

APPLICATION: MA/11/1784 Date: 18 October 2011 Received: 21 March 2012

APPLICANT: Mr & Mrs V & D Tracz

LOCATION: CARING WOOD, CARING LANE, LEEDS, MAIDSTONE, KENT, ME17 1TJ

PARISH: Leeds, Otham

PROPOSAL: Erection of 1(no.) dwelling with associated estate manager's cottage, new barn with ragstone wall accommodating photovoltaic cells, new access tracks, dry store, glasshouse, parking areas and landscaping in accordance with plans numbered 016-101 A; 016-114 A; 016-100 A; 016-113 A; 016-103 A; 016-102 A; 106-11 A; 016-107 A; 106-108 A; 016-109 A; 016-104 A; 016-106 A; 016-105 A; 016-111 A; 016-112 A; 016-115 A; 016-113 A received on the 21 March 2012, and 016-112; 016-111; 016-002; 09/00/176; 016-001; 016-115 together with the whole farm conservation plan; great crested newt survey; soil excavation details; Passivhaus verification; Code for Sustainable Homes checklist; economic sustainability report; design and access statement; ecological scoping opinion; sustainability and energy statement; landscape and visual impact assessment; planning statement and landscape and farming proposals received on the 18 October 2011.

AGENDA DATE: 19th April 2012

CASE OFFICER: Chris Hawkins

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

- It is a departure from the Development Plan.
- Whilst Otham Parish Council have objected to this proposal, only a small portion of the application site falls within their Parish, the majority of the site lies within Leeds Parish.

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, ENV34, T13
- South East Plan 2009: CC1, CC2, CC4, CC6, H1, T4, NRM1, NRM5, NRM7, NRM10, NRM11, NRM12, NRM15, NRM16, W2, W11, C4, BE6.
- Village Design Statement: N/A

- Government Policy: National Planning Policy Framework (NPPF) 2012

2. HISTORY

MA/09/0578 - Flow House, Caring Lane, Leeds, Maidstone (same site as those give below – renamed). Application for a lawful development certificate for an existing development to establish that a material start has been made to the single dwellinghouse and associated works approved under applications MA/06/0700 and MA/07/2315. Approved.

MA/07/0620 - Merriams Farm, Caring Lane, Leeds, Maidstone. Variation of conditions 14 and 15 of planning permission MA/06/0700 (Demolition of chicken sheds and erection of a new house) to allow details of fenestration to be submitted prior to installation and to allow details of eco-homes standard to be submitted prior to the occupation of the development. Approved.

MA/06/0700 - Merriams Farm, Caring Lane, Leeds, Maidstone. Demolition of chicken sheds and the erection of a new house, home office, garage, ancillary accommodation, swimming pool, access road, tractor shed, stables and landscaping. Approved.

3. CONSULTATIONS

- 3.1 **Maidstone Borough Council Landscape Officer** was consulted and made the following comments:
 - 3.1.1 `Caring Wood is located within landscape character area 7, Greensand Fruit Belt, as designated within Maidstone's Landscape Character Assessment and Landscape Guidelines 2000. The area consists of mixed farming dominated by orchards and shelterbelts with pasture and some arable farming. There are considered to be few sites of conservation interest because the land has been extensively farmed. The key principles of this landscape type are restoration and extension of the existing landscape pattern of woodland, shelterbelts and hedges.
 - 3.1.2 There are no protected trees or ancient woodlands within the development site but there are three new woodlands planted by the previous landowner under Forestry Commission woodland grant schemes (EWGS)
 - 3.1.3 The applicant proposes to enhance wildlife habitats, restore historic field patterns and unimproved acid grassland, create meadows, orchards, nut platts, ponds and wetland areas together with implementing sustainable farming practices and locally appropriate fruit growing. The principles of this approach and the

associated proposed long term management strategy are very much welcomed. I, therefore, **RAISE NO OBJECTION** to this application on landscape grounds.'

3.2 Maidstone Borough Council Environmental Health Officer was consulted and raised no objections to this proposal.

3.2.1 'The site is in a relatively quiet rural area and traffic noise is not a problem. In the foul sewage section of the application form it states "see Sustainable Energy Strategy". Apparently all surface water and grey water will be collected and used on site but foul water from toilets will be connected to manholes for existing system; however, no further information to this has been supplied on page 14 of the Sustainable Energy Strategy supplied, so further information is required in this respect.

3.2.2 The site was previously solely agricultural, but a previous residential scheme has been implemented (the Flow House), and some of the site is still used for grazing and crops. A contaminated land condition was set in the decision notice relating to the flow House application, MA/06/0700; but I can find no trace of any contaminated land reports being received in relation to this application. Another application to convert two barns, MA/09/1409, on the old farm also had a contaminated land condition recommended by EH but in this particular case the decision notice had no such condition on it. Since we seem to have no contaminated land reports relating to the Merriam's Farm site I recommend that a contaminated land condition is set in relation to this latest application.'

3.3 Maidstone Borough Council Conservation Officer was consulted and raised no objections to this proposal.

3.4 Kent County Council Highways Services were consulted and raised no objections to this proposal.

3.5 Kent County Council Ecology were consulted and raised no objections to this proposal. They made the following comments:

3.5.1 'Under the Natural Environment and Rural Communities Act (2006), "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". In order to comply with this 'Biodiversity Duty', planning decisions must ensure that they adequately consider the potential ecological impacts of a proposed development.

3.5.2 Planning Policy Statement 9: Biodiversity and Geological Conservation states that "the aim of planning decisions should be to prevent harm to biodiversity". Paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and

Geological Conservation - Statutory Obligations & Their Impact Within the Planning System 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.*'

- 3.5.3 Natural England has published Standing Advice on protected species and Ancient Woodland. When determining an application for development that is covered by the Standing Advice, Local Planning Authorities must take into account the Standing Advice. The Standing Advice is a material consideration in the determination of applications in the same way as a letter received from Natural England following consultation.
- 3.5.4 An *Ecological Scoping Survey* report and *Great Crested Newt Presence/Likely Absence Report* have been submitted in support of this application. We are satisfied with the ecological assessment and conclusions that are presented in these reports, but on consideration of the recommendations provided in the *Ecological Scoping Survey* report, we advise that further information must be provided to inform the determination of this application.
- 3.5.5 In section 4.7 of the report, a reptile survey is recommended for an area that will be directly affected by the proposed development. No reptile survey has been submitted with the application and we advise that this information is sought, including any necessary mitigation measures, prior to determination of the application.
- 3.5.6 From our assessment of the information provided, it seems that there will be a need for some scrub/tree removal in the vicinity of the proposed house. The vegetation removal must be carried out outside of the nesting bird season, unless preceded with an inspection for active bird nests, carried out by a suitably experienced ecologist.
- 3.5.7 With the exception of the potential impacts above, there is limited potential for ecological impacts as a result of the proposed development. Overall, given the differences between the current and proposed land use/management for the whole site, there is likely to be a net benefit for biodiversity in the long term. The FWAG *Whole Farm Conservation Plan* submitted with the application presents an action plan that, in combination with the recommendations provided in section 4.9 of the *Ecology Scoping Survey* report, will provide significant biodiversity enhancements.'

