

## REPORT SUMMARY

<b>REFERENCE NO - 14/502010/OUT</b>		
<b>APPLICATION PROPOSAL</b> Outline application for the erection of residential development for up to 250 dwellings with access and garaging with access considered at this stage and all other matters reserved for future consideration.		
<b>ADDRESS</b> Hen And Duckhurst Farm Marden Road Staplehurst Kent TN12 0PD		
<b>RECOMMENDATION</b> Delegated Authority to approve subject to conditions and legal agreement.		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The development does not comply with policy ENV28 of the Maidstone Local Plan 2000. However proposed development would provide a mix of dwelling types. It would provide much needed affordable and market homes. The proposal would represent a sustainable form of development and would help to support local infrastructures.  For the reasons set out below, it is considered that there are no overriding material considerations to indicate that a refusal of planning permission is justified.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> <ul style="list-style-type: none"> <li>● It is contrary to views expressed by the Parish Council</li> <li>● It is a departure from the Development Plan as the site is located outside the defined settlement boundary of Staplehurst</li> <li>● It is a major development</li> </ul>		
<b>WARD</b> Staplehurst Ward	<b>PARISH/TOWN COUNCIL</b> Staplehurst	<b>APPLICANT</b> Mr Philip Aelen <b>AGENT</b> Mr Martin Page
<b>DECISION DUE DATE</b> 21/10/14	<b>PUBLICITY EXPIRY DATE</b> 21/10/14	<b>OFFICER SITE VISIT DATE</b> 02/09/2014
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b> None relevant		

## MAIN REPORT

### 1. DESCRIPTION OF SITE

The application site is 12.18 hectares and is situated to the northwest corner of Staplehurst village and is bound from south by Marden Road (B2079), from east by two storey residential properties in Further Field, Marfield and Barn

Meadow. It is also enclosed from north east by the existing industrial estate at Lodge Road. The site is connected to Staplehurst rail way station that is just to the north east by a footpath and the village centre through existing road networks.

The site forms part of a wider farm land with boundary hedgerows, woodland and couple of small pounds.

There is a small group of heritage asset buildings to the south east just outside the application site but part of the Hen and Duckhurst Farm. These buildings comprise a Grade II listed 17<sup>th</sup> Century farmhouse together with other traditional structures in the form of a barn and a converted oast house formerly forming part of its farmyard.

The site is relatively flat and there is an electricity sub-station just beyond the southern boundary of the application site. The sub-station is accessed from Marden Road.

The character of the area is one of urban fringe comprising farm land, low density residential properties and industrial building units located on the edge of the rail way station to the north east.

Staplehurst has good basic services, shops, pub, restaurant, school, doctor surgery and good public transport link to major towns by railway and bus services.

## **2.0 PROPOSAL**

The proposal is in outline and seeks planning permission for the erection of up to 250 dwellings with allotments, open space and associated parking, garaging and estate road. Along with the approval for the principle of change of use of the land from agricultural use to residential, only the specific details of means of access to the site is being considered at this stage for approval and all other matters (layout, appearance, scale and landscaping) are reserved for future consideration.

The vehicular access to this development would be from the site frontage with Marden Road involving a new round about.

Although with an outline application the applicant is not required to provide any details of the reserved matters at this stage; an illustrative master plan has been submitted together with a design and access statement that provide an insight into the applicant's intention for this site.

The Master Plan and the D&A statement show a single vehicular access point of Marden Road via a roundabout with potential internal links to neighbouring development.

The layout shows a density of about 20.5 dwellings per hectare over the application site with a number of character areas of individual identity through the grouping of certain house types and variation in density. The existing landscape features (trees, hedge rows and ponds) as well as the Parish Council's aspiration for allotments site reflected in the draft neighbourhood plan are included to shape the master plan's layout; resulting in the creation of

green corridors, boulevard street-scape, mature ecology areas, play area, allotments and pedestrian connection link to the railway station.

The submitted Planning Statement states that 40% of the proposed dwellings on this site will be affordable and that the houses will be constructed to code level 4. Moreover the design and access statement indicates that out of 12.18 hectares of the application site only 7.52 hectares will be developable and the remaining 4.66 hectares would be set aside to provide allotments, Landscape and open space areas, swales and drainage facilities.

### **3.0 PLANNING CONSTRAINTS**

- A grade II listed building is situated to the southeast and just outside of the application site.
- Ponds within and outside the application site.
- Trees and hedge rows.
- Electricity sub-station just outside the application site.

### **4.0 POLICY AND OTHER CONSIDERATIONS**

Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, ENV49, T1, T2, T3, T13, T23, CF1

Maidstone Borough Local Plan Regulation 18 Consultation 2014: SP3, H1(36), H2, DM2, DM3, DM4, DM6, DM10, DM11, DM12, DM13, DM14, DM16, DM23, DM24, DM30, ID1,

MBC Affordable Housing DPD (2006)

MBC Open Space DPD (2006)

The National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

### **5.0 LOCAL REPRESENTATIONS**

This application has been advertised by site notice, advertised in the local press and notification letters to neighbours.

39 letters of representations have been received objecting to the application for the following reasons:

- A single exit from this housing estate to Marden Road is not viable due to volume of traffic that would be generated at the traffic light at the junction with A229. Oliver Road will be used as a rat-run.
- Additional 250 dwellings would dramatically increase the amount of traffic on A229 and through the village particularly at peak congestion times.
- The development will be one big cul-de-sac causing traffic problem, noise and air pollution.
- Sewerage problem after heavy rain,
- Inadequate infrastructure in the village.
- New houses could cause overlooking and impact on the amenities of the occupiers of the adjoining properties.

### **6.0 CONSULTATIONS**

#### **6.01 Staplehurst Parish Council**

Notwithstanding references to the lack of MBC five year land supply, the application is premature in relation to the draft stage of the MBC Local Plan where the site's inclusion should be seen as an interim step rather than a definite position.

### Staplehurst Neighbourhood Plan

The emerging status of the Staplehurst Neighbourhood Plan carries significant weight. Whilst acknowledging the site's inclusion in the emerging plan and the outline nature of the application, the Parish Council feels the application is not consistent with the plan and that a proposed 10% increase in houses in Staplehurst merits a more comprehensive appraisal of all the issues involved.

### Access and Highways

The Parish Council is concerned about the proposed single access point and the strain the resulting traffic would put on Marden Road and the crossroads; references to not precluding potential further links are inadequate and a more definite proposition covering proposed site roads and other access points is essential. The Parish Council acknowledges that the proposed offsetting of the roundabout might calm traffic approaching the village but it can see no such impact on westbound traffic; it is concerned that the roundabout will be incompatible with the increasing number of heavy goods and agricultural vehicles that are using and will be using the road.

An assessment of cumulative traffic volumes should examine this proposal in the context of development envisaged in surrounding areas both in and outside the borough. The submitted plans do not clearly show a three metre path and cycleway on Marden Road east of the proposed development and to avoid damage to hedgerows this would mean narrowing the road and moving electricity poles.

### Other Infrastructure

There are major problems of sewage disposal, flooding and general drainage issues on Marden Road and in the vicinity where infrastructure is failing to cope with current housing levels before even contemplating expansion. There is no evident connection with the sewer system to the west of the proposed site. Authorities are currently reviewing existing flood data, which adds to the sense that the application is premature.

There is a need to show how adequate provision would be made for schooling and healthcare; the Parish Council wishes to see details of how these and all the above infrastructure requirements would be addressed.

### Parking

Comments that parking would only be provided on plot 'where possible' and about the consequent need to look to street-parking are not acceptable in the light of well-known parking problems in the village.

### Conclusion

The premature nature of the application means it fails to deal satisfactorily with key issues of infrastructure and Neighbourhood/Local Plan context and these points need to be addressed if the application is to demonstrate how the site could sustain the proposed number of houses. For all the above reasons members of Staplehurst Parish Council have voted unanimously to

recommend REFUSAL and request that this application be reported to MBC Planning Committee.

