Wish to point out that they have received some local objection to the application.

"Subsequent to the submission on the above application by our Maidstone Committee, the CPRE county branch has been contacted by residents who have a number of concerns about the proposals put forward in the application. We ask that the planning committee are made aware that there is some local disagreement with the proposal and that the matters have been raised by this debate are given due consideration."

6. CONSIDERATIONS

6.1 Site location & Description

- 6.1.1 The site is located outside but immediately south of the defined 'village envelope' of Stockbury as set out in the Maidstone Borough-wide Local Plan Proposals Map 2000. It falls within the nationally protected Kent Downs Area of Outstanding Natural Beauty (AONB) also designated as a Special Landscape Area (SLA) in the Local Plan.

- 6.1.2 The site is roughly rectangular with an area of some 0.27ha and located upon generally level arable farmland on the eastern side of South Street Road. There are dwellings to the north and west of the site with farmland to the south and east, undeveloped and open. It has a frontage length to South Street Road of some 73m and extends eastwards into the field by some 35-40m. It is at a similar level to the road with a grassed verge, post and wire fence and three mature ash trees along the road frontage. There is an informal farm access formed by a gap in the fence towards the south end of the site.
- 6.1.3 There is a Berberis (evergreen) hedgerow between 2-2.5m in height along the northern boundary with no. 8 South Street Road. Nos. 1-8 South Street Road to the north are 1960's dwellings including semi-detached and terraced two storey buildings. Opposite the site to the west are Parsonage Oast and Cottages all in residential use. Parsonage Farm and its access is also to the west of the site set well back from the road with a group of farm buildings and the Grade II listed dwelling. A farm shop operates from this farm, which will be referred to later in this report. Harrow Court also lies opposite and is a small 1980's cul-de-sac. Buildings within the vicinity are of different ages with a subsequent mix of design, form and materials.
- 6.1.4 The attached site location plan indicates where the 'village boundary' is located in relation to the application site.

6.2 Proposed Development

- 6.2.1 The proposals is a full application for the erection of 8 two storey dwellings with associated access, parking and landscaping. There would be four flats and two semi-detached dwellings. The application seeks to provide affordable 'local-needs' housing to meet a need identified in the Parish of Stockbury. Two of the dwellings would be for shared ownership with the others for rental which would be secured through an appropriate s106 obligation for the benefit of the area in perpetuity through local connections criteria (draft submitted). Local connection criteria include having lived or having close family who have lived in the Parish for at least 5 years, having employment in the Parish for at least 1 year or having been forced away from the Parish due to a lack of suitable accommodation. If these criteria cannot be met then the same criteria would be applied to an applicant from a neighbouring Parish (Thurnham, Huckling, Bicknor and Detling). The Council's housing section is satisfied with the s106 as can be seen from their comments at paragraph 4.1 above.
- 6.2.2 The development would comprise:

- 1 staggered two storey terrace of four flats (two 1bed units/two 2bed units): The flats would be on the ground and first floors (4.5 - 4.7m to eaves and 7.8m -8.3m to ridge)
- 2 two-storey semi-detached dwellings (each with a 2 bed unit & 3 bed unit) (5.1m to eaves and 8.7m to ridge)

- 6.2.3 The dwellings would essential be split into two blocks. Plots 1-4 (all flats) in a terrace at the north end of the site and plots 5 to 8 being two semi-detached properties with a first floor link between. The terrace would be staggered in height with gabled sides. The semi-detached dwellings would have two storey gables to the front and rear with fully hipped sides. The central first floor link would be set down lower than the main ridges with parking beneath. The mix of units has been tailored to meet the needs identified in the village housing needs surveys that have been undertaken.
- 6.2.4 The indicated materials for Plots 1-4 predominantly comprise red/brown multi stock brickwork with the roofs indicated to be finished in plain tiles. Plots 5-8 would be yellow stock brick with slate roofs. Windows would be white painted timber. The density of the development equates to approximately 30 dwellings/ha.
- 6.2.5 The development would be accessed in the southwest corner where the field access exists but this would be widened to facilitate the development, which would necessitate the removal of a mature ash tree. The access road would be 4.1m wide and head northwards to a turning head. The southern part of the roadway would be tarmac with the northern part block paved with grey granite setts to demarcate the change in surface. There would also be granite setts near the access to allow for vehicle to overrun. There would be a paved parking area to the front of dwellings at the northern end of the site with other parking between dwellings. The farmer's access would also be maintained with hard surfacing extending along the south edge of the site to a new gated entrance to the field. A total of 16 parking spaces are shown to serve the development.
- 6.2.6 The roadway would be on the west side of the site with the dwellings in a linear form from north to south in the middle and their rear gardens on the east side. There would be a landscaped strip along the site frontage narrowing in depth from 10m at the south end of the site to 5m at the north end. Other landscaping and lawned areas would be provided to the front of the dwellings. There would be a new footpath link at the northern end of the site to South Street Road.