3.6 The South East Regional Design Panel were consulted and made the following comments:

- 3.6.1 'The Panel strongly supports the design of the house and would like to see it built. We welcome all the changes that have been made to the design, several of which are in response to comments and suggestions made at our last review. We would like to comment the quality of the material that you presented, including the models. We have only a few additional suggestions to make, which might help in further refining the project. Of there, the most important is the way by which the east and west approaches to the house are to be signalled. Our comments are as follows:
- 3.6.2 From our site visit we experienced the folds in the Kent Weald and appreciated the importance of positioning the house carefully. The computer generated images tabled at the meeting and those reproduced within the design and access statement confirm that the house will be visible from a distance, but we think that its profile will fit very well against the skyline and the trees. We do not know if the accuracy of the images have been verified but we understand that the house will be no more conspicuous than the approved Flow House, which was sited on higher ground.
- 3.6.3 We very much welcome the improvements that have been made to the overall design of the house, and we think the interior will work very well in terms of the brief set by Mr and Mrs Tracz. The free flowing open plan is clearly an important requirement but it may be worth considering whether doors could be introduced discreetly in places to ensure the house conserves energy as far as possible, especially during periods of under-occupation.
- 3.6.4 We continue to endorse the intelligent use of local materials including brick and tile and we think the square house motif is imaginatively used without resorting to mimicry. The house opens out to the countryside but we wonder if some of the openings might be perhaps slightly more generous, if this can be achieved without disrupting the balance of the composition.
- 3.6.5 We consider that the external areas including the sunken terraces work well in relation to the house and the surrounding countryside. Similarly the proposed planting will do much to integrate the new buildings with the landscape.
- 3.6.6 We support the redesign of the estate cottage, which will serve as a lodge to the main house. We believe however, that more could be done to distinguish between the arrival points from the east – at the cottage – and at the west (Caring Lane) and the thresholds could be marked in different ways.'

3.7 Southern Water were consulted and raised no objections to this proposal.

3.8 The Environment Agency were consulted and following the submission of a Flood Risk Assessment (as the site is over 1 hectare), no objections are raised.

3.9 Natural England were consulted and raised no objections to the proposal.

3.10 Kent Wildlife Trust were consulted and support the proposal. Their reasons for supporting the proposal are set out below:

3.10.1 'The proposal offers an exciting prospect of local environmental enrichment by harnessing landscape design, sustainable farming practices and Biodiversity Action Plan (BAP) habitat creation. I admire and commend the applicants' ambitions for their house and estate.

3.10.2 I am very happy, therefore, to lend my **support** to the application subject, of course, to the use of planning conditions and/or planning agreements to secure implementation of the landscape, farming and biodiversity elements of the overall scheme. One essential element of any management regime for the estate is the preparation of a biodiversity action plan (BAP). The ecologist's report makes mention of such a plan and suggests a series of initiatives that it might contain (paragraph 4.9). Disappointingly, however, FWAG's brief appears to focus primarily on "the economics of how to create a sustainable and productive small farm" (FWAG report, paragraph 1), although it does indicate the wildlife benefits of each of the six suggested crops. However, if "one of the key objectives is to truly enhance the ecological potential of the site" (Planning Statement, paragraph 6.7.3) then it is essential that an estate BAP is prepared and that a commitment to its implementation is secured by planning condition/agreement.

3.10.3 An estate BAP would establish a regime for the management, monitoring and review of key habitat and species assemblages across the whole estate. The process of compiling it would involve evaluating and prioritising the many opportunities for biodiversity enhancement identified in the application reports. It would have regard to woodland, shaws, hedgerows, parkland, water courses and ponds. It would identify the contribution that field margins, headlands and grassland can make to local biodiversity. A contribution may also come from green and/or brown roofs on some of the proposed buildings.'

3.11 Otham Parish Council (who are a neighbouring Parish) were consulted and made the following comments:

3.11.1 Please find below comments from Otham Parish Council to support their objections to the above planning application.

The Parish Council welcomes the opportunity given by this application to review

the use of this site. Our contention in our response to the Core Strategy Consultation was that the area along Caring Road should be retained as open farmland, and not developed with any new build. The proposed buildings, once built, could offer an opportunity in the future for a further application. This could be for change of use of the barn and associated works, or the building of further dwellings, thus creating a small hamlet.

The Parish Council is concerned by the inconsistency of the transport statements. There is no feasible road use from the site which does not utilise motorized transport. Furthermore the proposed new access onto Caring Road must result in extra vehicle movements onto a very narrow and quiet country lane. The council is also concerned that there will always be the danger of effluent discharge on this land. There are many underground water courses feeding the River Len, especially close to the western boundary of the site.

While the Parish Council can see that the architect is seeking to re-create an appearance of vernacular buildings, the Council is of the opinion that there is no aesthetic quality to the design.

It wishes furthermore to re-iterate that it considers such an experiment to be contrary to the aim of the Parish Council to maintain undeveloped greenfields in this area.

In the Parish Council's view this proposal would be a misuse of agricultural land in a particularly sensitive landscape, and would urge the Borough Council to reject this application.'

3.12 Leeds Parish Council (within which the site falls) were consulted and raised no objections to this proposal.

4. REPRESENTATIONS

4.1 Neighbouring properties were notified and two letters of objection have been received. The main concerns raised within these letters are:

- The idea of a 'PPS7 house' has become discredited, and will not form part of new government policy;
- This proposal is for two dwellings;
- The 'Flow House' included a number of public rights of way made available;
- The elevations are not traditional enough;
- Concerns about the change of access into the site;
- Concerns about the change of use of the farmland to orchard – the tree planting will overshadowing the neighbouring occupiers.

