

APPLICATION: MA/13/1822 Date: 1 October 2013 Received: 1 October 2013

APPLICANT: Mr C Begeman, Cascade Partnership Ltd

LOCATION: LAND EAST OF CHANCE HOLDING, (THE HARDWICKS), GRIGG LANE, HEADCORN, KENT, TN27 9TD

PARISH: Headcorn

PROPOSAL: Erection of 5 houses with associated parking as shown on drawing nos. 12-27-01revB, 02revA, 03revB, 04revA and 06revB and Design and Access Statement (12-27-05), planning statement and preliminary ecological appraisal received 01/10/2013.

AGENDA DATE: 12th June 2014

CASE OFFICER: Steve Clarke

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

- It is contrary to views expressed by Headcorn Parish Council
- It is a departure from the Development Plan

1.0 POLICIES

Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, ENV49 T13
Government Policy: NPPF 2012

2.0 HISTORY

2.1 **MA/09/2297:** Mixed use development comprising Doctors surgery, childrens' nursery school, plus 16 three bedroom and 9 two bedroom Local Needs housing units: APPROVED 05/07/2010

(Officer comment: The local needs housing has been constructed and is occupied. A revised design for the surgery incorporating a pharmacy was subsequently permitted under a separate application. The surgery is now open to patients. The childrens' nursery has not been commenced.)

2.2 Members are advised that within application MA/13/1943 on land immediately to the north of The Hardwicks a new childrens' nursery is proposed.

MA/13/1943: Outline planning application for the erection of a children's nursery school, 20 residential units (comprising 17 detached, semi-detached and terraced houses and 3 bungalows) and provision of a children's play area together with off-site highway improvements to the junction of Oak Lane and Wheeler Street (A274). Approval is sought for access, appearance, layout and scale with landscaping as a reserved matter: UNDETERMINED

- 2.3 I would also advise Members that application **MA/14/0721** which seeks the redevelopment of the existing childrens' nursery to provide 10 dwellings on the nursery's existing site at Station Approach Headcorn has recently been received. This is currently subject to the initial public consultation process.

3.0 CONSULTATIONS

- 3.1 **Headcorn Parish Council:** Wish to see the application refused and reported to the Planning Committee.
'The site should be for Local Needs Housing allocation only and not Private Occupancy. The whole site was originally granted planning permission as an exception site for the benefit of the village and this should remain so.'
- 3.2 **Environment Agency:** Consider the application to be of low environmental risk and offer no comments.
- 3.3 **Southern Water:** Have advised that the applicants should be advised of the need to formally apply for a connection to the public sewer. They also advise that as reference is made to a SuDS drainage system for surface water, that as these are not currently adopted, appropriate measures for their long-term maintenance should be put in place.
- 3.4 **Kent Highway Services:** Have no objections subject to the following informative being added to any permission.
'Planning permission does not convey any approval for construction of the required vehicular crossings, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 0300 333 5539) in order to obtain the necessary Application Pack.'
- 3.5 **MBC Housing:** Have commented as follows
'The proposal does not contain any affordable housing as the amount of dwellings is under the Councils threshold of 15 dwellings.

However, this site was developed originally as a rural exception site (planning application 09/2297) and as such it is our opinion that any further housing should be affordable or for shared ownership.

There are currently 14 households who are on the Council's housing register who have a local connection to Headcorn. This is made up as follows:

Bedroom Need	Number on register
1	7
2	5
3	1
4+	1
Total	14

As this table illustrates, there is little need for any further 3 bedroom affordable housing properties on this site, however there is a much greater need for 1 and 2 bed properties. If the applicant has proven that the building of the children's nursery is no longer viable, we would like to see any housing development on this site be for 1 or 2 bed affordable housing units or for shared ownership.'