6.2.7 The scheme has been designed to meet Lifetime Homes Standards, Code for Sustainable Homes Level 4 and also comply with the HCA Housing Quality Indicators.

6.3 Policy background

6.3.1 The site is located within the Kent Downs AONB a nationally designated area. Paragraph 21 of PPS7 states:

*'Nationally designated areas comprising National Parks, the Broads, the New Forest Heritage Area and Areas of Outstanding Natural Beauty (AONB), have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. **The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas.***

6.3.2 Local Plan policy ENV33 relates to the AONB and states:

'Within the Kent Downs Area of Outstanding Natural Beauty as defined on the proposals map, the conservation of the natural beauty of the landscape will be given priority over other planning considerations.'

6.3.3 Planning Policy Statement 3 (Housing) states as follows in paragraph 30:

*'In providing for affordable housing in rural communities, where opportunities for delivering affordable housing tend to be more limited, **the aim should be to deliver high quality housing that contributes to the creation and maintenance of sustainable rural communities in market towns and villages.** This requires planning at local and regional level adopting a positive and pro-active approach which is informed by evidence, with clear targets for the delivery of rural affordable housing. Where viable and practical, Local Planning Authorities should consider allocating and releasing sites solely for affordable housing, including using a Rural Exception Site Policy. This enables small sites to be used, specifically for affordable housing in small rural communities that would not normally be used for housing because, for example, they are subject to policies of restraint. Rural exception sites should only be used for affordable housing in perpetuity. A Rural Exception Site policy should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection, whilst also **ensuring that rural areas continue to develop as sustainable, mixed, inclusive communities.***

6.3.4 Planning Policy Statement 7 (Sustainable Development in Rural Areas) states as follows at paragraph 8:

*'The Government's planning objectives and policies for housing are set out in PPG3, Housing. The key aim is to offer everyone the opportunity of a decent home. **The needs of all in the community should be recognised, including those in need of affordable and accessible, special needs housing in rural areas.** It is*

*essential that local planning authorities plan to meet housing requirements in rural areas, based on an up to date assessment of local need. **To promote more sustainable patterns of development and make better use of previously developed land, the focus for most additional housing in rural areas should be on existing towns and identified service centres. But it will also be necessary to provide for some new housing to meet identified local need in other villages.***

- 6.3.5 The Maidstone Borough-wide Local Plan (Policy H30) contained an exceptions site policy but this was not saved. The Council's Affordable Housing DPD December 2006 makes no specific reference to affordable housing in rural areas under policy AH1 but refers to it being provided through policy H30 of the Local Plan which has not been saved. The Core Strategy preferred options document (2007) in relation to affordable housing aims to "*address the needs of the rural areas by allowing development that specifically meets local community need, through the use of Rural Exception sites and specific plan allocations **in appropriate locations** in order to provide affordable housing to meet local needs in perpetuity.*" The South East Plan contained policy H3 relating to affordable housing but the Plan was revoked on 6th July 2010 and no longer forms part of the Development Plan.
- 6.3.6 There is therefore no longer a local or regional policy on which to consider the application. I note that the Council's Housing Strategy (2005-09) provides clear support for affordable rural housing for local people where there is a demonstrated need. This is largely based upon maintaining a demographic balance within the rural community and allowing local people to remain where they have strong family or employment ties. However, the Strategy does not provide any detailed consideration of site location in terms of sustainable access to key services, a fundamental principle of modern spatial planning.
- 6.3.7 I consider there is government support for the provision of affordable rural housing including for 'exceptions sites' where a need has been demonstrated. The general view being that such development can help to maintain a mix and a balance in a rural community and help to support local infrastructure and services. However, as outlined in PPS3 this is where such development '*contributes to the creation and maintenance of sustainable rural communities in market towns and villages*'. Clearly there must be a sustainable community with local infrastructure and services for such development to support, and to my mind this implies a need to ensure that housing is developed in suitable locations which offer a range of community facilities and with good access to jobs, shops, key services and infrastructure.
- 6.3.8 I therefore consider the main issues to be as follows:
- The effect upon the character and appearance of the Kent Downs AONB.