5. CONSIDERATIONS

5.1 Site Description

- 5.1.1 The application site is located within land identified as the open countryside within the Maidstone Borough Wide Local Plan (2000).
- 5.1.2 The total site area amounts to some 33.5 ha in area. The site comprises agricultural land last used between 1990 and 2004 in arable production and prior to that as orchards.
- 5.1.3 Access to the site is gained via the existing access to Merriams Farm running from Caring Lane. Public footpath KH264 runs north-south from the farm access between the farmhouse and the site of the former chicken sheds to meet another east-west footpath south of the site (KH257).
- 5.1.4 The site is approached from the south at present. The ground has been unnaturally flattened in this location by cutting into the existing slope to provide a level construction area to accommodate the sheds but returns to natural contours just prior to reaching the application site. On this approach a natural hollow occurs to the north east then rises gradually to the south site boundary. From the centre of the proposed site the land falls gently north until it reaches a ridge at which point the gradient increases rapidly to form a steep slope before it shallows out to a gradual descent to the northern boundary falling away towards Caring Lane and Caring Road and the River Len to the north. The main views are encompassed by an arc facing north running from east to west.
- 5.1.5 The landscape of the area is primarily created by a combination of mature boundary hedgerows, shaws and man-made shelter belts planted to protect orchards. The site is visible from Pilgrims Way running along the scarp slope of the North Downs some 3.5-4km north of the site.
- 5.1.6 There is existing sporadic residential development in the area the closes of which are some 190m north east of the site of the dwelling. The site itself is sited some 2km south east of the edge of the defined urban area of Maidstone 'as the crow flies.'

5.2 Proposal

- 5.2.1 The proposal is a full planning application for the erection of a detached dwelling together with an estate manager's house, and extensive landscape works. The overall size of the site amounts to 33.5 hectares. The proposed 'country house' would be of a significant scale, with an overall footprint of 44metres by 44metres at its widest point (this includes the four external 'oasts') – however the main body of the house would have a footprint of 24metres by 21 metres. The

proposed building would have a maximum height of 16.5metres – when viewed from the south.

5.2.2 As can be seen, this would be a substantial dwelling that would include the following accommodation:

- Entrance lobby/galleried landing;
- Mezzanine floor acting as an art gallery;
- Cinema room;
- Snooker room;
- Open plan kitchen, dining and living areas;
- Seven bedrooms, with ancillary bathroom facilities.

5.2.3 The proposed property would be of distinctive form, and located on a step slope, on the north-east side of the building. This topography would result in more of the building being 'exposed' on this side than on the south-western side. The building would consist of a main 'core' that would appear as single storey (albeit with a particularly large expanse of roof) from the south-west, but appear as three storey from the north-east. This main 'core' would have four oast-like projections, one upon each corner, which would create a building that would appear to have a particularly large expanse of roof. However, the roof would be sculptured, and as such, would not appear as monolithic or overly dominant within the landscape.

5.2.4 The base of the building would be constructed of Kentish ragstone, with the upper parts (both roofs and walls) to be clad with Kentish peg tiles (samples have been submitted of both). Much of the 'core' of the building would be provided with irregular fenestration, which would both project from the walls and be recessed within. This fenestration would be very simple in form, with large sheets of glass, and no glazing bars proposed.

5.2.5 Internally, the building would be arranged on three levels, with a mezzanine at the point of entry (top floor), which would be provide an area for the display of art, and for small, private concert performances. The floor below would provide the main living area, with kitchen, living room, dining area, snug/TV room, bedrooms and other private areas. Central to this area would be a courtyard which would be overlooked by these internal spaces. Underneath this level would be more private space, including a cinema, snooker room, and guest accommodation.

5.2.6 Externally, it is proposed that a terrace be provided to the south-east of the building, that would be accessed from the living area. This terrace would also contain an ornamental pond.

5.2.7 Moving from the 'core' of the building, it is proposed that four further oast like projections be erected, which although would still form part of the main building, and indeed would be accessed from the core, would appear as independent with a degree of separation. These elements would be again of ragstone and peg tile construction, with fenestration that is both recessed and that projects. These elements would be of significant scale, reflecting that of the 'core' of the building.

5.2.8 In addition to this, the proposal would include significant alterations to the landscape within the application site. This would include the following:

- A tree lined access into the site (lined with Black Poplars);
- Grazing pasture;
- Broadleaf tree plantation;
- Acid grassland;
- Cobnut orchard;
- Lavender field;
- Cherry orchard;
- A vineyard;
- Apple orchard;
- Wetlands.

5.2.9 The proposal would see the creation of a very informal landscape to the north and east of the site, which is the most visible from public vantage points, with the more formal agricultural area to the south and west of the dwelling. There would not be any significant area given over to 'private garden' for the future occupiers, although as stated above, there would be an internal courtyard, and private terrace for such a use.

5.2.10 In order to maintain this land, it is proposed that an estate manager's property also be provided. This property would contain two bedrooms, and living accommodation split over two floors (although this would be predominantly a single storey dwelling). The appearance of this dwelling would reflect that of the main house, with the inclusion of 'oast' features, as well as areas set aside as roof gardens above the single storey elements. This property would have a small private courtyard garden. This property would have a depth of 15metres, a width of 19metres and a maximum height of 12metres.

5.2.11 To the rear (south east) of the estate managers house, a barn is proposed that would have a width of 14.4metres and a depth of 5.6metres, with a maximum height of 2.7metres (provided with a flat, grass roof). Adjacent to this barn would be a would be a large solar array of approximately 60metres in length, which would also have storage beneath for farm machinery and associated paraphernalia.

5.2.12 A new access is proposed to be created to the north of the application site, onto Caring Road. This access would allow for direct access to the dwelling, with a separate access maintained past Merriam's Farm to the south-east for the agricultural holding – although indirect access to the house can also be provided from this end of the site.

5.2.13 In terms of sustainability, the applicant has demonstrated that the property can achieve level 6 of the code for sustainable homes, as well as achieving Passivhaus accreditation. The house will be self sustainable, and would see significant enhancements to the ecology of the locality through the works to the landscape.

5.2.14 Drainage is to be provided in the form of a SUDs scheme that will utilise soakaways and ponds within the application site.