4.0 REPRESENTATIONS

- 4.1 Letters have been received from Golding Homes the affordable housing provider on the immediately adjacent development, The Hardwicks and two residents of The Hardwicks.
- 4.2 Golding Homes do not object in principle to a housing development on the site. They have however, made some detailed comments as follows:
1. 'Our adjoining scheme of 25 homes was classed as an exception site, and as such burdened with a requirement that it be 100% affordable, with consequent implications for the process (and administration and costs) of allocations, and potentially punitive implications in the event that shared ownership had been proposed – see the Designated Protected Area regulations (- in summary, Headcorn is a designated rural settlement and so the Designated Protected Area regs apply which state that shared owners would not be able to staircase beyond 80% ownership. This can cause difficulties with mortgagees. The way around this is to seek a HCA waiver, but if not available the HA has to commit to being willing to buy back if required, and that potential liability for 7 properties could be a concern).
 1. If our site was designated an exception site and it surrounds this site, whose current Planning status is for a day nursery which presumably was only approved as part of an exception site (-unless you want nurseries springing up all over the place), then surely the same exception site status applies to this land.
 2. If this were not agreed we would be in the absurd and untenable position of a rural exception site being burdened to a greater extent than a small private housing site it surrounds.
 3. There are some design inconsistencies which could adversely affect the design cohesion of the overall site – and 25 new homes all following one design, with a discordant imposition of 5 homes to a different design in the middle, would look totally wrong. The inconsistencies are:

- a. Alignment at storey height
 - b. Alignment at first floor cill height
 - c. Alignment at fascia level
 - d. The roof line of the proposed new homes is lower, but with the same ridge height, which makes the roofs of the proposed properties larger and more dominant.
 - e. The angle and extent of the half hip
 - f. The introduction of a large pediment type structure to the centre of the roof – and it is not centred to the fenestration and so looks unbalanced.
 - g. The style of fenestration
 - h. The use of simpler (cheaper) door porches – ours are dual pitch whereas the proposed ones are mono pitch.
 - i. All our properties (pairs and short terraces) have balanced positions re doors etc. The left hand unit of the proposed new terrace has the door to the left hand side and this looks unbalanced compared to the others which have matched doors – it would be better to have matched (balanced) door positions to the end pairs and the middle one could then be the “independent” one.
4. There is also an overlooking / privacy issue – there is a window in the flank wall to the left hand unit which must compromise privacy to the oriel window projecting from (our) adjoining home.
 5. Overall comment would be that the homes are very small. There are 13 deficiencies against the normative standards used by housing associations, particularly around space standards, Lifetime Homes etc. I’d be happy to provide further details if that would be helpful.
 6. Not sure what contributions would be considered if approved, but see point 3 above. Contributions in lieu of affordable (for all 5) if they want to be relieved of the affordable burden normally sitting with a rural exception site? There is some new affordable housing proposed nearby (in unimplemented consents) which does not have grant to support it and would be unviable without grant.’

4.3 In summary, the objections raised by the two residents of The Hardwicks are as follows:

- The increased numbers of houses will lead to further congestion on the estate as there is inadequate car parking at the moment, this situation may get worse once the surgery has opened.
- During construction there will be a danger to children on the estate as they have no formal area to play on and so tend to play in the street as the nearest formal play area is some distance away.

5.0 CONSIDERATIONS

5.1 Site Description

5.1.1 The application site lies outside the currently defined village boundary of Headcorn in the Maidstone Borough-wide Local Plan 2000. It is however, situated within a development now known as ‘The Hardwicks’ a recently

completed development of 25 affordable local needs houses and a new doctors' surgery/pharmacy for Headcorn village.

- 5.1.2 The site and the surrounding area together with the settlement of Headcorn itself, lie within the Low Weald Special Landscape Area as defined in the Borough-wide Local Plan 2000.
- 5.1.3 The site is currently a relatively level hardstanding area, and was used as the site compound when the adjacent housing development was under construction. It occupies the site of the nursery approved under application MA/09/2297. The new surgery car park is located to the south of the site and there are dwellings to the east and opposite the site.