## **6.02 Southern Water**

Following initial investigation, there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. The proposed development would increase flows to the public sewerage system, and existing properties and land may be subject to a greater risk of flooding as a result.

Additional off site sewers, or improvements to existing sewers will be required to provide sufficient capacity to service the development. Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to drain to a specific location.

Should the application receive planning permission, please include as an informative to the permission, the following requirement:

The applicant /developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The planning application form makes reference to drainage using Sustainable Urban Drainage System (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The application details for this development indicate that the proposed means of surface water drainage for the site is via a watercourse. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

We request that should this application receive planning approval, the following condition is attached to the consent: "Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved

in writing by, the Local Planning Authority in consultation with the Southern Water”.

Due to changes in legislation that came in to force on 1<sup>st</sup> October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW ([Tel:03303030119](tel:03303030119)) or [www.southernwater.co.uk](http://www.southernwater.co.uk)”.

### **6.03 Rural Planning Limited**

The proposed site comprises some 12.18 ha of low laying grassland on the western edge of Staplehurst at about 25m above sea level.

DEFRA's 1:250,000 scale mapping indicates land in this area to be Grade 3 quality however the mapping does not distinguish between Grade 3a(good quality and with 3b the “best and most versatile” (BMV) category of agricultural land).

It is doubtful, that the land will fall within the BMC category and overall I do not consider that the loss of agricultural land here per se is likely to form a determining issue in this instance.

### **6.04 UK Power Networks:** Has no objections

### **6.5 KCC Archaeological Officer**

The site lies to the north west of Staplehurst on traditional farmland. Hen and Duckhurst is a farm complex identifiable on the 1<sup>st</sup> Ed OS map and is considered to date from 17<sup>th</sup> century. The farm complex included several outbuildings, some of which are no longer upstanding but may survive below ground level within the application site. Hen and Duckhurst farmhouse is a Grade II listed building and is recorded within the English Heritage Farmstead Survey.

A Neolithic polished axe is recorded from within the site. This may be a stray find or it may represent part of wider prehistoric activity in this area. This area of the Weald is believed to have been exploited for its iron, timber and charcoal resources from the later prehistoric period. A Roman road extends through Staplehurst and small Roman farmsteads may be located nearby. Staplehurst developed as a later medieval market town but it is likely that this application site area was part of extensive farmland.

This large development site contains remnant historic landscape features, including field boundaries, footpaths and possible quarry sites. Some of these are still visible but some are probably surviving only as features below ground. It would be preferable and beneficial for the character of the new development, if as many of these historic landscape features as possible could be retained and integrated into the new development. A historic landscape assessment could be useful to identify some of the key historic landscape features and consider options to integrate into new development framework.

The application is supported by an Archaeological Deskbased Assessment by CgMs. The DBA is brief but I have no major comments on it.

The site may contain as yet unknown archaeological remains and it would be appropriate for a targeted programme of archaeological works to be undertaken. It would also be useful to undertake a historic landscape survey to inform retention of key historic landscape features. These issues can be addressed through conditions and I recommend the following conditions are placed on any forthcoming consent for the outline application:

*No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of*

- i historic landscape survey and assessment in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and*
- ii following on from the survey and assessment, any safeguarding measures to ensure preservation in situ of important historic landscape features and/or further historic landscape recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority*

Reason: To ensure appropriate assessment of the historic landscape implications of any development proposals and the subsequent mitigation through preservation *in situ* and integration into main development scheme or preserved by record.

And

*AR5 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of*

- i archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and*
- ii following on from the evaluation and assessment, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority*

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation *in situ* or by record.

## **6.06 KCC Economic Services**

Having had regard to the Section 123 of the Community Infrastructure Levy (CIL) Regulations 2010 that came into force on 6<sup>th</sup> April 2015 and means that planning obligations cannot pool more than 5 obligations of funding towards a single infrastructure project or type of infrastructure (since April 2010).

Following meetings with KCC service providers, the KCC have reassessed their requests in light of Section 123 of the CIL Regulation (in terms of pooling

of 5 obligations) and as a result the following contribution request that pass the test of sections 122 and 123 of the CIL Regulations:

- Primary Education @ £14,286 (new build) and £3184.60 (land acquisition) per additional pupil (x44) = £768,706.40 towards the Phase 1 of the Headcorn Primary School new expansion and site enlargement.
  - Secondary education @ £11,799 per additional pupil (x41) = £487,888.65 towards the expansion of Cornwallis school
  - Library bookstock £12,003.95 - project: bookstock for the new residents of this development alone (supplied to Staplehurst Library)
  - Youth equipment £2110.58 - required for the new residents of this development alone (supplied to Youth Workers and organisations covering Staplehurst)
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- KCC also would request delivery of 5 Wheelchair Accessible Homes within the affordable housing units and
  - Provision of Superfast Fibre Optic Broadband 'fibre to the premises' to all buildings of adequate capacity (internal min speed of 100mb to each building) for current and future use of the buildings

#### **6.07 Maidstone Borough Council Conservation officer**

OBJECTS to the application on heritage grounds for reasons as detailed below:

The building complex at Hen and Duckhurst Farm includes the Grade II listed 17<sup>th</sup> Century farmhouse together with other traditional structures in the form of a barn and a converted oast house formerly forming part of its farmyard. This constitutes a good group of heritage assets.

This historic group has suffered from erosion of its original rural setting on two sides by late 20<sup>th</sup> century housing developments; these proposals would result in the total loss of the remaining rural setting and the heritage assets would be subsumed into a modern housing development. The total loss of the setting of this group of heritage assets would cause considerable harm to their significance. English Heritage published a Consultation Draft Good Practice Advice Note on The Setting of Heritage Assets in July 2014 which in Paragraph 8 addresses the issue of cumulative change in the following terms:

“Where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset. Negative change could include severing the last link between an asset and its original setting.”

In this particular case, this is exactly what would happen if the proposed development were to take place. Section 66 of the Planning (Listed Buildings



and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings and their settings; thus this is a matter of considerable importance and weight when coming to a decision.

The Heritage Statement submitted with the application is factually incorrect in stating that Hen and Duckhurst Farmhouse is not visible from the public realm when it can be seen quite clearly from Marden Road (Section 3.3). Despite this the Heritage Statement does not disagree that the proposals will cause less than substantial harm to the significance of this listed building (Section 2.4); I would agree with this assessment of the level of harm. As such, the application needs to be assessed against Paragraph 134 of the NPPF and only if public benefits outweigh the harm should permission be considered.

#### **6.08 KCC Ecology officer**

Information (*Letter from PJC Ecology dated 23rd January 2015*) has been provided to respond to the queries we raised in our previous advice dated 1st September 2014. Further details of the reptile, bat and great crested newt survey results have been submitted, providing further evidence to support the incorporation of mitigation / enhancement areas within the design of the proposed development.

The revised *Illustrative Masterplan* (Rev B, though this is not stated on the document itself) incorporates additional measures that aim to provide a functional network of habitat across the site to provide mitigation for the potential impacts to reptiles and great crested newts.

We advise that Maidstone BC needs to acknowledge that there would be a net loss in area of available habitat for reptiles and great crested newts as a result of the proposed development, but that the aim of the mitigation strategy would be to minimise the potential impacts by enhancing the habitat suitability of retained (undeveloped) fields and field margins to increase the carrying capacity of these areas. In relation to the potential impacts to great crested newts, as advised in the further information submitted, a European protected species mitigation licence will be required to derogate from the offences that are likely to occur as a result of the proposed development. As such, Maidstone BC must address the requirements of the EC Habitats Directive and consider whether it is unlikely that a licence will be granted and in so doing must address its mind to the three tests when deciding whether to grant planning permission for the proposed development. The three tests are that:

- The development activity must be for imperative reasons of overriding public interest or for public health and safety;
- There must be no satisfactory alternative; and
- Favourable conservation status of the species must be maintained.

