

**REPORT SUMMARY**

<b>REFERENCE NO - 14/503960/OUT</b>			
<b>APPLICATION PROPOSAL</b>			
Outline application for 13 dwelling houses with associated amenity space, shared access road and new footway with access, appearance, layout and scale to be considered at this stage with all other matters reserved for future consideration.			
<b>ADDRESS</b> Land East Of Thatch Barn Road and South of Lenham Road, Headcorn, Kent			
<b>RECOMMENDATION</b> Permission granted			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b>			
The site is identified as part of a larger housing allocation in the Draft Maidstone Borough Local Plan (Policy H1(40) between Lenham Road and Grigg Lane. The site is flat, has good access and is accessible to local services in Headcorn. In conjunction with adjacent land to the south and east it could make a significant contribution to meeting local housing needs.			
Although Cabinet recently resolved to delete the northern part of this housing allocation it remains necessary to determine the current application on its planning merits. It is considered that the principle of residential development on this site as part of a larger allocation to meet local housing needs remains generally acceptable. The proposed density, layout and scale of development is considered to be appropriate to a semi-rural location on the edge of the village. The application has been submitted in outline but the only reserved matter is landscaping. The details of appearance, layout, scale and means of access are otherwise considered to be acceptable.			
<b>REASON FOR REFERRAL TO COMMITTEE</b>			
Recommendation is a departure from the adopted Development Plan and is contrary to the Parish Council views.			
<b>WARD</b> Headcorn	<b>PARISH/TOWN COUNCIL</b> Headcorn	<b>APPLICANT</b> Strategic Land Kent Ltd <b>AGENT</b> Wealden Homes	
<b>DECISION DUE DATE</b> 02/01/15	<b>PUBLICITY EXPIRY DATE</b> 02/01/15	<b>OFFICER SITE VISIT DATE</b> 20/10/14	
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
???	45 dwellings	Permission	??
<i>Summarise Reasons</i>			
<i>Summarise Reasons</i>			

**MAIN REPORT**

**1.0 DESCRIPTION OF SITE**

1.1 The site is situated on the NE edge of the existing built-up area of Headcorn, to the east of Thatch Barn Road and Knaves Acre, approx. 500m from the village

centre. It is rectangular in shape and has an area of approx. 0.91 ha. The site has a frontage to Lenham Road (C258) of approx. 150m. between Thatch Barn Road and public footpath (KH606) which links Lenham Road and Grigg Lane and runs along the eastern boundary of the site.

## 2.0 PROPOSAL

2.1 This is an outline application for 13 dwellings with access, appearance, layout and scale to be considered at this stage. A new access is proposed from Lenham Road at the western end of the site. The site layout plan shows a mix of 13 detached and semi-detached dwellings grouped around a short cul-de-sac which terminates in the centre of the site. Details of landscaping are reserved for future consideration, although the site layout plan gives an indication of the location and extent of proposed landscaping.

## 3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area (ha)	0.91 ha.	0.91 ha.	
Approximate Ridge Height (m)		9.2m	
Approximate Eaves Height (m)		5.0m	
Approximate Depth (m)		8.0m	
Approximate Width (m)		25.0m	
No. of Storeys		2	
Net Floor Area			
Parking Spaces		48	
No. of Residential Units		12	
No. of Affordable Units		0	

## 4.0 PLANNING CONSTRAINTS

Flood Zone 2  
 Neighbourhood/Village Centre - 500m  
 Allocated Site – housing/economic development (H1(40))  
 Headcorn Airfield – 2.5km

## 5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)  
 National Planning Practice Guidance (NPPG)  
 Development Plan: ENV28

## 6.0 LOCAL REPRESENTATIONS

6.1 A site notice was displayed from 20/10/14 to 10/11/14. 25 representations were received objecting to the development for the following main reasons:

1. Excessive urbanisation which will detract from the rural character of the village
2. Inadequate foul and surface water drainage
3. No spare capacity in Headcorn Primary School

- 4 .Additional traffic – increased congestion, noise, pollution, injuries, etc.
5. Additional pressure on local services – doctors surgery, open space, public transport
6. MBC is ignoring the views of local residents.

## **7.0 CONSULTATIONS**

### **7.1 Parish Council**

“Please be advised that my Council would wish to see this application refused as constraints to the infrastructure relating to sewage and school capacity is contrary to the NPPF. Concern is expressed in relation to highway safety through additional developments being filtered into the surrounding roads. The Planning Committee acknowledges that this development does meet a number of requirements including the size of development, density, non-urban appearance and proximity to the local services.”