5.2 Proposal

- 5.2.1 This is a full application for the erection of a terrace of five 3-bedroom two-storey terraced dwellings. Each unit is proposed to have two dedicated parking spaces. These are located to the front of units 1-4 and in a tandem form adjacent to unit 5.
- 5.2.2 It is intended that the dwellings would be sold as open market units.
- 5.2.3 The proposed dwellings are proposed to be faced externally in partly stock brick and partly horizontal boarding (cream/off-white colour) at first floor level, under a plain concrete tile roof. Either end of the terrace has a barn hip to the roof. The north elevation is varied and relieved by the insertion of a 'gable' feature centrally within the roof.
- 5.2.4 The houses are some 4.5m to eaves and 7.8m to the ridge. They are 8.5m in depth and 5m in width with the block being 25m in width overall. All the units have private rear amenity space varying from a minimum of 13.5m to approximately 19m in depth. The applicants have confirmed that they will be constructed to meet Code Level 4 of the Code for Sustainable Homes and that they are content for a condition to be imposed to ensure this is the case.
- 5.2.5 Landscaping is shown to the front of the dwellings and to their western side comprising a mixture of shrub (Rosemary Sage, Spiraea, Purple sand cherry and Senecio) and tree planting (Silver Birch 3, Whitebeam 3, and Rowan 3). The rear (southern) site boundary with the new surgery is to be formed by a 1.8m high chain-link fence with a mixed native species hedgerow. Other boundaries are shown to be enclosed by 1.8m high close-boarded fencing with 0.6m of trellis above.

5.3 Principle of Development

- 5.3.1 The site is, as stated above, outside the currently defined settlement boundary of Headcorn. Headcorn is a designated Rural Service Centre.
- 5.3.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 5.3.3 The starting point for consideration is saved policy ENV28 of the Maidstone Borough-wide Local Plan 2000 which states as follows:-

IN THE COUNTRYSIDE PLANNING PERMISSION WILL NOT BE GIVEN FOR DEVELOPMENT WHICH HARMS THE CHARACTER AND APPEARANCE OF THE AREA OR THE AMENITIES OF SURROUNDING OCCUPIERS, AND DEVELOPMENT WILL BE CONFINED TO:

- (1) THAT WHICH IS REASONABLY NECESSARY FOR THE PURPOSES OF AGRICULTURE AND FORESTRY; OR**
(2) THE WINNING OF MINERALS; OR
(3) OPEN AIR RECREATION AND ANCILLARY BUILDINGS PROVIDING OPERATIONAL USES ONLY; OR
(4) THE PROVISION OF PUBLIC OR INSTITUTIONAL USES FOR WHICH A RURAL LOCATION IS JUSTIFIED; OR
(5) SUCH OTHER EXCEPTIONS AS INDICATED BY POLICIES ELSEWHERE IN THIS PLAN.

PROPOSALS SHOULD INCLUDE MEASURES FOR HABITAT RESTORATION AND CREATION TO ENSURE THAT THERE IS NO NET LOSS OF WILDLIFE RESOURCES.

The proposed development does not fit into any of the exceptions set out in policy ENV28 which is why it has been advertised as a departure from the Development Plan.

- 5.3.4 It is necessary therefore to consider two main issues in relation to the proposals. Firstly whether there are any material considerations that would indicate that a decision not in accordance with the Development Plan is justified and secondly would the development cause harm to the character and appearance of the area or the amenities of surrounding occupiers?
- 5.3.5 Character of the area/visual impact, landscape/ecology and residential amenity are considered later in the report.
- 5.3.6 In terms of other material considerations, Headcorn is a defined rural service centre and the application site does lie close to its eastern boundary. The village offers a good range of facilities and services including shops, pubs, a primary, school, library, medical centre surgery and railway station.

5.3.7 The National Planning Policy Framework (NPPF) advises that when planning for development i.e. through the Local Plan process, the focus should be on existing service centres and on land within or adjoining existing settlements. With regard to applications for new housing in the countryside, new isolated dwellings should be avoided unless they accord with the special circumstances that are listed in paragraph 55 of the NPPF. The proposal clearly does not fall within any of the special circumstances cited, but it is in a sustainable location and immediately adjoins the existing settlement.