- The need for affordable housing in the locality.
- The location of the site with respect to the availability of, and distances from, local services and facilities and whether the development would contribute to the creation and maintenance of a sustainable rural community.

6.4 Impact upon the AONB & general design

- 6.4.1 The proposals would cover an area of 0.27ha (some 73m x 40m) introducing a near continuous 55m long row of two storey buildings with hard surfacing covering much of the site through the access road and parking areas. The layout of the development has quite a suburban appearance with the rather formal layout of the roadway and the use of tarmacadam and block paving. Clearly, this would result in a dramatic change to the current open and undeveloped rural farmland character of the site. Whilst new hedge and tree planting is proposed this would not screen or satisfactorily assimilate the development into the landscape and it would inevitably take on a more formal and domestic character. The proposals would further extend development southwards on this side of South Street Road and encroach into undeveloped countryside.
- 6.4.2 There are clear, close views of the site from South Street Road to the north and in front of the site, and longer range views further south from this road over the fields and hedges between to a distance of some 400m away. The development would be prominent from a considerable stretch of South Street Road here. When approaching the village from the south along this road, particularly in the summer when trees and hedges are in leaf, the short row of two storey houses to the north of the site are prominent but many other buildings in the village are largely screened. This confirms my view that the proposals would have a significant harmful impact, adding considerably to the amount of visible built development on this approach to the village and resulting in a major change. I also note there would medium range views of the development over fields from Church Lane some 260m north of the site. From here the development would be visible because it is set further back from the road than existing dwellings to the north and so is not screened by these buildings and projects further into the arable field. On this basis, the development would undoubtedly cause harm and have a damaging effect on this part of the AONB due to its site coverage, height and prominence contrary to policies designed to protect the AONB's landscape and scenic beauty.
- 6.4.3 In terms of the design of the development, I consider this to be generally acceptable but not of any exceptional quality. The dwellings are of a size and design generally in-keeping with the mix of buildings within the area. Landscaping is provided to the front of the dwellings with a buffer strip to the

site frontage. Hedgerows and trees would be provided along the south and east boundaries of the site to soften the development. Suitable amenity and private gardens would be provided for the properties. I note the gardens of the flats would be somewhat overlooked by one another, however this is common for such properties. Being over 130m from the Parsonage Farm, the Grade II listed building, I do not consider there would be any significant harm to its setting. Whilst the design is not considered to be unacceptable obviously it does not negate the visual intrusion of the development or the harmful erosion of open countryside within the AONB.

6.5 Need for the Development

- 6.5.1 The need for the development has been put forward in the form of a parish wide housing needs survey (questionnaire) and details of open market prices in Stockbury from February 2010. This is the generally accepted format for demonstrating rural housing need.
- 6.5.2 Stockbury Parish Council with Action with Communities in Rural Kent conducted a parish wide housing needs survey in June 2006 to ascertain whether there are shortfalls in affordable housing provision. A Village Information and Consultation Event were held in Stockbury in February 2009 to update original housing needs survey. The Council's Housing section accept this as a normal procedure and required as an evidence base to support any case for rural housing development, particularly if a lengthy period of time (usually three years) has elapsed since the original survey.
- 6.5.3 The original survey identified 15 households that reported they were unable to rent or purchase a home suitable for their needs on the open market. The update information identified 15 households, comprising of 28 individuals, who reported they were in housing need, the same number of households as reported in the original survey. The survey recommends that up to 7 properties would fulfil the existing and future affordable housing needs of local people in Stockbury. A mixture of properties with 1, 2 and 3 bedrooms are considered appropriate with a least 5 available for rent.
- 6.5.4 The survey and updated information is the accepted format for demonstrating the need for affordable housing in rural communities. In this case 15 households have stated that they are unable to rent or purchase a home suitable for their needs on the open market. This information does demonstrate a need for affordable housing, as is the case for most villages in Maidstone to a lesser and greater degree, and I consider the proposed development meets some of that need and provides the appropriate type and tenure.