We are satisfied that the outline of the proposed mitigation is sufficient for us to conclude that the favourable conservation status of the species will be maintained. We are unable to advise on the first two tests as we consider these to be planning matters outside of our expertise. We do however draw

your attention to the information provided within pages 7 to 9 of the *Letter from PJC Ecology dated 23<sup>rd</sup> January 2015*.

We advise that the principles of the proposed mitigation strategy are acceptable and that the details, according with these principles, can be secured by condition, if planning permission is granted.

One of the principles of the National Planning Policy Framework is that “*opportunities to incorporate biodiversity in and around developments should be encouraged*”. In addition to any necessary mitigation, ecological enhancements should be secured within the application details to support Maidstone BC in meeting this NPPF principle. This can be subject to condition, if planning permission is granted.

We suggest the following condition wording:

Ecological Design Strategy – suggested condition wording:-

*No development shall take place until an ecological design strategy (EDS) addressing ecological mitigation and enhancement of the site has been submitted to and approved in writing by the local planning authority. The EDS shall include the following,*

- a) Purpose and conservation objectives for the proposed works.*
- b) Review of site potential and constraints, informed by further survey effort as appropriate.*
- c) Detailed design(s) and/or working method(s) to achieve stated objectives (may be provided as a set of method statements).*
- d) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- e) Extent and location/area of proposed works on appropriate scale maps and plans.*
- f) Type and source of materials to be used where appropriate, e.g. native species of local provenance.*
- g) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.*
- h) Persons responsible for implementing the works.*
- i) Details of initial aftercare and long term maintenance.*
- j) Details for monitoring and remedial measures.*

*The EDS shall be implemented in accordance with the approved details unless varied by a European Protected Species licence subsequently issued by Natural England. In the interests of securing the maximum benefit for biodiversity any variation of the agreed mitigation required by Natural England must not result in the reduction in the quality or quantity of mitigation/compensation provided and all features shall be retained in that manner thereafter.*

Landscape and Ecological Management Plan – suggested condition wording:-

*A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to occupation of the development. The content of the LEMP shall include the following.*

- a) Description and evaluation of features to be managed.*
- b) Ecological trends and constraints on site that might influence management.*
- c) Aims and objectives of management.*
- d) Appropriate management prescriptions for achieving aims and objectives.*
- e) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).*
- f) Details of the body or organisation responsible for implementation of the plan.*
- g) On-going monitoring and remedial measures.*

*The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.*

## **6.09 KCC Highway Services**

I have the following comments.

1. My concerns relating to the pedestrian and cycle links have been addressed; these are to be provided to the existing residential development to the east of the application site via Further Field and Marlfield.
2. A link for vehicular traffic through the development site towards Lodge Road is to be safeguarded.
3. Bus boarders are to be provided at two relevant bus stops.
4. Parking provision is to be provided in accordance with IGN3
5. Traffic calming is to be provided along Marden Road and the 30 mph speed limit is extended.
6. A pedestrian and cycle crossing is required on Marden Road to ensure safe access to the village centre from the site.
7. Contributions will be required towards the enhancement of vehicle and cycle provision at the railway station subject to agreement with South Eastern Railway.

8. Traffic generated from the development of 197 units at Fishers Farm has been included in a revised assessment of the signalised junction of the A229/Marden Road/Headcorn Road using Linsig. The cumulative effects of the development proposals and background growth indicate that the junction would operate over capacity in the 2019 design year; -6.9% PRC during the AM Peak and -5% PRC during the PM peak. Mitigation in the form of puffin technology at the crossings would help to minimise the effects of this additional traffic with resultant PRC results of -3.1% during the AM peak and -2% during the PM peak.

9. I am concerned that the capacity assessment concludes that this junction will experience capacity problems during 2019 with background growth and including only a proportion of the allocation included in the Draft Local Plan. The allocation in respect of the Hen and Duckhurst site is 370 homes and for the Fishers Farm site 535 homes. This level of development will lead to significant capacity problems at the A229/Marden Road/Headcorn Road junction.

10. It is clear from the Draft Local Plan that the developments will be required to contribute towards improvements to the A229/Marden Road/Headcorn Road junction.

As at this stage the level of contribution towards highway works at the junction of the A229 (Station Road) and Marden Road to mitigate the impact of the development is not known as part of heads of terms the final amount to be clarified by officers.

## **6.10 Environmental Agency**

### *Flood Risk Condition:*

Development shall not begin until a sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100yr critical storm (including an allowance for climate change) will not exceed the run-off from the undeveloped site following the corresponding rainfall event, and so not increase the risk of flooding both on- or off-site.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

We strongly recommend this condition be considered prior to or in conjunction with, approval of road and housing layout to ensure the optimum space can be allocated for storage and conveyance of storm runoff using sustainable drainage techniques.

### *Groundwater Protection*

The site is located in a very low sensitivity area with respect to Controlled Waters The 'Geo-environmental Site Investigation' by BRD (reference BRD1883-OR2-A dated September 2013) did not reveal any significant contaminant concentrations. Consequently, we have no objection from a groundwater protection perspective.

## **6.11 Environmental Health**

Although the site has not been developed the recommendation to carry out a Phase 2 intrusive site investigation, as recommended by the Geo-Environmental Site Investigation report produced by BRD Environmental, BRD1883-OR2-A, September 2013 is required.

The site is in a radon affected area with a 3-5% probability of elevated radon concentrations, therefore an assessment should be carried out and the results and any proposed mitigation measures should be submitted to the Council for approval.

An acoustic assessment in respect of railway noise should be carried out and the results and any proposed mitigation measures should be submitted to the Council for approval. The assessment should include any noise emanating from the electricity sub-station which could affect residents and the consultant should be made aware that outline approval has been granted for the site on the north east boundary of this site for use as an industrial estate.

The transport assessment (TA) does not provide information on off/on-street parking allocation, this should be clearly stated. A robust Travel Plan should be produced in accordance with Section 5.3.2 of the Transport Assessment, stating how "the close proximity of the station and the ease of using local train services could be promoted through a Travel Plan" and Section 8.1.15 stating that "improvements to the footway will be provided to facilitate pedestrian movements and provide convenient link to the railway station."

An air quality assessment, including a mitigation strategy, and a sustainability statement should be prepared for submission with any full planning application made for this site.

As there is a large electricity sub-station located in the centre of the proposed development an assessment of electromagnetic radiation should be carried out and submitted to the Council, along with any proposed mitigation measures, should elevated levels be found.

Demolition and construction activities may have an impact on local residents so these should be addressed by following the standards adopted by the local authority in respect of demolition and construction sites.

REQUESTED CONDITIONS:

*Contaminated Land Conditions*

#### **DEALING WITH LAND CONTAMINATION**

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions ^IN; to ^IN; have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition ^IN; has been complied with in relation to that contamination.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN1 of the Local Plan.

## *SITE CHARACTERISATION*

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health
  - property (existing or proposed) including buildings, crops,
  - livestock, pets, woodland and service lines and pipes.
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN1 of the Local Plan.

## *SUBMISSION OF REMEDIATION SCHEME*

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

neighbours and other offsite receptors in accordance with policy EN1 of the Local Plan..

#### *IMPLEMENTATION OF APPROVED REMEDIATION SCHEME*

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of any development (other than development required to enable the remediation process to be implemented) unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of the measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN1 of the Local Plan.

#### *REPORTING OF UNEXPECTED CONTAMINATION*

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition ^IN;, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition ^IN;, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition ^IN;.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN1 of the Local Plan.

#### *Noise*

##### *INTERNAL SOUND LEVELS – RESIDENTIAL*

Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units will conform to the "good" design range identified by BS 8233 1999, Sound Insulation and Noise Reduction for Buildings - Code of Practice, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance

with the approved details prior to occupation of the premises and be retained thereafter.

Reason: In order to protect the occupiers of the dwellings from undue disturbance by noise in accordance with Policy EN1 of the Local Plan.