5.3.8 It is also necessary to consider the current position with regard to housing land supply within the Borough. Members will be aware of government advice in the National Planning Policy Framework that states (Para 47) that Councils should;

'identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;'

5.3.9 The NPPF defines deliverable as:

'To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.'

5.3.10 A very recent Court of Appeal case has clarified that the housing requirement to address when considering the 5 year housing land supply in paragraph 47 of the NPPF is the full objectively assessed housing need. That figure for housing need should be an unconstrained figure i.e a figure that has not yet been reduced by applying constraints from other policies in the emerging Local Plan. It is an unvarnished household projection figure. Consequently, the housing target figure from the Regional Spatial Strategy (South East Plan) is not the correct figure to use when calculating the 5 year housing land supply as it is a constrained figure.

- 5.3.11 The NPPF requires that local authorities have a clear understanding of housing needs in their area, and as such they should prepare a Strategic Housing Market Assessment (SHMA) to assess their full needs; working with neighbouring authorities where housing market areas cross administrative boundaries. Maidstone has undertaken this process with Ashford Borough Council and Tonbridge and Malling Borough Council. The SHMA identifies the scale and mix of housing, together with the range of tenures that the local population is likely to need over the plan period which would meet household and population projections. It would also address the needs for all types of housing, including affordable housing, and would cater for housing demand and will identify the scale of housing required to meet this demand.
- 5.3.12 In addition to the SHMA, local planning authorities should also prepare a Strategic Housing Land Availability Assessment (SHLAA) which will establish realistic assumptions about the availability, suitability, and the likely economic viability of land to meet the identified need for housing over the plan period. This work is currently ongoing, but the early indications are that the housing need for the Borough over the plan period (2011-2031) will be in the region of 19500 units.
- 5.3.13 Relevant to this, the NPPF requires that local authorities have a clear understanding of housing needs in their area, and as such they should prepare a Strategic Housing Market Assessment (SHMA) to assess their full needs; working with neighbouring authorities where housing market areas cross administrative boundaries. Maidstone has carried this out with Ashford Borough Council and Tonbridge and Malling Borough Council. The SHMA (2014) confirms the objectively assessed housing need for the borough over the plan period 2011 to 2031 as 19,600 dwellings (980 dwellings per annum). This was agreed by Cabinet on 27th January 2014 and on 24th February 2014 to be included within the draft Local Plan (to be sent out for public consultation).
- 5.3.14 In April 2013 when most recently calculated, the Council had a 2.0 year supply of housing assessed against the objectively assessed housing need of 19,600 dwellings, which is the figure against which the supply must be assessed. Taking into account housing permissions granted since that date, this position will not have changed significantly and would still remain below the 5 year target.
- 5.3.15 This lack of a five year supply is a significant factor and at paragraph 49 of the NPPF it is states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing (such as ENV28 which seeks to restrict housing outside of settlements) should not be considered up-to-date if a five year supply cannot be demonstrated. The presumption in favour of sustainable development in this situation means that permission should be granted unless any adverse impacts

would significantly and demonstrably outweigh the benefits of the application, when assessed against the policies of the NPPF as a whole.