6.6 Location of the site, services and facilities and whether the development would contribute to the creation and maintenance of a sustainable rural community.

- 6.6.1 Within the defined settlement boundary of Stockbury is a public house and village hall and there is a farm shop with post office counter outside the boundary at Parsonage Farm, all of which are within walking distance of the application site. There is a small group of businesses at Church Farm some 700m by road from the site where there is a car MOT and repair garage, a drainage pipe supplier, an agricultural vehicles supplier, a fancy dress shop and a climbing frame manufacturer's workshop. There is also a church to the south of this site. The farm shop does sell some convenience goods and has a post office counter but is restricted by condition for the majority of annual sales (75%) to be poultry and game meat. It was essentially granted planning permission as a farm shop to sell meats with some supplementary sales of other items as a destination shop.
- 6.6.2 The village therefore lacks any doctor's surgery, pre-school or primary school education services or significant employment, to my mind key services needed on a day to day basis. The farm shop is restricted to meat sales with some limited shopping, but residents must again travel for essential weekly food shopping etc. The public house and village hall, whilst potentially important for the community, do not provide essential day to day services. Nor is there any public bus service to the village that can provide sustainable links to other services, facilities or jobs nearby. However, I am aware that a private bus services is running for some school children.
- 6.6.3 As such, existing and future occupants must clearly drive some distance to essential daily services including shops, jobs, schools and health care facilities, which demonstrates that the village is not a self-sustainable village nor is it at a sustainable location. Such key services are available at Maidstone (10km), Sittingbourne (8km) and Medway (4km). I therefore conclude that the site is an unsustainable location for new housing.
- 6.6.4 It could be argued that additional residents would help to sustain existing services and may increase the population enough to sustain a new village shop or business for example and thus contribute to the creation of a sustainable rural community. However, no evidence has been put forward to support this and I do not consider 8 new houses would have any significant affect bearing in mind the Parish has a population of between 600-700. I am also mindful that 6 affordable houses were provided under a rural exception policy on the north edge of the village in the 1990's, and if more housing is now being proposed one would assume this did not make any significant difference. Therefore, I consider the provision of more housing at Stockbury would basically increase and exacerbate unsustainable car usage to essential

services, which goes against the aims of delivering sustainable development. This development can be expected on average to result in 6-8 movements per property a day and so 48-64 movements per day as a result on this development.

- 6.6.5 I acknowledge the social argument for affordable housing in rural communities to maintain a 'mixed and inclusive community' as outlined in PPS7, however a blanket approach is too simplistic in spatial planning terms. This is just one aspect and I do not consider this is sufficient to outweigh the unsustainable location in terms of services and reliance on the private car.
- 6.6.6 Therefore in a balancing exercise, I consider that whilst there is an identified 15 households that reported they were unable to rent or purchase a home suitable for their needs on the open market in the Parish, and that the development can help to maintain a mixed community, the significant visual damage to the nationally protected AONB and unsustainable nature of the location and thus the development, outweighs these arguments.
- 6.6.7 I have attached an appeal decision from June 2010 for 10 rural exception affordable houses in the Metropolitan Green Belt at Meopham, Gravesend, Kent. Whilst each case must be judged on its own merits, in this case the Inspector considered there was a demonstrated urgent need for the housing but a vital requirement is that it should be suitably located. He considered the need was outweighed by the seriously damaging effect of the proposed development upon the openness of the Green Belt and its visual amenities and the distance and dispersed nature of key services and various amenities from the appeal site. It is notable in this case that there is a secondary school, leisure centre, day nursery, doctor's surgery and village hall all around 1km from the site but these services were considered too distant so that private car usage would be the most likely form of transport. In the case of Stockbury only the village hall, farm shop and public house are within walking distance and other key services are a considerable distance away.
- 6.6.8 I will now assess other considerations relating to impact upon neighbouring properties, highway safety, ecology, drainage and matters raised by local residents.