5.3 Principle of Development

5.3.1 The application site lies within the open countryside, and as such the proposal, if approved, would be a departure from the Development Plan. Policy ENV28 of the Maidstone Borough Wide Local Plan (2000) sets out that development will not be permitted within the open countryside that would harm the character and appearance of the locality. There is a general presumption against the provision of new dwellings within the open countryside, as they would generally fail to comply with the above policy, and would also not accord with the principle of sustainable development that underwrites central government policy. In addition, the Council have identified a 5 year land supply for housing within the Borough, and as such, there is no *need* to provide sites such as this for new housing.

5.3.2 However, within the National Planning Policy Framework (which supersedes PPS7) allowance is made for the provision of new dwelling houses within the countryside, subject to the 'exceptional quality or innovative nature of the design of the dwelling.' In allowing such development, the Local Planning Authority should be satisfied that the proposal meets the following criteria (paragraph 55):

- It should be truly outstanding or innovative, helping raise the standards of more generally in rural areas;
- Reflect the highest standards in architecture;
- Significantly enhance its immediate setting; and
- Be sensitive to the defining characteristics of the local area.

5.3.3 This is slightly different from the criteria that was set out within paragraph 11 of (the now superseded) PPS7. As set out within this paragraph, the key elements

are that the development needs to be isolated, the design should be truly outstanding and ground-breaking, and the proposal should be of a contemporary form.

- 5.3.4 Maidstone has permitted houses of this 'type' in the past, on the basis of this support within Government policy irrespective of housing need. Previous permissions include properties at this site, Ivy Farm (although this is a resolution to grant) and Ewell Manor near West Farleigh. Whilst each case is determined on its merits, the Authority accepts the principle of allowing exceptionally designed dwelling houses within suitably designed grounds. Whilst a previously permitted scheme has been approved on this land, I am not of the opinion that this agrees the principle of this form of development, rather that the proposal is required to be looked at afresh, with all parts of the NPPF required to be satisfied before any new application can be approved.
- 5.3.5 To my mind, however, the fact that these proposals have been permitted in the past, raises the bar, in terms of innovation, and the quality of any future application that is required to be met, in order to receive a favourable recommendation, and decision. As such, this proposal should be *better*, both in terms of its contemporary design, and its sustainability than those previously permitted. I am therefore satisfied that the principle of development is acceptable, subject to the matters discussed above being addressed, and the building meeting the strict requirements of the National Planning Policy Framework.
- 5.3.6 In terms of the erection of an estate manager's property, Policy ENV28 of the Maidstone Wide Local Plan (2000) allows for the provision of such properties if there is a proven need for them. The applicant has submitted a significant level of information relating to the management of the land associated with the building of the new dwelling, and to my mind, the scale of the building proposed is not excessive for the size of the plot – which is in excess of 30 hectares. I therefore consider the principle of providing this form of accommodation within the site to be acceptable, and consistent with the Development Plan.

5.4 Architectural Quality

- 5.4.1 As set out above, the architecture of the proposed dwelling is required to be of the highest standard of contemporary design, and to incorporate ground breaking elements of sustainable construction. The development, designed by MacDonald Wright Architects has evolved through a series of pre-application meetings held with officers of the Council, and discussions with the South East Regional Design Panel (SERDP).

- 5.4.2 As can be seen from the site history, a previous permission has been granted upon this site for a 'PPS7 house.' However, both the design of this proposal, and its location have altered significantly from that approved scheme. This proposal seeks to be more prominent within the landscape, positioned on a steep slope, overlooking the valley.
- 5.4.3 As set out above, the NPPF requires that any development of this nature be innovative and of an exceptional standard of architecture. This is a particularly high test, and there needs to be a clear indication from the applicant, and a full analysis on how or why this test has been complied with. To this effect, the applicants have submitted a critical review of the proposal, that sets out that they consider the proposal to be an integration of three themes, namely: 1) Modernity, and in particular, the blending of abstraction with local identity and connection to place; 2) sustainability giving form and materiality to contemporary buildings, and: 3) that the vernacular is a repository of ecological wisdom and craft. I will address each of these elements separately, and conclude how they 'fit together,'
- 5.4.4 Modernity and local identity: The proposed dwelling is designed to respond to the traditional Kentish vernacular, in particular that of the oast house. However, I consider that the design of this dwelling goes further than to simply mimic the form and layout of a traditional oast, but rather to manipulate the form and create a sculptured, yet subtle form that clearly draws reference from the oast vernacular, but also retains an individualistic form.
- 5.4.5 The proposal would see the creation of four raised elements, that would have an angular form. It is this part of the proposed dwelling that would most closely mimic the oast form, however, the cluster in which they form, being within an irregular 'square' is not a recognisable layout for such a building. In addition, the position of the oast, upon a steep escarpment, is not where one would expect to see an oast house, whilst are traditionally located within flatter, or more gently undulating landscapes (due to the use to which they are associated). However, the architect has sought to not only respond to the Kentish vernacular in terms of the 'oast,' but also to draw significant reference from the strong arts and crafts influences that run through the county, and in particular the Maidstone area. The arts and crafts movement, with its strong chimney and gable features are incorporated within the form and materials used within the four towers or 'kilns,' within the proposed dwelling, responding positively to the tile hanging, and strong triangular forms of the this aforementioned style.
- 5.4.6 The central element of the proposed dwelling would see the creation of a courtyard area – although this would not be seen from the exterior of the building. However, this element would also incorporate the 'kiln' form, again with four kilns proposed, within an inner cluster. This inner cluster, would however,

be sculptured in a different manner insofar as the 'kilns' would be linked by cascading roofs, that would be set at different angles. The roof materials proposed within this development would be of hand made clay tiles (samples of which have been submitted), that would provide a rich, and layered appearance to the roofslope – which would be the dominant form of the building when viewed from the open countryside. The lower levels of the building would be provided with a ragstone plinth, although this would not be at a regular height around the whole building, rather it would rise and fall at different points. This would give the impression of the property rising from the ground, in a relatively organic manner, again highlighting the relationship between the building and the land.