#### *LOW FREQUENCY NOISE*

Prior to the first use of the electricity substation an acoustic report assessing the impact shall be submitted to and approved in writing by the Local Planning Authority. The report shall address the issue of noise (including low frequency noise) and vibration from the station to ensure that there is no loss of amenity to residential or commercial properties. For residential accommodation, the scheme shall ensure that the low frequency noise emitted from the substation is controlled so that it does not exceed the Low Frequency Criterion Curve for the 10 to 160Hz third octave bands inside residential accommodation as described in The DEFRA Proposed Criteria for the Assessment of Low Frequency Noise Disturbance 2005. The equipment shall be maintained in a condition so that it complies with the levels and mitigation measures specified in the approved acoustic report, whenever it is operating. After installation of the approved plant no new plant shall be used without the written consent of the local planning authority.

Reason: In order to protect the occupiers of the dwellings from undue disturbance by noise in accordance with Policy EN1 of the Local Plan.

#### *Radon (In a Radon suspected area)*

The applicant should be aware that the site is in a radon affected area with a 3-5% probability of elevated radon concentrations. If the probability of exceeding the Action level is 3% or more in England and Wales, basic preventative measures are required in new houses, extensions, conversions and refurbishments (BRE 1999, 2001, AND 2007). If the probability rises to 10% or more, provision for further preventative measures are required in new houses. Test(s) for the presence of radon gas are recommended to be carried out. Further information can be obtained from Public Health England.

#### *Electromagnetic radiation*

The applicant must consult EDF Energy, the National Grid Company and PHE's Centre for Radiation, Chemical and Environmental Hazards to acquire information and advice that will take into account the proximity of the proposed dwellings. EDF Energy must confirm that the levels of emissions can be mitigated to an acceptable level in the dwellings and details of measures to ensure that the required levels are met must be submitted to the Council for approval. All necessary works must be carried out before the premises area occupied.

#### *Air Quality and Sustainability*

An air quality assessment (taking into account cumulative impacts from nearby committed developments), should be carried out and a mitigation strategy to minimise impacts of generated traffic on local air quality should be produced. This should include a robust Travel Plan, including measures to encourage sustainable transport modes and the use of low emission vehicles Parking allocation should be designed in line with the above. The installation of electric



vehicle recharging infrastructure for off and on street charging should be considered.

The developer should seek all possible ways to promote sustainability.

#### *INFORMATIVES*

As the development involves demolition and / or construction, I would recommend that the applicant is supplied with the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected.

### **6.12 Maidstone Borough Council Housing**

I note that the application seeks outline planning permission for:

‘the erection of residential development for 250 dwellings with access and garaging with access considered at this stage and all other matters reserved for future consideration.’

The applicant has acknowledged in both the planning statement and the design and access statement for the need to follow the Council’s policy of 40% affordable units as stated in the adopted 2006 DPD.

Furthermore, at 4.3.7 of the planning statement, the applicant has stated that, ‘some 60% of these dwellings are anticipated to be for social rent with 40% being for intermediate accommodation such as shared ownership or discounted rent.’ Again, this is in line with what Housing would be requiring on this site.

The total development of 250 dwellings would equate to 100 affordable units. As this is an outline application the exact unit size and tenure mix is to be agreed at a future stage. However, in the design and access statement, the applicant has submitted an indicative site layout along with a suggested unit split in order to demonstrate how the land could be developed. The developer’s indicative affordable unit split is:

1 Bed units	37	37%
2 Bed units	34	34%
3 Bed units	23	23%
4 Bed units	6	6%

Although appreciating this is just an indicative unit split at present, we would consider this a good mix of unit sizes.

We would therefore welcome early engagement and consultation regarding the affordable mix, tenure and the spacing of these units, as this will affect any

proposed master plan layouts. Furthermore, we would like to be made aware at the earliest opportunity of the proposed size of the individual units and would be looking to have the vast majority of the 2 bed units to be suitable for 4 persons.

Finally, I would also like to raise the issue of design and quality standards, in particular Life Time Homes which should be taken into consideration for the affordable housing provision.

### **6.13 MBC Park and leisure**

For a development of this size we would expect a minimum onsite provision of formal open space of 2.62ha (not including Green Corridors or Natural & Semi-Natural Green Spaces). The development is located within Staplehurst Ward. Staplehurst is generally underprovided for in all types of open space.

There is no set standard for minimum provision in terms of Natural and Semi Natural Open Space and Green Corridors.

A development this size will have an impact on existing areas of formal open space in the local area where no onsite provision exists. Local Areas of Equipped Play and Outdoor Sports Facilities, for example.

It is pleasing to note that the development proposes to include Allotments on site as Staplehurst currently has no provision for this type of Open Space.

We would have queries over the benefit of an on-site LEAP in terms of serving a development this size. Typically LEAP's only cover equipment for children aged 4-12 and generally of a size for developments of up to 100 homes. If the developer wishes to provide an on-site Equipped Play Area then a NEAP would be a better option, covering an age range of 4-14.

The onsite play provision would obviously depend on land layout and availability, however should a NEAP and associated teenage provision not be a viable option then an off-site contribution may be sought to cover a shortfall for the residents of the development.

The planned location of the equipped play area is also in a location not ideally central to the development which would result in other existing play areas in Staplehurst being closer to residents.

Lime Trees Open Space and Play Area will be directly adjacent to the proposed development site, whilst Surrenden Fields is approximately 0.25 miles away from the development and also adjacent to Staplehurst Primary School. It is not unreasonable to assume that residents of this proposed development would make use of these two sites for their play and recreation time.

In the light of Section 123 of the Community Infrastructure Levy (CIL) Regulations 2010 that came into force on 6<sup>th</sup> April 2015 planning obligations cannot pool more than 5 obligations of funding towards a single infrastructure project or type of infrastructure (since April 2010).

MBC Park and Leisure have assessed their request in light of Section 123 of the CIL Regulations (in terms of pooling of 5 obligations) and as a result have made the following request. MBC Parks & Open Spaces Department have confirmed that there have not been 5 pooled contributions since April 2010

towards Lime Trees, Surrenden Playing Fields. It is considered that this request pass the test of section 123 of CIL Regulation.

The Parks and Open Spaces have considered this application and would make the following comments;

The development of this size will have an impact on the existing areas of formal open space in the local area where no on site provision exists.

There is an already established area near the development site. We would recommend that the developer make an offsite contribution which can be used to improve and refurbish existing play provision at the sites known as Lime Trees, Surrenden Playing Fields.

The off site financial contribution be agreed at reserved matter stage.

We would seek per dwelling £1575.

The improvement, refurbishment and maintenance of the existing area of open space and equipped play and outdoor sport facilities at Lime Trees, Surrenden Playing Fields within Staplehurst.

## **7.0 BACKGROUND PAPERS AND PLANS**

Site Location Plan DHA/9702/01 Rev B ; Transport Assessment Statement July 2014; Flood Risk Assessment Report May 2014; Archaeological Desk Based Assessment Feb 2013; Arboricultural Survey by Tree: Fabrick, drawings tf930/TS/100 and 101Dec 2013; Ecological Survey Jan 2013 and updated report Feb 2014; Design and Access Statement May 2014; Site appraisal Report June 2024, Sustainable Design and Construction Statement August 2014, Planning Statement June 2014 and Statement of Community Involvement June 2014, Indicative Master Plan Drawing DHA/9702/04.

## **8.0 APPRAISAL**

The main issues for determination are-

- Principle of the development;
- Highway and traffic impacts,
- Visual impact and landscape
- Heritage assets,
- Impact on local Ecology;
- Flood Risk Surface Water and Foul Drainage,
- sustainability,
- Affordable housing and infrastructure contribution;

### **Principle of the development**

- 8.01 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.
- 8.02 The application site is mainly located in the countryside outside the defined settlement boundary of Staplehurst.
- 8.03 The saved policy ENV28 of the Maidstone

Borough-wide Local Plan 2000 is a material consideration which states:-

“In the countryside planning permission will not be granted 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.”