### **7,2 Natural England**

“This application is in close proximity to the River Beult Site of Special Scientific Interest (SSSI).

Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(I) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

### **7,3 Protected species**

We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a ‘reasonable likelihood’ of protected species being present.

It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer’s responsibility) or may be granted.

### **7.4 Local sites**

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR)

the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

#### 7.5 Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework.

Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

#### 7.6 Landscape enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

#### 7.7 **KCC Ecological Advice**

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

The National Planning Policy Framework states that "the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and delivering net gains in biodiversity where possible."

Paragraph 99 of Government Circular (ODPM 06/2005) Biodiversity and Geological Conservation - Statutory Obligations & Their Impact Within the Planning System states that "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision."

Natural England has published Standing Advice on protected species and Ancient Woodland. When determining an application for development that is covered by the Standing Advice, Local Planning Authorities must take into account the Standing Advice. The Standing Advice is a material consideration in the determination of

applications in the same way as a letter received from Natural England following consultation.

The Preliminary Ecological Appraisal, Dormouse, Reptile and Amphibian Surveys report has been submitted in support of this application. The ecological survey work concludes that the proposed development has potential to result in impacts to nesting birds, reptile species and great crested newts, in addition to the loss of a section of BAP habitat hedgerow.

Mitigation requirements are proposed within the report, including reptile and great crested newt receptor sites, though it is somewhat unclear whether the measures have already taken place in relation to nearby developments.

We would like clarification regarding the consented and proposed ecological mitigation measures in relation to sites to the south-east of the proposed development. This will enable us to reach an informed conclusion regarding the appropriateness of the proposed mitigation measures. In addition, the presence of great crested newts and the need for a European protected species mitigation licence means that Maidstone BC will need to consider whether a licence is likely to be granted.

We advise that Maidstone BC should be considering the mitigation proposals for this area strategically, to ensure that the mitigation areas / receptor sites do not become isolated from the wider countryside, and that the potential for impacts is minimised, should additional plots of land come forward for development. We look forward to further consultation on this point.

One of the principles of the National Planning Policy Framework is that “opportunities to incorporate biodiversity in and around developments should be encouraged”. Swift boxes and bat bricks are recommended in the Preliminary Ecological Appraisal, Dormouse, Reptile and Amphibian Surveys report and we advise that the installation of these should be secured by Maidstone BC, in addition to the use of native species within the landscape planting.”

### **7.8 KCC Highways**

“I note from the Transport Statement (TS) provided that it is intended to provide a footway connection to the west of the proposed site entrance and to extend the 30mph speed limit to include this site as part of the built up area of Headcorn. The footway works will be constructed over a highway drain and will therefore require a licence for that from this authority. The works on Lenham Road as a whole will also require the applicant to enter into a Section 278 agreement with this authority. I note the extent of surrounding drainage ditches in this area and it is considered that should this application progress to a full application, a Sustainable Drainage System (SUDS) scheme should be developed for this site.

I also note the area of Grasscrete (or similar material) proposed on the site which presumably is the route for the diverted public right of way (PROW) discussed in the TS. It is noted that currently between the footway and Grasscrete proposed some use of the shared surface is expected. It is considered bearing in mind the intended other phases of adjacent housing discussed that either the footway proposed should be extended to the Grasscrete or the alignment of the diverted PROW should connect directly with the footway.

I have undertaken some independent injury crash history studies of the area and concur with the conclusions made in the TS. There is no evidence to indicate that this

proposal will significantly exacerbate or be detrimental to road safety to the area. This is subject to the appropriate visibility splays being provided at the site entrance as discussed together with new footway and repositioned speed limit. As part of any full planning application car parking numbers will need to be confirmed for each dwelling and for visitors. These should accord to the County's Interim Guidance Note 3 (IGN3) for residential parking and should be proposed in accordance with standards given for a suburban edge/village/rural environment.

I consider that the traffic generated by this proposal can adequately be accommodated on the surrounding public road network and subject to the above comments I write to confirm on behalf of the Highway Authority that I have no objection to this outline application."

## 7.9 Southern Water

Please find attached a plan of the sewer records showing the approximate position of foul sewer and rising main in the access of the site. The exact position of the foul sewer and rising main must be determined on site by the applicant before the layout of the proposed development is finalised.