- 5.4.7 The building would be relatively inward looking, with relatively little fenestration upon its outside skin, particularly facing out to the countryside. This again, responds to the idea of the property drawing reference from the form of a kilns – as these have little, if any fenestration. However, the fenestration that is proposed, is provided in a relatively abstract manner, with both projecting and recessed windows, of varying size, and at differing levels within the structure. This is a form that can be seen in many Arts and Crafts dwellings within the country – a prime example being the Red House (Philip Webb) in Bexleyheath. Again, however, this modern interpretation of this arts and craft style draws wider influence from more contemporary architecture with the use of large (singular) glazing panels, and projecting elements.
- 5.4.8 I consider that the architecture responds to the topography of the land to a high standard. Whilst constructed over three floors, the roof is sculptured to be at a lower level as the land falls away. The fenestration within the elevations also responds to the topography within the land, and the subsequent shape and height of the roof. Whilst many of the traditional country houses would have manipulated the land to 'fit' the house, I consider this approach to not only be architecturally interesting, but to take a very delicate and sensitive approach to its relationship with the land – which in turn incorporates the building into the landscape successfully irrespective of its scale.
- 5.4.9 In terms of the materials proposed, the use of ragstone as the base is welcomed, and the fact that this base would form a continuous 'line' around the base, but this would rather raise and fall. Above this, the walls would be constructed of Kentish peg tiles – a sample of which has been submitted. Likewise the roof material would be of the same peg tiles. This 'blurring' of the roof and walls adds further subtlety to the design of this proposal, and the earthy colour of the materials will ensure that the building would not further integrate into the surroundings.

- 5.4.10 Whilst there would be a reasonable level of glazing upon the north-west and north east elevations, I consider that this would 'break up' the mass of the building successfully. This glazing would be both recessed and projecting, which would successfully layer the building. To ensure that the building works are carried out in accordance with the approved plans, providing a high quality of development the precise details of the windows will be subject to a condition imposed should permission be granted.
- 5.4.11 In terms of the estate manager's dwelling, and associated out buildings, these draw reference from the main dwelling itself – using materials and form utilised within the main building. I consider this to be a well designed building that compliments the setting of the main dwelling, and the surrounding countryside.
- 5.4.12 I consider the design of the proposal to be particularly well considered, and to represent a very high standard of contemporary design, thereby complying with the criteria of the NPPF. The architect has fully considered the local vernacular and incorporated both materials and form into the new dwellings (and associated outbuildings). Another of the requirements of the NPPF is that any proposal should be 'sensitive to the defining characteristics of the local area.' Whilst this would be a large building within the landscape, with a significant expanse of roof, I consider it to be both located and designed in such a way that it would not appear as monolithic, and would not detract from the open landscape within which it would sit. I consider therefore, that this proposal meets this requirement.

5.4 Visual Impact

- 5.4.1 The applicant has submitted a full landscape and visual impact appraisal with the application. Due to the positioning of the building, which is designed in part to take advantage of the long ranging views, the building would be partially visible from long distance views, particularly when viewed from the north and east. However, to my mind, the requirement of government guidance for such buildings to be of the highest standard of architecture ensures that the building would be a feature of the landscape rather than an obtrusive feature within it. The site would be visible from parts of the North Downs, approximately 4km from the site, and from Old Mill Road, some 1km away.
- 5.4.2 Whilst the building is proposed over three floors, much of this floorspace would be beneath the ground level or would not be visible from longer distance views, due to the topography of the land. However, the most exposed elevation, being that facing north-east would be in part visible from Caring Road, through breaks in the hedge and tree line – in particular from an existing access point into the adjacent field. However, due to both the existing and proposed landscaping this would be glimpses of the building, rather than clear views through. There would

be no views of the building from Caring Lane, as there is a variety of fences, walls and hedging adjacent to this road within the vicinity of the site. At its closest point, the main dwelling would be some 250metres from Caring Road, and 300metres from Caring Lane.

- 5.4.3 The building is likely to be more visible from the golf course (Tudor Park) to the east, as this sits within slightly elevated ground. However, the building would be some distance away from this course, and its impact would therefore be limited.
- 5.4.4 In terms of the ancillary buildings, including the estate manager's dwelling, I don't consider that these would have a significant impact upon the character and appearance of the locality. Both the estate manager's dwelling and the barn would be positioned to the eastern end of the site, closest to the existing cluster of buildings that are associated with Merriam's Farm. The barn (and solar array) would be positioned to the south of an area of apple orchard, which would provide a softening effect from the access, and the estate manager's dwelling would be surrounded by a cherry orchard and other fruit trees. Again, these buildings would not be visible from Caring Lane, and views would be limited from longer distances.
- 5.4.5 Public Rights of Way KH264, and KH257 run either through, or adjacent to the application site to the north, south and the west. Where these run through the site, they are to be maintained. Having walked along these paths, the proposed dwelling would be in part visible from them, however, again, due to the topography of the land (the land rises further to the south of the property, before falling at the point of the footpath) I do not consider that it would appear out of scale with the surrounding countryside.
- 5.4.6 The new access to the north of the site would sit within a more open area of land, and as such, this would change the character and appearance of the locality to a greater extent. However, due to the landscaping proposed on either side of the access, I consider that this change in character to be acceptable, and raise no objection on this basis.
- 5.4.7 Of significant importance to this proposal is the level of additional planting proposed within the application site. Not only does this benefit the ecology within the site, but it also provides a well structured setting for this building, drawing reference once again to the rural history of the locality, and to a lesser extent providing a frame for the building itself – i.e. tree planting on either side of the property. The enhancement of the existing landscaping in this manner, adds further interest from long distance views, and softening the impact of the main house itself.

5.4.8 There would be some night time effects created by this proposal. The area around the site at present has few light sources of any significance although there are several properties nearby. The design of the proposal would not significantly alter this, with the level of fenestration no considered excessive, and mostly at a lower level within the dwelling.

5.4.9 There are a number of listed buildings near to the application site. Due to the quality of the design of this proposal, and the distance between the property and the listed building, I do not consider that there would be any detrimental impact upon their setting – the Conservation Officer concurs with this view.

5.4.10 I therefore consider that the proposal has been located, and orientated in such a way as to have no detrimental impact upon the character of the locality. I therefore see no grounds to object to this proposal on this basis.

5.5 Sustainability

5.5.1 The applicant has submitted a full sustainability appraisal with the application that sets out the methods of construction, and long term maintenance that would be used during the lifespan of this property. The proposal sets out that the site aims to be a 'carbon neutral estate' once fully operational. A summary of the measures proposed is set out below:

- Rainwater harvesting;
- Introduction of drought resistant crops;
- 100% offset of all CO2 associated with the energy consumption of the estate;
- Code for Sustainable Homes Level 6;
- Net negative CO2 emissions;
- Passivhaus certified;
- 100% of power consumption from photovoltaic array;
- First hybrid GSHP/EASP heating system in the UK
- Cross laminated timber structure generating no waste – with all off cut, wood shavings, and sawdust reused to manufacture biomass pellets.