8.04 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 whether the development would cause unacceptable harm.

8.05 The Reg 18 Maidstone Local Plan is a material consideration. In this plan, the application site is included as a residential allocation through Policy H1(36).

This refers to several important aspects to be taken into account notably

Design and layout by retention and enhancement of hedges and trees along the northern and western boundaries, application of high quality landscaping and screening of the electricity sub-station.

That primary access to the site to be from Marden Road, secondary or emergency access from Lodge Road, Pedestrian and cycle link to the industrial estate and railway station, cycle and pedestrian linkage to the existing residential areas and the village centre.

Phase 1 ecological survey, Water quality and flooding assessment, Noise assessment, open space provision Highway impact assessment and mitigation provision and contribution towards Community infrastructure.

The need for high-quality design and layout that responds positively to the site, preserves the significance of the heritage assets affected, and addresses the potential isolation of the site from existing communities.

8.06 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). Subsequent to this, the objectively assessed housing need was revised downwards to 18,600. This figure, which is based on central government population projections based on 2011 census data, was reported to, and accepted by, Cabinet on 10th September 2014.

- 8.07 In April 2013 when most recently calculated, the Council had a two year supply of housing assessed against the objectively assessed housing need of 19,600 dwellings (at that time). Even when considered in light of the reduction in the assessed housing need and the housing permissions granted since that date, the Council remains in the position of being unable to demonstrate a 5 year housing land supply.
- 8.08 This lack of a five year supply is a significant factor and paragraph 49 of the NPPF 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 settlements) should not be considered up-to-date if a five year supply cannot be demonstrated. This position has been reflected in recent appeal decisions issued since the publication of the NPPF. In this policy context, the presumption in favour of sustainable development identified in paragraph 14 of the NPPF 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.
- 8.09 With respect to this case, the application site is located adjacent to the settlement boundary of Staplehurst which is identified as a Rural Service Centre (RSC) in the draft Local Plan under draft policy SP3, providing a range of key services including a school, shops, restaurants, doctors surgery and good public transport including rail link and bus service.
- 8.10 RSC's are considered the most sustainable settlements in Maidstone's settlement hierarchy, as set out in the draft Local Plan, outside of the town centre and urban area. They have been identified as such for their accessibility, potential for growth and role as a service centre for surrounding areas. 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".
- 8.11 It is considered that the application site is in a sustainable location in the context of the NPPF and draft Local Plan. The land is also classified as grade 3b moderate quality land.
- 8.12 The Parish Council has made reference to the on-going Local Plan and Neighbourhood Plan and that this application is premature and should not be considered in advance of the completion of that work. The Local Plan will be out for public consultation in due course. The Neighbourhood Plan although has been through public consultation it is being revised and has not being though public examination as yet and there are still a number other stages that the neighbourhood plan needs to go through which will take some while yet; as such it is considered that limited weight should be afforded to it. Therefore in view of the stage at which these plans are and likely timescales for their process, and the current housing supply issue set out above, it is not considered appropriate or reasonable to delay consideration of this application on that basis.
- 8.13 It is considered that in the light of the allocation of this site in the Reg 18 Local Plan and the NPPF advice regarding the short fall of 5 years housing land

supply and that the site is adjacent to an existing service centre and in a sustainable location the principle of the proposed development is acceptable.

### **Highway and traffic impacts**

- 8.14 The issue of access to the site is to be decided at this stage. A Transport Assessment statement has been submitted with the application which has been considered by KCC Highway Services. It is proposed that vehicular access to the site would be from Marden Road.
- 8.15 To encourage less reliance on cars, cycle and pedestrian links are proposed through the industrial estate to the rail way station and from the south via Marden Road to the rest of the village services.
- 8.16 KCC Highway consider the measures proposed as mentioned in 6.09 above including traffic calming along Marden Road and the 30 mph speed limit to be acceptable.
- 8.17 Concern has been expressed by the parish and local residents about additional pressure on the junction of Marden Road with A229 and potential congestion. In response to this issue Maidstone Borough Council has commissioned a capacity assessment of the junction and design consideration and preparation in response to potential increase in traffic and demand. This work is currently being carried out by consultant and the findings will inform the changes required and potential cost associated with the works need to be carried out.
- 8.18 KCC highway has also suggested that additional car parking and cycle storage provision be made available at the railway station. It is considered that although this would enhance cycle rack and car parking provision at the station, the station is outside the control of the applicant and the highway authority and as such this cannot be dealt with either as part of section 106 or planning condition. It is advised that an informative be added to any permission asking the applicant to seek the station management support in this regard.
- 8.19 KCC highway Services are recommending a series of measures that are outside the application site and these measures would have to be carry out under section 278 of the Highway Act and these would form part of a section 106 legal agreement.
- 8.20 The application site is considered to be in a very sustainable location with good access to public transport and essential services; on that overall basis, the impacts of the proposal in trip generation terms will be mitigated to an acceptable degree. Again, it is important to view objections on this count in the context of the allocation of the site for housing in the Reg 18 LP.
- 8.21 The issue of car parking provision, street layout and access to the site by service vehicles will be considered in detail at reserve matters stage.

### **Visual Impact and landscape**

- 8.22 The site is situated on the western edge of Staplehurst settlement where the countryside meets urban edge and residential pockets have encroached onto

the countryside. Properties surrounding the application site comprise a mixture of large industrial buildings and predominately two storey houses. The Development along the southern boundary fronting Marden Road is linear in character where two and single storey houses and hedge row gaps shape the road frontage. The western boundary of the site comprises open farm land subdivided to smaller fields enclosed by tall hedge and trees.

- 8.23 Views into the application site from the north are limited to the passengers of the passing trains. A wide buffer area separates the rail way track from the edge of the application site. This buffer although not within the application site provides opportunity for landscaping and softening of the northern edges of the development.
- 8.24 From the east the development would be visible to some of the properties in Lime Tree, Marfiled, Further Field, Green Hill and Lodge Road that border the application site. Likewise views from the south would be limited to those bordering the application site and front Marden Road. These views would change substantially from open countryside and farm land to urban form and housing estate.
- 8.25 The application site has 76m wide frontage with Marden Road which is currently enclosed by 1.5m high boundary hedge. This frontage will be altered by introduction of a new vehicular access and houses; as a result countryside backdrop views will be replaced by an urban environment, when viewed from the south.
- 8.26 Countryside views and the farm land setting of Hen and Dockhurst Farm listed buildings towards north and west would also be lost if the submitted indicative master plan is pursued ( impact of the proposal on heritage asset is discussed below).
- 8.27 Views from Clapper Lane and the west towards the application site would be extremely curtailed by existing substantial hedge rows, trees and large buffer amenity area. The indicative layout plan shows that the applicant intends to provide allotments along northwest corner and a large amenity area along the western boundaries of the application site. These designated open space areas would act as a formal landscaped buffer area between the new urban edge and the countryside to the west and as such it is considered that the development would not be visible from longer distances.
- 8.28 Moreover, due to natural contour of the land and presents of hedgerows and trees long range views to the site from the west would be very limited and in fact not much different from the current situation provided the height of the buildings in the proposed development is confined to no more than two storey plus roof height.
- 8.29 The impact of the re-alignment of Marden Road and introduction of a new vehicle access would undoubtedly have a visual impact on the immediate area. However, as part of reserved matters pursuant to landscaping condition, landscaping would be used to enhance the new junction and views from the south (subject to suitable visibility splays).
- 8.30 Whilst the proposed development would change the character of the site, there would not be greater visual harm to the character and appearance of the area. As such it is consider that the general principle of development of this

site to be acceptable in relation to the visual change to the site and the development of this site represents an extension to the urban boundary and would constitute modest urban extension and infill development of houses further west on Marden Road.