Please note:

- No works or new tree planting should be located within 3 metres either side of the centreline of the public sewer.
- All existing infrastructure should be protected during the course of construction works

Furthermore, due to changes in legislation that came in to force on 1st 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 S021 2SW (Tel: 0330 3030119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)".

Southern Water requires a formal application for a connection to the foul sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

"A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire S021 2SW (Tel: 0330 3030119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)".

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (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.

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 Southern Water."

### 7.10 KCC Economic Development

The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

1. Necessary,
2. Related to the development, and
3. Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements (the evidence supporting these requirements is set out in the attached Appendices).

<b>Request Summary Per House (x13)</b>	<b>Applicable</b>	<b>Total</b>
Primary Education ( <i>extension cost</i> )	£2360.96	£30,692.48
Primary Land acquisition	£2701.63	£35,121.18
Secondary Education		No current requirement

<b>Total</b>	
Community Learning	£399.07
Youth Service	£109.75
Libraries	£2005.16
Adult Social Care	£826.28
<i>Highways</i>	<i>Kent Highway Services will respond sep:</i>

Please note that these figures are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, and build costs.

### 7.11 Primary Education

The proposal gives rise to additional primary school pupils during occupation of this development. This need, cumulatively with other new developments in the vicinity, can only be met through the expansion of Headcorn Primary School local to the development, as the forecast primary pupil product in the locality results in the maximum capacity of local primary school being exceeded.

This proposal has been assessed in accordance with the KCC Development Contributions Guide methodology of *'first come, first served'* assessment; having regard to the indigenous pupils, overlain by the pupil generation impact of this and concurrent new residential developments on the locality.

The County Council requires a financial contribution towards construction of the additional school accommodation locally at **£2360.96 for each 'applicable' house** (x10) ('applicable' means: all dwellings except 1 bed of less than 56sqm GIA).

The County Council also requires proportionate contributions towards Headcorn Primary School site expansion at a cost of **£2701.63 per 'applicable' house** (x10) to accommodate the extension of the School accommodation.

The site acquisition cost is based upon current local land prices. The school site contribution will need to be reassessed immediately prior to KCC taking the freehold transfer of the site expansion land to reflect the price actually paid for the land.

Please note this process will be kept under review and may be subject to change (including possible locational change) as the Local Education Authority has to ensure provision of 3

### 7.12 Youth Services

The service caters for young people from 11 to 25 years though the prime focus is on hard to reach 13 to 19 year olds. The service is provided on a hub and spoke service delivery model. The hub offers the full range of services whilst spokes provide outreach provision. Outreach provision can take a number of forms, including detached youth workers, mobile services, affiliated voluntary and community groups etc.

Forecasts (Appendix 2) indicate that there is insufficient capacity within the Youth Centres to accommodate the increased demand generated by the development, therefore KCC requires a contribution to provide additional capacity to meet the additional demand from this development.

The County Council therefore requests **£109.75** to address the direct impact of this development.

### 7.13 Libraries and Archives

There is an assessed shortfall in provision (Appendix 2) : overall borrower numbers in the local area are in excess of area service capacity, and bookstock for Maidstone Borough at 1339 per 1000 population is below the County average of 1349 and both the England and total UK figures of 1510 and 1605 respectively.

The County Council will mitigate this impact through the provision of additional bookstock and equipment at local Libraries serving the development and will be



delivered as and when the monies are received and will accord with the LPA's Infrastructure Delivery Plan (where applicable).  
The County Council therefore requests **£2005.16** to address the direct impact of this development.

#### **7.14 Social Care**

Facilities for Kent Social Care (SC) (older people, and adults with Learning or Physical Disabilities) are fully allocated. The proposed development will result in a demand upon social services which SC are under a statutory obligation to meet but will have no additional funding to do so. The proportionate cost of providing additional services for this proposed development is set out in Appendix 3.  
The County Council will mitigate this impact through the provision of new/expanded facilities and services both on site and local to the development.

The mitigation will comprise the following projects:

Project 1: **Assistive Technology** (also referred to as Telecare): installation of technology items in homes on this development (including: pendants, fall sensors, alarms, etc.) to enable existing & future clients to live as independently and secure as possible in their own homes on this site.

Project 2: **Building Rural Community Capacity**: enhancement of local community facilities to ensure full DDA access to clients to participate in community activities and groups.

These projects will be delivered once the moneys are collected except where the implementation of the proposed project(s) relies upon pooled funds, then the project will commence as soon as practicable once the funding target has been reached.