5.5.2 Whilst the requirement of PPS7 for a development of this type to be ground breaking and truly innovative no longer remains, to there is still a requirement for the development to be 'outstanding' or 'innovative.' As such, it is important to fully assess how sustainable the building would be, both in terms of construction, and also its future operation.

5.5.3 Firstly, achieving level 6 of the Code for Sustainable Homes is a significant achievement. Much of this is down to the level of insulation proposed, and the manner in which the energy for the building is generated. The key features of achieving this high level are:

- The building must be Zero Carbon – the proposed buildings are net Carbon negative.
- Water consumption must be no more than 80 litres per person/per day – the proposal is for 75 litres per person/per day.
- At least three major building elements must be rated D, or better in the Green Guide – The roof and walls will have an A+ rating, and all of the remainder will have a minimum B rating.
- Surface water run-off rates and annual volumes of run-off post development must be no greater than the previous conditions of the site – the scheme will employ rainwater harvesting, surface water attenuation and SUDs to achieve this requirement.
- All the principles of lifetime homes must be complied with – they are incorporated within this development.

5.5.4 Secondly, the applicant is seeking Passivhaus accreditation. This is more focused than the Code for Sustainable Homes in that it looks at energy consumption and CO2 emissions. The accreditation would be achieved by a combination of very high insulation levels, extremely high 'airtightness' and maximisation of passive heat gains from the occupants and winter sun.

5.5.5 In terms of water management it is proposed that all of the estate will utilise low flow sanitary fixtures and fittings, and water efficient white goods and rainwater harvesting for toilet flushing. It is also proposed that all run-off from the site would be attenuated and then diverted into soakaways or ponds. From the ponds, the water will be used for irrigation across the gardens and farms.

5.5.6 I am therefore satisfied that the proposed dwelling would be constructed in a sustainable manner, and its future operation will be as sustainable as possible. There are small elements of innovation within the design of the proposal, which as an overall concept (or package) appears particularly effective. I therefore consider that this proposal does comply with the requirements of the NPPF.

5.5 Residential Amenity

5.5.1 The proposed (main) dwelling would be set a significant distance from any existing neighbouring properties (approximately 300metres from Meeriam's Farm and 290metres from Rose Cottage, 280metres from Merrihill and 230metres from Caring Cottage), and as such, I do not consider that it would have any significant impact upon the residential amenity of the neighbouring properties. In terms of the access point, again, due to their location, I do not consider that these would give rise to any significant noise and disturbance to existing occupiers.

5.5.2 The proposed estate manager's dwelling would be approximately 190metres from Merriam's Farm, 200metres from Rose Cottage, and 210metres from Merrihill. Again, these separation distances are sufficient to ensure that there is no significant impact upon residential amenity to the occupiers of these properties.

5.5.2 Whilst the applicant is intending to farm the land, in perhaps a more intense manner than at present, the site is categorised as agricultural land, and as such this does not require the benefit of planning permission. In any event, the applicant has not indicated that the type of farming to take place would be so intense as to generate a level of noise and disturbance that one would not expect within a rural location. Whilst concern has been raised by a neighbouring occupier about the potential for overshadowing to be caused by tree planting in the grounds, it should be noted that tree planting does not require the benefit of planning permission, and could be undertaken without the consent of this Authority. In any event, I do not consider the planting of an orchard to have a detrimental impact upon the living conditions of neighbouring occupiers.

5.5.3 As such, I consider that this proposal would not have a detrimental impact upon the amenities of the existing neighbouring occupiers.

5.6 Highways

5.6.1 Kent Highway Services raise no objection to this proposal. The proposal is to create a new access to the north west of the application site that would run into the application site through the existing patchwork of fields. This access has been designed in such a way as to have suitable visibility splays on either side, and as this is a private access, rather than a public right of way, I am satisfied that the access would not require passing places etc.

5.6.2 The proposal would generate a level of additional farm traffic by virtue of the proposed intensification of farming activity. However, I am not of the opinion that this would be excessive, and in any event, the more intensive use of the land would not require the benefit of planning permission. As such, I see no reason to object to this proposal on highway safety grounds.

5.7 Landscaping and Ecology

5.7.1 The applicant has submitted a full landscape assessment with the application which sets out the methodology and rationale behind the proposed landscaping scheme. In doing this, a full appraisal of the existing uses, and the historic characteristics of the Wealden Greensand Area have been undertaken.

5.7.2 The applicant's architects have explained that the route of the access into the application site to the dwelling would draw direct reference from the manner in which landscaping would have been provided to more traditional country houses in the past. This would include open views across meadow land, as well as through tree lined avenues, and woodland.

5.7.3 Areas of orchard are proposed within the development, that would be provided with species of trees disseminated from the National Fruit collection at Brogdale in Faversham. This would assist with the long term protection of several species (many of which are local varieties), as well as ensuring that the proposal provides a varied habitat for wildlife.

5.7.4 In terms of the types of agriculture proposed, this can be broken down into six distinct areas. These are set out below:

- 1) Grazing Land – the proposal is for the mosaic of productive farmland and enhanced wildlife habitat within this area to the north of the site.
- 2) Nuttery – It is proposed that both Cobnuts and Walnuts be grown within the application site. Cobnuts are a traditional Kentish product, although the level of production has decreased significantly in recent years. Walnuts are a less traditional crop within Kent, with the majority previously being imported from Europe. However, due to the warmer summers within the south east, it is now possible to grow this crop more reliably, and as such, this production will provide a more sustainable option for UK vendors.
- 3) Cherry Orchard – It is intended to grow both sour and sweet cherry varieties. These are considered very much a traditional Kentish crop. The majority of cherries now grown in Kent is that of the sweet cherry, but it is proposed to also grow Morello cherries, which are now less common within the county. Morello cherries are particularly good for attracting bees and other insects.
- 4) Lavender – The applicant has submitted information indicating that the production of lavender is undergoing somewhat of a renaissance within Kent. A distillery for the lavender oil is proposed within the storage barn.
- 5) Vineyard – Whilst not traditionally associated with the south-east of England, there is a history of vineyards in Kent since Roman times, and there are growing numbers of vineyards now in operation within the region. The linear form of the vineyard is akin to the traditional hop growing of the area, and would as such, would reflect this historic field pattern. Only a small portion of the land (approximately 143,000 sqm) would be used for this purpose.

6) Apple Orchard – it is proposed that a significant number of new trees be planted within an orchard to the eastern part of the application site. Apple Orchards are a traditional part of the Kentish countryside, and it is proposed to bring in species from Brogdale that are less common within the locality.