### **Heritage assets**

- 8.31 The application site is subdivided by substantial hedgerows trees. There is also a complex of ex farm buildings just outside the application site boundary that are Grade II listed and are known as at Hen and Duckhurst Farm buildings.
- 8.32 The council conservation officer has objected to the development of the application site due to the loss of the setting of the Hen and Duckhurst Farm Grade II Listed Buildings.
- 8.33 The proposed new development would inevitably have a visual impact on the setting of Hen and Duckhurst Farm listed buildings which currently benefits from unobstructed views to the north and west across the site.
- 8.34 The Conservation Officer is of the opinion that the development would result in harm to the significance of these designated heritage asset. The proposed development would undoubtedly have a visual impact on the setting of the grade II listed building, however in my view, the level of harm would be less than substantial, therefore this needs to be weighed against any public benefit arising from the proposals in accordance with the tests set out in the NPPF.
- 8.35 The application is in outline and details of layout are reserve matters for future consideration. However, an indicative layout plan has been submitted that shows the applicant's intentions. The estate layout shows the houses would be close to the northern boundary of the listed building and as such the farm land and open space that forms part of the setting of the listed buildings would be developed for housing and access road.
- 8.36 Although the submitted layout plan is not for approval; to reduce the impact of the development on the setting of the heritage asset listed building and in compliance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that imposes a duty on the decision-maker to pay special regard to the desirability of preserving the setting of the listed buildings, it is recommended that an area of public open space is proposed directly to the north of Hen and Duckhurst Farm buildings in order to help to preserve the character, appearance and setting of the listed building and to reduce harm to the setting of the listed building. This can be incorporated in to the term of the reserved matters conditions.
- 8.37 It is considered that subject to the above provision of amenity land the proposed development would have an acceptable impact on the setting of Hen and Duckhurst Farm buildings due to the separation distance between the site and these heritage properties.
- 8.38 It is therefore considered that the significant public benefits arising from the additional 250 houses would, in my view, outweigh the limited harm to the setting of this group of buildings and in particular 17<sup>th</sup> century grade II listed building.



## **Impact on local Ecology**

- 8.39 The NPPF, Local Plan and emerging plan all seek to protect and enhance the natural environment. Applications that adversely affect the natural assets and for which mitigation measures appropriate to the scale and nature of the impact cannot be achieved will not be permitted.
- 8.40 The KCC Ecology officer has confirmed that there is no objection to the development subject to conditions regarding Ecological Design Strategy and a Landscape and Ecological Management Plan. It is also expected that the applicant to demonstrate funding arrangement for the implementation, up keep and management of the designated ecology schemes and areas. The issue of funding and long term management will be addressed though long term maintenance and management of the landscaped areas, SUDS, ponds and swales. Funding for long term management of these areas will be secured by an appointed management company through a levy against each dwelling on site. It is considered that subject to the above mentioned conditions the development would be acceptable.
- 8.41 It is important to note that this application is in outline and landscaping, appearance and design are reserved matters and will be subject to planning conditions for submission later. It is considered that the reserved details would include details regarding swift brick and ecological protection measures for consideration by the Council.

## **Flood Risk, Surface water and Foul Water Drainage**

- 8.42 The NPPF requires that when determining planning applications, local planning authorities should ensure flood risk is not increased and measures should be taken to reduce the overall level of flood risk resulting from the development and the development should introduce through the layout and appropriate use of Sustainable Urban Drainage (SUDs) to deal with drainage issues.
- 8.43 The site is in zone 1 and not within a high risk flood area as identified by the Environment Agency; however a Flood Risk Assessment report (FRA) has been submitted for this major housing development.
- 8.44 The FRA is proposing a sustainable drainage system which utilises permeable paving with a porous sub base for all roads, car parking and drives areas. The drainage system will also make use of the existing ponds on the site. As this application is an outline, the detailed design for the development is not provided at this stage but the preliminary design works submitted indicate that a SUDs system will be used to accommodate the 1 in 115 year rainfall event with a 30% allowance for climate change.
- 8.45 The Environment Agency raise no objection to the proposal, subject to a condition requiring a surface water drainage scheme to be submitted for approval by LPA.
- 8.46 In terms of foul water, Southern Water has confirmed that there is inadequate capacity in the local network to provide foul sewage disposal for the proposed development. They advise that additional off site sewers or improvements to

existing sewers would be required to provide sufficient capacity to serve the development.

8.47 To facilitate the development there will be a requirement to either upgrade the local network or requisition a new sewer to the point at which capacity is available. Assessment has shown that capacity is available at the existing waste water treatment works which is located approximately 780m to the northeast of the development site.

8.48 According to the applicant FRA report Southern Water has provided three potential options to upgrade the local network to provide the necessary capacity; these are as follows:-

- 1- Connection in Lodge Road.
- 2- Connection in Further Field Road
- 3- Connection in Marden Road

Following consideration of the above three options applicant has it is considered connection to Lodge Road would cause minimal disruption and is the most favoured option. The upgrade works in this option are as follows:-

The upgrade of 325m of 150mm diameter sewer to 225mm diameter, 208m of 225mm diameter sewer to 300mm and 40m of 300 diameter sewer pipes to 375mm diameter. This is considered the most direct route and follows wide industrial standard road which provides the necessary capacity.

8.49 Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested. Request that an informative setting out the need for the applicants to enter into formal agreement with them should be attached to any formal grant of planning consent. Also to ensure that the necessary foul water infrastructure measures are in place before the proposed dwellings are occupied it is considered appropriate to add a planning condition accordingly.

### **Sustainability**

8.50 The application site is situated just on the edge of settlement of Staplehurst which has essential services like school, doctor surgery, restaurant, shops, etc as well as is within walking distance of rail way station and bus service and as such it is considered that the application is in a most sustainable location for housing development.

### **Affordable housing**

8.51 The Council's Affordable Housing DPD 2006 requires affordable housing to be provided at 40% and is the current policy basis for requiring affordable housing. Emerging policy DM24 seeks 40% delivery of affordable housing on this site.

8.52 The application proposes the provision of 40% affordable units; (equates up to 100 dwellings) as this is an outline application with only access under consideration at this stage, the breakdown of the proposed units is reserved for future consideration. MBC Housing has reviewed the application and welcomes the proposed amount of affordable units proposed in this development.

8.51 KCC also have request delivery of 5 Wheelchair Accessible Homes within the affordable housing on site. This can be added to the heads of terms.

### **Infrastructure contribution**

8.52 The Planning obligations have been considered in accordance with the legal tests set out in section 122 and 123 (that came into force on 6<sup>th</sup> April 2015) of Community Infrastructure Levy Regulations 2010 in that they are necessary to make the development acceptable.

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements.

8.53 It is considered that the proposed development would place extra demand on the local services and facilities and it is important to ensure that the development can fit in the local community the following contributions have been sought in line with the Council's policy CF1 of the Local Plan and the Open Space DPD. Policy ID1 of the emerging plan relates to infrastructure delivery and its preamble sets out the Council's moves towards developing its Community Infrastructure Levy (CIL). Where there are competing demands for developers' contributions towards the delivery of infrastructure for new development proposals, the Council will prioritise these demands as follows affordable housing, transport, open space, public realm, health, education, social services, utilities, libraries and emergency services.

8.54 A number of contributions to be secured through the application. It is important that any contributions that are secured through a Section 106 agreement would meet the requirements of the three tests of Regulation 122 and 123 of the CIL Regulations 2015 and paragraph 204 of the NPPF 2012.

8.55 The following Contributions have been sought:-

- Primary Education @ £14,286 (new build) and £3184.60 (land acquisition) per additional pupil (x44) = £768,706.40 towards the Phase 1 of the Headcorn Primary School new expansion and site enlargement.
- Secondary education @ £11,799 per additional pupil (x41) = £487,888.65 towards the expansion of Cornwallis school
- Library bookstock £12,003.95 - project: bookstock for the new residents of this development alone (supplied to Staplehurst Library)
- Youth equipment £2110.58 - required for the new residents of this development alone (supplied to Youth Workers and organisations covering Staplehurst)
- On site opens space and allotment area no less than 4.66 hectares shall be provided and off site financial contribution shall be provided toward improvement or upgrade of facilities at Lime Trees, Surrenden Playing Fields. The final amount to be clarified by officers.