6.7 Impact upon neighbouring properties

- 6.7.1 The terrace block at the north end of the site would extend beyond the rear of no. 8 South Street Road. There is a first floor window facing this property but it would serve a stairwell and could be obscure glazed so no loss of privacy would occur. Whilst the terrace would overlap the rear of this property, due to the distance (6.3m) from the side of this property, I do not consider it would result in any unacceptable loss of light to rear windows, the

nearest serving a kitchen. Also due to this distance and an existing holly tree between, I do not consider it would have an unacceptable overbearing impact upon this property. No. 8 has a long rear garden and its aspect to the east would be largely maintained and open. Due to the distance from properties opposite (some 29m) I do not consider there would be any unacceptable loss of privacy or light. Any noise and disturbance associated with the properties or use of the site would not be to an unacceptable level.

6.8 Highway safety & parking

6.8.1 No objections have been raised from Kent Highways in respect of highway safety on surrounding roads. The access and its visibility are considered sufficient as is the parking provision of 2 spaces per property. Whilst the proposals would result in an increase in traffic on surrounding roads it is considered that this can be safely accommodated. I note that the Highways Engineer has requested tracking diagrams to indicate that refuse vehicles/fire engines and deliveries are able to access the site, turn round and leave in a forward gear. I have discussed this with the engineer who has checked the plans and considers there is sufficient space, however plans have been requested to confirm this.

6.9 Ecology

6.9.1 An ecological scoping survey and specific reptile survey has been undertaken. The site is used for growing crops and the reports conclude that it presents limited ecological interests and the plant community is typical of ruderal and farmland habitats in this area of Kent. The hedge areas offer some potential for bird species and it is recommended that any works to hedge areas are carried out outside the bird nesting season or only after a bird nesting survey has been carried out and under a watching brief or suitable ecologist. There is some limited reptile habitat running along the western and northern boundaries of the site. However, the reptile survey did not find any species on site and concludes that there is currently not or only a very limited population utilising the area. As such, I consider development of the site would not cause any significant harm to biodiversity and ecology interests and note that the Kent Wildlife Trust and Natural England have not raised objections to the development.

6.10 Drainage

6.10.1 Surface water drainage would be dealt with by deep bored soakaways and foul water discharged via a package treatment plant to deep bored soakaways. The Environment Agency have stated that there is no objection to the use of soakaways, however the use of deep bored soakaways is actually against their Groundwater Protection Policy (GP3). However they

state that the applicant is likely to be able to comply with their criteria for their use but they would still need to be as shallow as possible, and no deeper than necessary into the upper chalk aquifer. I therefore consider that suitable drainage can be provided for the development that would not lead to contamination of public water supplies.

6.11 Other Matters

- 6.11.1 Other issues raised by local residents and not considered as part of the assessment above include that alternative sites have not been fully explored and the notification procedure on the application.
- 6.11.2 I note that 11 sites were explored by the Parish with this being selected as the most appropriate and one that is clearly available. I have not assessed the acceptability of the other sites mainly because I do not consider anywhere within the parish to be acceptable for 8 new houses for the reasons outlined above and secondly because there is no specific requirement for a sequential test to be undertaken for rural exception sites.
- 6.11.3 In terms of notification, two sites notices were erected outside the site, one on a telegraph pole in the northeast corner of the site on South Street Road and another on a fence to the south of the site. Immediate neighbours to the site were also notified directly by letter. I am satisfied that the correct notification procedure has been carried out for this application.

6.12 Conclusion

- 6.12.1 Whilst there are 15 households that have reported they are unable to rent or purchase a home suitable for their needs on the open market in the Parish, that affordable housing in rural areas can help to maintain a mixed community, and that the provision of affordable housing is one of the Council's clear priorities, this must still be provided at the right location. In this case, it is considered that the significant visual damage to the nationally protected AONB caused by the development and fundamental unsustainable nature of the location and thus the development is so great that it outweighs other considerations. In balancing all considerations, I therefore recommend that the application is refused for the following reasons.

RECOMMENDATION

REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS:

1. The proposals would result in an unsustainable form of housing development at an unsustainable rural community where future occupants would be reliant on the

private car for access to shops, employment and key services contrary to advice within PPS1 and PPS3.

2. Due to the extent and scale of the development the proposals would result in significant visual harm to the character and appearance of the countryside hereabouts designated as part of the Kent Downs Area of Outstanding Natural Beauty contrary to policies ENV33 and ENV34 of the Maidstone Borough-Wide Local Plan 2000 and PPS7.