5.7.5 I consider the level of planting proposed to respond to the character and appearance of the locality. The majority of more formal planting is to be located upon the southern side of the site, to take advantage of the greater sunlight, with the more open northern side of the site kept more organic, and natural in appearance. Whilst there is a wide variety of planting proposed, careful consideration has again been given to the species, looking not just at the yield but their historic relationship with the region.

5.7.6 The retention of an open area to the north of the building is welcomed, as should this be planted, it would have a significant impact upon the character of the area due to the sharp rise in the land.

5.7.7 In terms of ecology, the applicant's agent has provided a stage one habitat survey of the site. A total of 190 species of plants and animals were recorded within the site – including 23 bird species, signs of badger, and suitable habitat for reptiles was discovered. Of the plants discovered, none were considered to be of any significance. With regards to the bird species, the proposal would not have a detrimental impact due to the position of the proposed buildings being where there are few trees and shrubs, and the increase in planting proposed. Likewise, the potential badger sett would be a significant distance away from the proposed dwellings, and would therefore be unaffected.

5.7.8 The proposal would result in the enhancement of the site for biodiversity, with the inclusion of new wetlands/ponds. Furthermore, the landscaping plan for the site would create a varied landscape that would be managed without chemical control. The information submitted (and this is supported by both KCC Ecology and the Kent Wildlife Trust) demonstrates that there should be an enhancement, which I consider to bring significant benefit to the area.

5.8 Other Matters

5.8.1 The applicant has submitted a flood risk assessment with the application. This indicates that the proposal would not give rise to any flooding issues. The Environment Agency have assessed this document and are satisfied with its findings.

5.8.2 In terms of drainage, the applicants have demonstrated that the site could be adequately drained, with much of the water to be re-used for the watering of plants within the farm. I therefore raise no objection on this basis.

5.8.3 The applicant has not submitted any details of external lighting, and as such, in order to ensure that there is not significant glare to the surrounding open countryside, I suggest a condition be imposed that requires the submission of such information prior to the works beginning on site.

6. CONCLUSION

6.1 In order that any application for a 'PPS7 House' be permitted, it has to meet with the strict criteria set out within this government guidance. This should therefore be a very difficult standard to achieve. As Members are aware, Maidstone has had a small number of applications to build houses on the basis that they are of exceptional architectural quality, and are innovative in design and sustainability, and there is an argument that these types of properties should only be approved in exceptional circumstances. There has been a previous permission on this site for such a property (albeit in a slightly different location) however to my mind this does not set a precedent – as an application of this nature should be looked at 'with fresh eyes,' with each element re-assessed.

6.2 To my mind, this proposal does represent a very high standard of contemporary architecture. The building would be a contemporary take on a Kentish vernacular, that responds positively to both the topography of the application site, and the wider landscape. The quality of design is reflected in the thought that has gone into both the internal and external spaces, and the materials to be used in the construction of the building.

6.3 In addition to the quality of the architecture, the proposal would be constructed to a particularly high standard of sustainable design. Not only would the proposal be constructed to level 6 of the Code for Sustainable Homes, but would also be built to achieve Passivhaus accreditation. The complexity of achieving both is significant. In addition, there are a number of other features that are being provided that would make this an exemplar building, within the landscape, and as such I consider it to meet with the criteria of the guidance.

6.4 The proposal would have no significant impact upon the amenities of neighbouring occupiers, and the landscaping proposals would enhance both the quality of the countryside, and the ecology within the locality. As such, I recommend that the application be approved, subject to the conditions as set out below.

7. RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions 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 Council will expect the development hereby permitted to be carried out in accordance with the approved plans, any subsequent changes which are not trivial will require the submission of a new planning application;

Reason: The quality of the detailed design has been the key factor in permitting this application and in accordance with the National Planning Policy Framework (2012).

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Class(es) A, B, C, D, E, F, G and H and Part 2 Class A to that Order shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character, appearance and functioning of the property and the surrounding area, and in acknowledgement of the special circumstances of permitting this development, pursuant to policy ENV28 of the Maidstone Borough-Wide Local Plan 2000 and the National Planning Policy Framework (2012).

4. The development shall not commence until, written details and samples of any materials not yet submitted (i.e. not the ragstone and Kent peg tile) to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a high quality appearance to the development, in accordance with the National Planning Policy Framework (2012).

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of ten 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 similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a high quality setting and external appearance to the development pursuant to policies ENV16 and ENV28 of the Maidstone Borough-wide Local Plan 2000 and the National Planning Policy Framework (2012).

6. The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety pursuant to policy T13 of the Maidstone Borough-wide Local Plan 2000.

7. Prior to the commencement of the development, details of all fencing, walling and other boundary treatments shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation of the building(s) or land and maintained thereafter;

Reason: To ensure a high quality appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers pursuant to the National Planning Policy Framework (2012). and policy ENV28 of the Maidstone Borough-wide Local Plan 2000.

8. The development hereby permitted shall not commence until a scheme for the disposal of foul and surface waters has been submitted to and approved by the local planning authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To prevent pollution of the water environment and to ensure a satisfactory means of drainage to the site pursuant to the National Planning Policy Framework (2012).

9. No development shall take place until precise details (at a scale of 1:10 or 1:5) of the fenestration (including the details of recesses/projections have been submitted to and approved in writing by the Local Planning Authority. Such

details as are approved shall be provided, and thereafter maintained within the development hereby permitted.

Reason: To ensure an exceptional level of design, in accordance with the National Planning Policy Framework (2012).

10. No external meter cupboards, vents, flues or extract grilles shall be installed on any external elevation without the prior agreement in writing of the Local Planning Authority.

Reason: To secure a high standard of design in accordance with the National Planning Policy Framework (2012).

11. The development shall not commence until, details of the proposed slab levels of the buildings and the existing site levels have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels;

Reason: In order to secure a satisfactory form of development having regard to the topography of the site in accordance with the National Planning Policy Framework (2012).

12. No development shall take place until an independently verified report has been submitted to and approved in writing by the Local Planning Authority showing that the development achieves a minimum score of Level 6 or better for each residential unit under 'The Code for Sustainable Homes'. The residential unit shall be provided strictly in accordance with the approved report before it is occupied.

Reason: To ensure a high quality of sustainable design, in accordance with the National Planning Policy Framework (2012).