Developer contribution is also sought by KCC highway services towards engineering works to improve capacity of junction of Marden Road and A229.

In addition KCC highways has sought following highway works mentioned above as part of a section 278 highway condition.

1. Provision of pedestrian and cycle links via Further Field and Marlfield to the Staplehurst rail way station to be provided from the existing residential development to the east of the application
2. A link for vehicular traffic through the development site towards Lodge Road is to be safeguarded.
3. Bus boarders are to be provided at two relevant bus stops.
4. Parking provision is to be provided in accordance with IGN3
5. Traffic calming is to be provided along Marden Road and the 30 mph speed limit is extended.
6. A pedestrian and cycle crossing is required on Marden Road to ensure safe access to the village centre from the site.

## 9.0 Other matters

### Benefits

- 9.01 Paragraph 47 of the Framework highlights the need for the supply of housing to be boosted significantly. It is accepted that the Council cannot demonstrate a five-year supply of deliverable housing sites and that there is a significant and serious shortfall of housing when tested against the Council's proposed housing target. There is also a rising and substantial need for affordable housing in the Borough. Against this background, the provision of up to 250 houses, with up to 40% (100 houses) of those affordable homes, is a matter that attracts significant weight in favour of the proposal.
- 9.02 Moreover, paragraphs 18 and 19 of the Framework are very clear that the Government is committed to securing economic growth in order to create jobs and prosperity and to ensuring the planning system does everything it can to support sustainable economic growth. The proposal will generate construction jobs and economic activity. In the longer term, as the site is occupied, residents will add to local spending levels and help to boot local economy.

### The Balancing Exercise

- 9.03 There would be traffic generated by the proposal, and pressure placed on existing facilities, but all this would be mitigated to a significant degree by the various measures set out above.
- 9.05 The proposal would have an adverse impact in landscape terms, and on the setting, and thereby the significance, of the listed buildings at Hen and Dockhurst Farm, The latter factor is one that attracts considerable importance

and weight in the balancing exercise. However, it is important to acknowledge that considerable importance and weight is not the same as overriding importance and weight.

- 9.06 The provision of new open-market and affordable houses and the associated economic activity are very weighty matters in economic and social terms. Notwithstanding that considerable importance and weight must be attached to the harmful impact on the setting of the listed buildings affected, in my view, the adverse impacts of the proposal, considered in their totality, do not come close to significantly and demonstrably outweighing the benefits, when assessed against the policies of the Framework considered as a whole. On that basis, the proposal benefits from the presumption in favour of sustainable development.
- 9.07 In spite of a number of contacts with NHS Properties they failed to submit any section 106 developer request.

## **10.0 CONCLUSION**

- 10.01 Development at this site would extend the urban boundary of Staplehurst further to the west and would infill the space between the urban area and the more sporadic development to the west of the site. The development would provide 250 new dwelling houses of which 40% would be affordable housing.
- 10.02 Whilst the development would have an impact upon the setting of the listed buildings of Hen and Duckhurst Farm buildings it is not considered that this would be a significant impact to resist development altogether. In addition to this, the need to provide sites suitable for housing holds significant weight which outweighs this harm. The site is situated in a sustainable location where there are very good public transport facilities (train and bus service) as well as a number of other services and facilities. The development would conform to the aspirations of the NPPF.
- 10.03 The proposed development due to its countryside location is contrary to policy ENV28 of the local plan. However, because of lack of 5 years housing land supply NPPF states that planning applications for housing development should be considered in the context of presumption in favour of sustainable development and policy ENV28 should be considered as out of date and not grounds for refusal.
- 10.04 It is therefore considered that the development of the site for residential purposes is acceptable and it is recommended that subject to the completion of a section 106 agreement planning permission is granted.
- 11.0 **RECOMMENDATION** – GRANT Subject to a section 106 legal agreement and the following conditions:

The Head of Planning be given DELEGATED POWERS TO GRANT permission subject to the conditions and informatives set out in the report and to the prior completion of a Section 106 legal agreement in such terms as the Head of Legal Services may advise to secure the followings:

A: The provision of 40% (equated to 100) affordable housing.

At least 5% of the affordable units should be designed to provide Wheelchair Accessible Homes.

B: Contribution towards highway works at the junction of the A229 (Station Road) and Marden Road to mitigate the impact of the development (final amount to be clarified by officers)

C: Secure the following developers' contributions:

- Primary Education @ £14,286 (new build) and £3184.60 (land acquisition) per additional pupil (x44) = £768,706.40 towards the Phase 1 of the Headcorn Primary School new expansion and site enlargement.
- Secondary education @ £11,799 per additional pupil (x41) = £487,888.65 towards the expansion of Cornwallis school
- Library bookstock £12,003.95 - project: bookstock for the new residents of this development alone (supplied to Staplehurst Library)
- Youth equipment £2110.58 - required for the new residents of this development alone (supplied to Youth Workers and organisations covering Staplehurst)
- On site open space and allotment area no less than 4.66 hectares shall be provided and off site financial contribution shall be provided toward improvement or upgrade of facilities at Lime Trees, Surrenden Playing Fields. The final amount to be clarified by officers.

D Grant planning permission subject to the imposition of the conditions set out below:

1) Details of appearance, layout, scale and landscaping, (the reserved matters) for any phase shall be submitted to and approved in writing by the local planning authority before any development begins on that phase. Development shall be carried out in accordance with the approved details.

The layout reserved matters details shall ensure that at least .04 Ha of the to the north and west of the Hen and Duck Farm listed buildings is set aside as an open space or structural open space as part of a deliberate strategy to minimise so far as possible harm to the setting of the listed buildings.

The landscaping reserved matters details shall be designed using the principle's established in the Council's adopted Landscape Character Assessment 2012 and using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.

2) Application for approval of the reserved matters shall be made to the local planning authority not later than 12 months from the date of this permission.

3) The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

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.

4) The development hereby permitted shall be carried out in accordance with the following approved plan: Site Location Plan DHA/9702/01 Rev B

Reason: To ensure that the location of vehicular access is defined.

5) No development shall take place until a Scheme of Phasing has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Scheme of Phasing.

Reason: To ensure that the development is carried out in a satisfactory manner and in compliance with NPPF advice regarding good design.

6) Prior to the commencement of each phase of development as approved under Condition 5 an Interim Certificate of Compliance with the Code for Sustainable Homes for that phase shall be submitted to and approved in writing by the local planning authority. The certificate shall demonstrate that the development within that phase will attain a minimum standard of Code Level 4. The development shall be carried out only in accordance with the details the subject of the certificate and prior to occupation of each dwelling a Code for Sustainable Homes Post Construction Stage Review is to be completed by an independent licensed Code of Sustainable Homes assessor demonstrating that the dwelling is expected to achieve Code Level 4. The results of the review must be submitted to the local planning authority in writing.

Reason: In the interests of sustainability and in compliance with NPPF.

7) Prior to the commencement of development of each phase of development as agreed under condition 5 of this permission, no development shall commence (in relation to that specific phase being pursued) until a materials schedule detailing the types and colours of external materials to be used, including colour of mortar and windows, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of visual amenity of the area and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings.

8) No development shall take place until full details of both hard and soft landscaping for the site have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include existing and proposed contours and finished ground levels and structures (e.g. street furniture, refuse or other storage units, signs, lighting etc.). Soft landscaping details shall include planting plans; written specifications (including

cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme. Development shall be carried out in accordance with the approved details. The scheme shall include full details of all proposed boundary treatments and shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines.

Reason: In the interest of visual amenity of the area.

9) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of any of the dwellings hereby permitted, or completion of development, whichever is the sooner. Any trees or plants, which, within a period of 5 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.

Reason: In the interest of visual amenity of the area.

10) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped and open areas allotment other than privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to first occupation of any dwelling on the site. The landscape management plan shall be carried out as approved.

Reason: In the interest of residential and visual amenity of the area.

11) Prior to the commencement of any development, a scheme for the protection of trees and hedges to be retained on site shall be submitted to and approved in writing by the local planning authority. All trees to be retained must be protected by barriers and or ground protection in accordance with BS5837 (2012) "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 barrier and/or ground protection measures 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 area protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground level changed, nor excavations made within these area without the written consent of the Local Planning Authority.

Reason: To Safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development in compliance with National Planning Policy Framework 2012.



12) Prior to the commencement of each phase of development as agreed under condition 5 of this permission, no works (in relation to that specific phase being pursued) shall take place until a measured survey of that phase has been undertaken and a plan prepared to a scale of not less than 1:500 showing details of existing and intended final ground levels and finished floor levels in relation to a nearby datum point which shall be submitted to and approved in writing by the local planning authority. The development shall be completed and thereafter retained in accordance with the approved details.

Reason: In the interests of visual and residential amenities of the area.

13) Prior to the commencement of each phase of development as agreed under condition 5 of this permission, no works (in relation to that specific phase being pursued) shall take place until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall make provision for arrangements during the period up until the last dwelling is completed and shall include details of:

- a) A programme for the phasing of work to construct the development, including the roads, landscaping and open space;
- b) The location of temporary site buildings, compounds and areas used to store plant and materials;
- c) Arrangements for the routing, turning and access of lorries into the site;
- d) Arrangements for the parking of vehicles of site operatives and visitors;
- e) Measures to control emissions of dust and dirt that take account of Best Practice Guidance on The Control of Dust and Emissions from Construction and Demolition, 2006 (London Authorities);
- f) Measures to control and mitigate noise and vibration from construction activities, including piling;
- g) Arrangements for the storage, collection and disposal of waste;
- h) Measures to prevent mud and dust being deposited on the highway;
- i) The erection and maintenance of security hoarding, including any decorative displays and facilities for public viewing;
- j) Temporary lighting; and
- k) Noise generating plant.

Development shall take place in accordance with the approved plan.

Reason: In the interests of residential amenities of the area

14) Prior to the commencement of each phase of development as agreed under condition 5 of this permission, no works (in relation to that specific phase being pursued) shall take place until details of a scheme to address risks associated with contamination of the site and mitigation shall be submitted to and approved in writing by the local planning authority. Those details shall

include:

- i) Assessment of radon affect and mitigation measures;
- ii) Assessment of electromagnetic radiation from the electricity sub-station and mitigation measures;
- iii) An acoustic assessment in respect of noise from Railway line to the north and noise from the electricity sub-station to the south and mitigation measures;
- iv) An Air quality assessment and submission of a mitigation strategy;

The approved mitigation measures shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenities of the area

15) If during the course of development of each phase approved under condition 5, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Reason: In the interests of amenities of the future occupiers of the dwellings.

16) Prior to the commencement of development of each phase as agreed under condition 5 of this permission, an archaeological investigation of the phase shall be carried out comprising:-

- i historic landscape survey and assessment in accordance with a specification and written timetable which has been submitted to
- ii following on from the survey and assessment, any safeguarding measures to ensure and approved by the Local Planning Authority; and preservation in situ of important historic landscape features and/or further historic landscape recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: To ensure appropriate assessment of the historic landscape implications of any development proposals and the subsequent mitigation through preservation *in situ* and integration into main development scheme or preserved by record.

17) Prior to the commencement of development of each phase as agreed under condition 5 of this permission, an archaeological investigation of the phase shall be carried out to secured the implementation of:-

- i archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
- ii following on from the evaluation and assessment, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation *in situ* or by record.

18) Prior to the commencement of development of each phase as agreed under condition 5 of this permission, an ecological design strategy (EDS) addressing ecological mitigation and enhancement of each phase in the context of wider site shall be submitted to and approved in writing by the local planning authority. The EDS shall include the following,

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints, informed by further survey effort as appropriate.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives (may be provided as a set of method statements). Incorporation of birds and bats boxes and swift bricks in the fabric of houses and on trees within the landscaped areas.
- d) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- e) Extent and location/area of proposed works on appropriate scale maps and plans.
- f) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- g) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- h) Persons responsible for implementing the works.
- i) Details of initial aftercare and long term maintenance.
- j) Details for monitoring and remedial measures.

The EDS shall be implemented in accordance with the approved details unless varied by a European Protected Species licence subsequently issued by Natural England. In the interests of securing the maximum benefit for biodiversity any variation of the agreed mitigation required by Natural England must not result in the reduction in the quality or quantity of mitigation/compensation provided and all features shall be retained in that manner thereafter.

Reason: In the interest of biodiversity and local ecology and in compliance with NPPF.

19) Prior to the commencement of development of each phase as agreed under condition 5 of this permission, a Landscape and Ecological Management Plan for each phase in the context of wider site shall be submitted to and approved in writing by the local planning authority. The Landscape and Ecological Management Plan shall include the following,

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to occupation of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management prescriptions for achieving aims and objectives.
- e) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- f) Details of the body or organisation responsible for implementation of the plan.
- g) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

20) No development shall take place until a sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100yr critical storm (including an allowance for climate change) will not exceed the run-off from the undeveloped site following the corresponding rainfall event, and so not increase the risk of flooding both on- or off-site. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

21) The development hereby permitted shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Southern Water”.

Reason: To ensure that foul and surface water is satisfactorily managed and disposed off from the site.

22) None of the houses hereby permitted shall be occupied until provision of Superfast Fibre Optic Broadband ‘fibre to the premises’ to all buildings of adequate capacity (internal min speed of 100mb to each building) for current and future use of the buildings. Also underground ducts have been installed by the developer to enable telephone, electricity and communal television services to be connected to any premises within the site without recourse to the erection of distribution poles, satellite dishes and overhead lines and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting that Order), no distribution pole satellite dish or overhead line shall be erected within the site area.

Reason: To avoid visual harm to the character of the area.

23) During the construction and fitting out of the development hereby permitted, there shall be no burning of waste material on the site.

Reason: In the interests of amenities of the occupiers of surrounding properties.

24) During the construction period, no construction or deliveries to the site shall take place on Sundays or Bank Holidays or outside the following times:

0800 to 1800 on Mondays to Fridays; and 0900 to 1300 on Saturdays.

Reason: In the interests of amenities of the occupiers of surrounding properties.

25) No development shall take place until full details of the vehicular access and emergency access have been submitted to and approved in writing by the local planning authority. The details shall include footway and verge crossings; visibility splays; and three-dimensional representations. No dwelling shall be occupied until the means of access have been constructed in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of Highway safety.

26) The roads and footways within the development shall be constructed and finished in accordance with a programme that has been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until it has a direct connection with an existing highway.

Reason: In the interests of highway safety and residential amenities.

27) No dwelling shall be occupied until highway works agreed under section 278 of the 1980 Highway Act have been implemented in full to the satisfaction of the Local Planning and Highways Authorities. These works comprise:

1. Pedestrian and cycle links to be provided to the existing residential development to the east of the application site via Further Field and Marfield.
2. A link for vehicular traffic through the development site towards Lodge Road is to be safeguarded.
3. Bus boarders are to be provided at two relevant bus stops.
4. Parking provision is to be provided in accordance with IGN3
5. Traffic calming is to be provided along Marden Road and the 30 mph speed limit is extended.
6. A pedestrian and cycle crossing to be provided on Marden Road to ensure safe access to the village centre from the site.

#### Informatives

1) Applicant is strongly advised that details pursuant to condition 21 be considered prior to or in conjunction with, approval of road and housing layout to ensure the optimum space can be allocated for storage and conveyance of storm runoff using sustainable drainage techniques

2) The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development.  
Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire,  
SO21 2SW (Tel. 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)

Case Officer: Majid Harouni

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.