The County Council therefore requests **£826.28** to address the direct impact of this development.

#### **7.15 Superfast Fibre Optic Broadband**

To provide: *'fibre to the premise'* (Superfast fibre optic broadband) to all buildings (residential, commercial, community etc) of adequate capacity (internal min speed of 100mb to each building) for current and future use of the buildings

#### **7.16 Implementation**

The County Council is of the view that the above contributions comply with the provisions of regulation 122 of the CIL Regulations and are necessary to mitigate the impacts of the proposal on the provision of those services for which the County Council has a statutory obligation. Accordingly, it is requested that the Local Planning Authority seek a section 106 obligation with the developer/interested parties prior to the grant of planning permission. The obligation should also include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the Agreement. 5"

The contributions requested are considered to be fair, reasonable and compliant with the Community Infrastructure Levy Regulations 2010 and satisfy the relevant tests referred to above. The contributions will be secured by means of a S106 Agreement and a copy of the draft agreement has been submitted by the applicant.

## 7.17 NHS Property Services

“A healthcare contribution is requested in accordance with the recognised Planning Obligations Guidance for Communities and Local Government and the adopted Maidstone Borough Council development plans.

Inevitably, any increase in the local population has a knock-on effect in terms of health care and NHS Property Services Ltd would seek to apply this S106 contribution to meet these extra demands placed upon the local primary and community health service.

In terms of this particular application, a need has been identified for contributions to support the delivery of investments highlighted within the Strategic Service Development Plan. These improvements to the primary care infrastructure will enable support in the registrations of the new population, in addition to the commissioning and delivery of health services to all. This proposed development noted above is expected to result in a need to invest in a local surgery premises:

- Headcorn Surgery

The above surgery is within a 2 mile radius of the development at Thatch Barn Road. This contribution will be directly related to supporting the improvements within primary care by way of extension, refurbishment and/or upgrade in order to provide the required capacity.

NHS Property Services Ltd will continue with NHS West Kent formulae for calculating s106 contributions for which have been used for some time and are calculated as fair and reasonable. NHS Property Services will not apply for contributions if the units are identified for affordable/social housing.

The application identifies unit sizes to calculate predicted occupancy multiplied by £360 per person. When the unit sizes are not identified then an assumed occupancy of 2.34 persons will be used.

### Predicted Occupancy rates

1 bed unit	@	1.4 persons
2 bed unit	@	2 persons
3 bed unit	@	2.8 persons
4 bed unit	@	3.5 persons
5 bed unit	@	4.8 persons

For this particular application the contribution has been calculated as such:

Predicted Occupancy rates – 3.5  
Total number in planning application - 13  
Total occupancy – 45.5  
Contribution sought (Occupancy x £360) -£16,380

NHS Property Services Ltd therefore seeks a healthcare contribution of £16,380, plus support for its legal costs in connection with securing this contribution. This figure has been calculated as the cost per person needed to enhance healthcare needs within the NHS services.”

### 7.18 Rural Planning Ltd:

Para. 112 of the NPPF states:

*“Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.”*

The application submissions include a detailed Agricultural Land Classification Study that reports the land to be Grade 3b quality, i.e. of moderate quality, and not within the “best and most versatile” category for land use planning purposes. Consequently I do not consider that the loss of this relatively small area of agricultural land here to be significant or in conflict with the above NPPF guidance.

### 7.19 MBC Parks and Leisure:

“It is clear this development offers no opportunity for provision of open space on-site.

It also exceeds the threshold number of dwellings that makes the development eligible for an off-site contribution.

We would therefore request an off-site contribution of £20475 from the developer the calculation for which is 13 units @ £1575 per unit.

The cost per dwelling is as set out in the ‘Supplementary Planning Guidelines’ and using Fields in Trust (the former National Playing Field Association) guidelines and cost for the provision of outdoor playing space.

The development site is located within Headcorn ward. Headcorn Ward is typically underprovided for in terms of open space in most categories.

We would request that an offsite contribution be made towards the enhancement, maintenance, improvement and renewal of Provision for Children (Equipped Play) and Outdoor Sports Facilities within a one mile radius of the development, but more specifically at Headcorn Recreation Ground (Also known as Day’s Green) which is Parish owned.

The site is within 600m of the development site and due to its close proximity (and being the only area in the ward for provision of these types of open space) it is likely to be used by inhabitants of the new development.