- 5.3.16 In terms of the location of the site, The NPPF advised that when planning for development i.e. through the Local Plan process, the focus should be on existing service centres and on land within or adjoining existing settlements. Headcorn is a defined rural service centre (RSC), which outside of the town centre and urban area, are considered the most sustainable settlements in Maidstone's settlement hierarchy, under the draft Local Plan. The draft Local Plan outlines that, "*Rural service centres play a key part in the economic and social fabric of the borough and contribute towards its character and built form. They act as a focal point for trade and services by providing a concentration of public transport networks, employment opportunities and community facilities that minimise car journeys.*"
- 5.3.17 In the light of this position, I do consider that bringing forward development on this sustainably located site immediately adjacent to a rural service centre would assist in helping to meet the shortfall in housing supply and I consider this to be a material consideration in favour of permitting the development.
- 5.3.18 Members will however, also be aware that the existing adjoining development was allowed as an 'exceptions site' to meet an identified local need and that the new doctors' surgery and childrens nursery were also allowed to meet an identified need for the village.
- 5.3.19 Whilst the surgery and the housing have been completed, the nursery has not been implemented. The applicants for this current application have confirmed that a childrens' nursery will not be coming forward on this site. I would advise Members that an alternative childrens' nursery proposal (for the previously intended occupier of the nursery on this application site) is currently being considered as part of application MA/13/1943 and would be located on land immediately to the north of The Hardwicks.
- 5.3.20 It is unlikely that the nursery will proceed on this site, it is therefore necessary to consider whether development of five open-market housing units is acceptable in principle.
- 5.3.21 I note the objections of the Parish Council and the comments of the Housing Section set out earlier in the report regarding the fact that it is market rather than affordable (local-needs) housing that is proposed. However, in my view, the current situation with regard to the lack of a 5-year housing land supply within the Borough and the fact that the site is likely to remain undeveloped for a nursery and yet is located on a site now adjacent to existing housing should be given weight as material considerations in this instance.

- 5.3.22 In addition, to my mind for the reasons outlined below, the development would not result in unacceptable harm to the character and appearance of the countryside when seen in the context of the existing adjacent development of the dwellings and the new doctors' surgery at the Hardwicks.
- 5.3.23 Members may also recall that the parcel of land between the currently defined settlement boundary of Headcorn in the Borough-wide Local Plan 2000 and The Hardwicks, now has outline planning permission for residential development (25 units) under application MA/12/1949. Furthermore, the land immediately to the north of The Hardwicks as far as Lenham Road is allocated for further residential development in the Regulation 18 Consultation draft of the Maidstone Local Plan, part of the area of which is subject to the current application MA/13/1943 as referred to in paragraph 5.3.19 above.
- 5.3.24 Given that fact that this particular development as proposed would not in my view cause harm to the character and appearance of this section of countryside, together with the unlikelihood of the previously permitted nursery development taking place and the current lack of a five-year housing land supply, I do not raise objections to the development as proposed in principle.

5.4 Design and Visual Impact

- 5.4.1 The development will be seen in the context of the existing 25 residential units and the new doctors' surgery. It will only be visible in medium to short distance views and then only primarily along Grigg Lane close to the site frontage where the existing housing development and the doctors' surgery will provide the context.
- 5.4.2 Any current views from the public footpath running across the adjacent land to the west between Grigg Lane and Lenham Road and from Lenham Road itself will be restricted to glimpses between the houses on the new development.
- 5.4.3 As indicated above (paragraph 5.2.23) this is likely to be a short-term state of affairs due to the extant outline planning permission (MA/12/1949) on the land between the current edge of the village/Kent Cottage (which itself is currently being re-developed for two houses) which would result in the erection of an additional 25 units immediately to the west of The Hardwicks. The public footpath would be re-routed within the new housing development as part of the scheme.
- 5.4.4 Furthermore, land to the north of The Hardwicks is proposed to be allocated for residential development and part of this land is already subject to application MA/13/1943. Land on the south side of Grigg Lane, opposite The Hardwicks, is

also proposed to be allocated for residential development in the Regulation 18 consultation draft of the Maidstone Borough Local Plan.

- 5.4.5 Given the currently existing context of The Hardwicks and the impending development on adjacent land, I raise no objections to the visual impact of the development on the character and appearance of the area.
- 5.4.6 With regard to the proposed design of the dwellings, I note that the eaves heights and detailing are different to that of the adjoining development and have also noted the comments of Golding Homes in this respect. It is not uncommon, as Members will be aware, for differing house types/styles to be provided on estates. In this case, I do not consider that the detailing and elevational treatments are such that an objection on design grounds is warranted and certainly in my view would not be sustained at appeal.
- 5.4.7 As indicated earlier, the scheme would achieve Code Level 4, which I consider would achieve an acceptable degree of energy efficiency and sustainability in construction.
- 5.4.8 I raise no objections to the design of the development as proposed.