13. No development shall take place until details of any lighting to be placed or erected within the site have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include, inter-alia, details of measures to shield and direct light from the light sources so as to prevent light pollution. The development shall thereafter be carried out in accordance with the subsequently approved details.

Reason: To prevent light pollution in the interests of the character and amenity of the area in general pursuant to Policy ENV49 of the Maidstone-Wide Local Plan 2000.

14. No structure, plant, equipment or machinery shall be placed, erected, or installed on or above the roof or on external walls of any building without the prior approval in writing of the local planning authority;

Reason: To preserve the integrity of the design of the development pursuant to the National Planning Policy Framework (2012).

15. No development shall take place until details of the proposed foul and surface water drainage works including details of the waste water goods (which shall be of cast iron or aluminium), and measures to safeguard the existing public foul sewer within the site during the course of development have been submitted to and approved in writing by the local planning authority and these works shall be completed in accordance with the approved details before the first occupation of any of the dwellings.

Reason: To ensure adequate drainage arrangements pursuant to the National Planning Policy Framework (2012).

16. All trees to be retained must be protected by barriers and/or ground protection in accordance with BS 5837 (2005) 'Trees in Relation to Construction-Recommendations'. No work shall take place on site until full details of protection have been submitted to and approved in writing by the Local Planning Authority. The approved barriers and/or ground protection shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the areas protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas without the written consent of the Local Planning Authority;

Reason: To safeguard existing trees to be retained and to ensure a high quality setting and external appearance to the development in accordance with the National Planning Policy Framework (2012).

17. No development shall take place until a sample panel of the ragstone wall, and brickwork has been constructed on site, and agreed in writing by the Local Planning Authority. Such details as are approved shall be fully implemented on site.

Reason: To ensure a high quality design, in accordance with the National Planning Policy Framework (2012).

18. The development hereby permitted shall be carried out in accordance with the 'whole farm conservation plan' submitted on the 18 October 2011. No occupation of the development shall take place until the mitigation proposed within the ecological report has been fully implemented.

Reason: To ensure enhancements to the biodiversity of the area, and to ensure that the development as a whole is of a high standard of (landscape) design in accordance with the National Planning Policy Framework (2012).

19. The development hereby permitted by this planning permission shall not be commenced until details of the phasing details of the implementation of the landscape master plan as shown the submitted landscaping plans have been submitted and approved by the local planning authority. The development shall thereafter be undertaken in accordance with the subsequently approved details unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development will enhance the setting of the adjacent listed building and the character, visual amenity and biodiversity of the area in accordance with policy ENV28 of the Maidstone Borough-wide Local Plan 2000 and the advice the National Planning Policy Framework (2012).

20. No development shall commence until:

1. The application site has been subjected to a detailed scheme for the investigation and recording of site contamination and a report has been submitted to and approved by the Local planning authority. The investigation strategy shall be based upon relevant information discovered by a desk study. The report shall include a risk assessment and detail how site monitoring during decontamination shall be carried out. The site investigation shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology and these details recorded.

2. Detailed proposals in line with current best practice for removal, containment or otherwise rendering harmless such contamination (the 'Contamination Proposals') have been submitted to and approved by the Local Planning Authority. The Contamination Proposals shall detail sources of best practice employed.

3. Approved remediation works shall be carried out in full on site under a Quality Assurance scheme to demonstrate compliance with the proposed methodology. If, during any works, contamination is identified which has not previously been identified additional Contamination Proposals shall be submitted to and approved by, the local planning authority.

4. Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the local planning authority. The closure report shall include full details of the works and certification that the works have been carried out in accordance with the approved methodology. The closure report shall include details of any post remediation sampling and analysis together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;

Reason: To prevent harm to human health and pollution of the environment reason pursuant to the National Planning Policy Framework (2012).

21. The development shall be carried out in accordance with the landscaping scheme submitted on the 18 October 2011.

Reason: To ensure a high quality setting of the building, and in the interests of biodiversity in accordance with the National Planning Policy Framework (2012).

22. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or 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 similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development pursuant to policies ENV6 and ENV28 of the Maidstone Borough-wide Local Plan 2000.

23. The additional accommodation to the principal dwelling hereby permitted shall not be sub-divided, separated or altered in any way so as to create a separate self-contained unit;

Reason: Its use as a separate unit would be contrary to the provisions of the development plan for the area within which the site is located and would therefore be contrary to the provisions of policy ENV28 of the Maidstone Borough-wide Local Plan 2000.

24. The occupation of the estate managers dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture (as defined in Section 336 (1) of the Town and Country Planning Act 1990) or in forestry, or a widow or widower of such a person, and to any resident dependants;

Reason: The site is in an area where new residential development is not normally permitted unless essentially required for the proper functioning of the enterprise concerned in accordance with Policy ENV28 of the Maidstone Wide Local Plan 2000.

Informatives set out below

You are advised to ensure that the appointed contractor(s) is/are registered with the 'Considerate Constructors Scheme' and that the site is thereafter managed in accordance with the Scheme. Further information can be found at www.considerateconstructorsscheme.org.uk

The developer shall implement a scheme for the use of wheel cleaning, dust laying and road sweeping, to ensure that vehicles do not deposit mud and other materials on the public highway in the vicinity of the site or create a dust nuisance.

The importance of notifying local residents in advance of any unavoidably noisy operations, particularly when these are to take place outside of the normal working hours is advisable.

No vehicles may arrive, depart, be loaded or unloaded within the general site, and plant and machinery shall not be operated, that would generate noise beyond and boundary of the site, except between the hours of 0800 hours and 1800 Mondays to Fridays and 0800 and 1300 hours on Saturdays (and at no time on Sundays or Bank or Public Holidays).

Attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and to the Associated British Standard Code of practice BS5228:1997 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition and you are advised to contact the Environmental Health Manager regarding noise control requirements.

Clearance and subsequent burning of existing woodland or rubbish must be carried out without nuisance from smoke, etc. to nearby residential properties. Advice on minimising any potential nuisance is available from the Environmental Health Manager.

REASON FOR APPROVAL

The proposed development is considered to be an example of ground breaking contemporary architecture in accordance with the advice in the National Planning Policy Framework (2012), this together with the other benefits of the scheme in securing improvements to the character and appearance of the surrounding land

and the wider landscape are such that they are considered to override the normal presumption against new residential development in the countryside contained in the Development Plan (Maidstone Borough-wide Local Plan 2000 and South East Plan 2009).