The contribution requested above would be used to improve some or all of the above open spaces to accommodate the additional usage created as a result of this development.”

### 7.20 MBC Heritage and Landscape:

“There are no protected trees on this site but there are significant trees on the western boundary and hedgerow along the Lenham Road.

The ‘updated report on tree inspections’ is acceptable in principle and there is sufficient room on site to accommodate the proposal for 13 dwellings without too much detriment to the existing significant trees.

The proposed soft landscaping scheme is not appropriate to the character of the area. I would want to see fewer ornamental and more native trees, particularly along site boundaries. The native hedgerow mix should contain fewer species but it should also include a small number of individual Oak trees at appropriate locations. I would add that it is not clear where the native hedgerow is proposed within the scheme. Clearly these are issues that can be dealt with by condition. I therefore raise no objection on arboricultural grounds.

If you are minded to grant consent I would want to see pre-commencement conditions requiring an arboricultural implications assessment in accordance with BS5837: 2012, including tree protection details, and a landscape scheme using predominantly indigenous species in accordance with our landscape guidelines.

## **8.0 BACKGROUND PAPERS AND PLANS**

Design and Access Statement, Agricultural Land Classification Report, Report on Tree Inspections, Preliminary Ecological Appraisal, Transport Statement.

Submitted plans: Dwg. numbers PLWH-002, 003, 004, 007, PL-WH-P5-6-03, P7-8-01, P9-10-01, P11-12-01, P11-12-02, P13-01, P13-01, P13-02, P3-4-7-10-1, P3-4-01, P2-01, P2-02, P1-02.

## **9.0 APPRAISAL**

This is an outline application for 13 dwellings with access, appearance, layout and scale to be considered at this stage. Details of landscaping are reserved for future consideration, although the site layout gives an indication of the location and extent of proposed landscaping.

### **9.1 Draft Maidstone Borough Local Plan**

The site forms part of a larger housing allocation of 4 ha. in the Draft Local Plan – Policy H1(40) – which extends from Lenham Road along the northern boundary to Grigg Lane in the south. The net capacity of the whole site is approx. 120 units at a density of 30 dpha. The current application relates only to the northern part of the allocation, an area of approx. 0.9ha.

The site is rectangular in shape and has a frontage to Lenham Road of approx. 150m. between Thatch Barn Road and a public footpath (KH606) which links Lenham Road and Grigg Lane. It is proposed to erect 13 dwellings served by a new access from Lenham Road at the western end of the site. The site layout plan shows a mix of 13 detached and semi-detached dwellings grouped around a short cul-de-sac which terminates in the centre of the site.

The site has been identified in the emerging local plan as being suitable for housing development although the current application relates to only approx. 20% of the total allocation for this site. However, the Local Plan is a Consultation Draft and the various housing allocations are currently under review.

In February 2015 Cabinet considered a number of proposed housing allocations including Site H1(40), and resolved that the Southern portion of the site, consisting of two granted planning consents for 45 units should go forward to Regulation 19 consultation. It was resolved that the remaining northern portion of the site, including the current application site, where no consents exist, *“should go back to Regulation 18 consultation for deletion, on the grounds that it has not been demonstrated to the*

*community's satisfaction that current foul water problems can be resolved and these will be exacerbated by any further development in this part of Headcorn and the unacceptable cumulative impact for the community and highways. In addition of community concerns that suitable highways access arrangements cannot be achieved at this point in time."*

Notwithstanding the recent resolution by Cabinet the current application should be determined on its planning merits on the basis of the adopted policies in the Development Plan and other material considerations.

## **9.2 Principle of Development**

The western boundary of the site adjoins the present built-up confines of Headcorn (Thatch Barn Road and Knaves Acre), which form part of a larger residential development on the eastern side of Headcorn dating from the 1970s. This enabled limited growth of the settlement and extended the built up area of the village on its eastern side.

The present extent of the village confines are defined by the rear boundaries of properties in Thatch Barn Road. The proposed development would extend the built up area to the NE of Headcorn into open countryside, bounded by Lenham Road to the north and a public footpath (KH606) to the east.

The Draft Local Plan has identified the area between Lenham Road and Grigg Lane as having potential for additional housing development subject to various criteria including retention of hedges and trees, primary access from Lenham Road, a Phase 1 ecological survey, appropriate contributions to community infrastructure and provision of publicly accessible open space.