5.5 Residential Amenity

- 5.5.1 I consider that the proposed development will not adversely affect the amenity or privacy of any of the adjacent dwellings. The comments by Golding Homes regarding the relationship of the flank window in Plot 1 and the flank oriel window in their existing adjacent unit are noted. The proposed window serves a stairway/landing and in my view can be conditioned to be obscure glazed so as to maintain an acceptable relationship between the two dwellings.
- 5.5.2 I also consider that the depth of the rear gardens provides an acceptable buffer between activity associated with the surgery and its car-park and the new dwellings.
- 5.5.3 No objections are raised on amenity grounds

5.6 Highways

- 5.6.1 Kent Highway Services have no objections to the development. The development uses the existing road serving The Hardwicks and then onto Grigg Lane. The level of traffic likely to be generated has not raised highway or pedestrian safety concerns. Each dwelling has two allocated parking spaces which is an appropriate provision.

5.6.2 No objections are raised on highway grounds to the development as proposed.

5.7 Landscaping/Ecology

5.7.1 The site itself being the former site compound for the housing development has no current ecological interest being predominantly a vacant area of hardstanding. A reptile barrier/fence remains in place around the site boundaries in accordance with the recommendations of the ecological mitigation strategy submitted with the application. I am satisfied that the development would not have an adverse impact on ecology.

5.7.2 The submitted landscaping details are also considered acceptable in terms of the species proposed and their location. No objections are raised to the development in landscaping terms.

5.8 Other matters

5.8.1 Whilst less than the ten unit threshold where s106 obligations are normally currently sought, the applicant has offered, in the light of the fact that the adjacent development has only recently been completed, the obligations that have been secured through the recently approved development on the land to the west and the additional demand created by the development, to make s106 contributions totalling some £37,154.05. These are broken down as follows.

5.8.2 A contribution towards NHS Property Services for Headcorn Surgery of £1365.60/dwelling a total of **£6828**.

5.8.3 A contribution to MBC Parks and Leisure to be used to provide new or improved facilities in Headcorn such as improvements to existing formal sports pitches at a rate of £1575/dwelling, a total of **£7875**.

5.8.4 Contributions to Kent County Council as follows:

- Libraries for services and bookstock at local libraries £128.60/dwelling: **Total £643**
- Adult Education at dedicated centres and community learning facilities £28.71/dwelling: **Total £143.55**
- Adult Social Services for Telecare and community based provision £47.85/dwelling: **Total £239.25**
- Primary School extension (Headcorn) £2360.96/dwelling: **Total £11,804.80**
- Primary School land acquisition costs to enable the improvement/extension of Headcorn Primary School £1924.09/dwelling: **Total £ 9,620.45**

5.8.5 Members will be aware that all potential s106 obligations must be assessed against and meet the requirements of the three tests of Regulation 122 of the CIL Regulations 2010 and paragraph 204 of the NPPF 2012. All obligations must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

5.8.6 The development will clearly generate further demand and have an impact on the services for which contributions are offered. I do consider that the proposed contributions/obligations meet the three tests outlined above and that it would be appropriate to secure them.

6.0 CONCLUSION

6.1 The site is in countryside outside the currently defined settlement boundary of Headcorn but is closely related to the settlement.

6.2 However, the site is located within an existing recently completed development and would not in my view cause harm to the character of the countryside hereabouts given the context of the site. In addition I do consider that the development would make a contribution (albeit modest) to the housing land supply in the Borough. The site is available and there are no indications it would not be deliverable.

6.3 The design is acceptable and there are no highway objections to the proposals.

6.4 Subject to the securing of the s106 contributions through a legal agreement and the imposition of appropriate conditions, permission should be granted.

7.0 RECOMMENDATION

Subject to:

A: The prior completion of a s106 agreement/receipt of a satisfactory s106 Unilateral Undertaking in such terms as the Head of Legal Services may advise to secure:

- A contribution towards NHS Property Services for Headcorn Surgery of £1365.60/dwelling a total of **£6828**.
- A contribution to MBC Parks and Leisure to be used to provide new or improved facilities in Headcorn such as improvements to existing formal sports pitches at a rate of £1575/dwelling, a total of **£7875**.

- Libraries for services and bookstock at local libraries £128.60/dwelling: **Total £643**
- Adult Education at dedicated centres and community learning facilities £28.71/dwelling: **Total £143.55**
- Adult Social Services for Telecare and community based provision £47.85/dwelling: **Total £239.25**
- Primary School extension (Headcorn) £2360.96/dwelling: **Total £11,804.80**
- Primary School land acquisition costs to enable the improvement/extension of Headcorn Primary School £1924.09/dwelling: **Total £ 9,620.45**

The Head of Planning & Development be given DELEGATED POWERS to 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 development hereby permitted shall be carried out in accordance with the following approved plans: 12-27-01revB, 02revA, 03revB, 04revA and 06revB;

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

3. The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of the building(s) 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 satisfactory appearance to the development.

4. 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 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Classes A, B, C, D, E and F 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 surrounding area.

6. 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.

7. The dwellings shall achieve at least code 4 of the Code for Sustainable Homes. A final Code certificate shall be issued not later than one calendar year following first occupation of the dwellings certifying that level 4 has been achieved.

Reason: to ensure a sustainable and energy efficient form of development.

8. The development shall not commence until details of a sustainable surface water drainage system have been submitted to and approved by the local planning authority. The development shall thereafter be undertaken in accordance with the subsequently approved details.

Reason: To ensure an appropriate scheme of surface water drainage in the interest of flood prevention.

9. The flank north east facing landing window to plot 1 as shown on drawing nos. 12-27-01B and 12-27-03B shall, prior to the first occupation of the dwelling, be obscured glazed and be incapable of opening except for a top-hung opening fanlight at least 1.7m above floor level and shall be maintained as such thereafter.

Reason: In the interests of the privacy and amenity of adjoining and future occupiers.

Informatives set out below

Plant and machinery used for demolition and construction shall only be operated within the application site between 0800 hours and 1900 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sunday and Bank Holidays.

No vehicles in connection with the construction of the development may arrive, depart, be loaded or unloaded within the general site except between the hours of 0800 and 1900 Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays or Bank 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.

Planning permission does not convey any approval for construction of the required vehicular crossings, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 0300 333 5539) in order to obtain the necessary Application Pack.

The developer may be required to produce a Site Waste Management Plan in accordance with Clean Neighbourhoods and Environment Act 2005 Section 54. As per the relevant act and the Site Waste Management Regulations 2008, this should be available for inspection by the Local Authority at any time prior to and during the development.

A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Atkins Ltd. Anglo Street James House, 39A Southgate Street, Winchester, SO23 9EH

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

cannot be stressed enough. Where possible, the developer shall provide the Council and residents with a name of a person and maintain dedicated telephone number to deal with any noise complaints or queries about the work, for example scaffolding alarm misfiring late in the night/early hours of the morning, any over-run of any kind.

The proposed development does not conform with policy ENV28 of the Maidstone Borough-wide Local plan 2000. However given the current shortfall in the required five-year housing supply and the lack of unacceptable harm to the character or appearance of the area as a result of the development and its relationship with the wider countryside and existing adjoining development, together with the site's sustainable location immediately adjacent to a rural service centre, a departure from that policy would be likely to result in only minor harm to the character of the countryside.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF, Maidstone Borough Council (MBC) takes a positive and proactive approach to development proposals focused on solutions. MBC works with applicants/agents in a positive and proactive manner by:

Offering a pre-application advice and duty desk service.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The application was acceptable as submitted and no further assistance was required.

The applicant/agent was provided with formal pre-application advice.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.