The land is in a sustainable location approx. 500-600m from the village centre and within reasonable walking distance of the main facilities including shops, schools and railway station. The southern part of the housing allocation in the draft local plan has an extant permission for 45 dwellings but there are no permissions for the northern part, including the current application site. An application for the area immediately to the south of the current site has recently been received.

## **9.3 Visual Impact**

The site has a long frontage to Lenham Road and the proposed development of 13 dwellings within 10m of the road would be clearly visible. Some degree of screening is provided by an existing hedgerow 3-4m high along the frontage to Lenham Road but there are several large gaps and it does not at present provide an effective screen, particularly during the winter months. Additional planting would be required along the road frontage but landscaping is a reserved matter and any additional planting will take some time to mature.

There are several mature trees along the rear boundaries of properties in Knaves Acre and Thatch Barn Road which it is proposed to retain. A gap of approx. 30m is proposed between the western boundary of the site and the proposed access road which will provide a landscaped buffer between the proposed development and the existing development to the west. The eastern and southern boundaries of the site adjoin the areas which form part of the larger housing allocation. Very little landscaping is shown along these boundaries which would be covered by subsequent phases of the development.

Street scene drawings have been submitted giving an indication of the elevational appearance to Lenham Road and Grigg Lane. A variety of house types and sizes are proposed in a traditional Kentish style which reflect the scale and character of the existing development in Thatch Barn Road. The proposed density is relatively low and the general layout and scale is considered to be appropriate to semi-rural location on the edge of the village.

#### 9.4 Access

The Highway Authority considers that the traffic generated by the proposal can be accommodated by the surrounding road network and has raised no objection to the application.

It is proposed to retain the footpath link to the east of the site (KH606) and a new footpath will be provided along the south side of Lenham Road, through the application site to the woodland at the rear of Kent Cottage, subject to a S278 Agreement.

#### 9.5 Community Services and infrastructure.

In accordance with CIL Regulations KCC has assessed the implications of the proposal in terms of the delivery of community services and has recommended the appropriate provision of infrastructure and/or financial contributions.

- **Education** - £2360.96 for towards construction of additional school accommodation and £2701.63 per dwelling for the expansion of Headcorn Primary School
- **Community learning** - £399.07
- **Youth Services** - £109.75
- **Libraries Contribution** - £2005.16
- **Assistive Technology & local community facilities** - £826.28
- **Open Space provision** - off-site contribution of £20,475 from the developer towards enhancement, maintenance, improvement and renewal of Provision for Children (Equipped Play) and Outdoor Sports Facilities

In addition, NHS Property Services Ltd seeks a **healthcare contribution** of £16,380 towards the cost of improving local doctors surgery premises, plus support for legal costs in connection with securing this contribution.

In the event of permission being granted it would be subject to the prior completion of a S106 Agreement requiring the contributions to the provision of the relevant community services.

#### 9.6 Drainage

Concerns about the adequacy of the existing drainage system in the surrounding area have been raised by the Parish Council and local residents. Although Southern Water has not objected to the proposed development they will require a formal application for connection to the public sewage system to service the development. The nearest public sewer is in Thatch Barn Road and Southern Water will require

details of the proposed means of foul and surface water sewerage disposal to be approved before development commences.

## 10,0 Conclusion

The site has been identified in the Draft Local Plan as part of a larger area of land to the north-east of the existing built-up area of Headcorn which is considered suitable for residential development. The site is flat, has good access and is accessible to local services in Headcorn. In conjunction with adjacent land to the south and east it could make a significant contribution to meeting local housing needs.

Although Cabinet recently resolved to delete the northern part of housing allocation H1(40) in the draft Local Plan it remains necessary to determine the current application on its planning merits. It is considered that the principle of residential development on this site as part of a larger allocation to meet local housing needs remains generally acceptable. The proposed density is relatively low and the general layout and scale is considered to be appropriate to semi-rural location on the edge of the village. Although the application has been submitted in outline the only reserved matter is landscaping and the details of appearance, layout, scale and means of access are otherwise considered to be acceptable.

## RECOMMENDATION

That subject to:

A. a S106 Agreement in such terms as the Head of Legal Services may advise to secure the following community infrastructure contributions under the following heads of terms:

- **Primary education** - £2360.96 per applicable dwelling towards construction of additional school accommodation and £2701.63 towards Headcorn Primary School expansion
- **Community learning** - £399.07 towards provision of new/expanded facilities in adult education centres and outreach facilities
- **Youth Services** - £109.75 towards providing additional capacity in youth centres
- **Libraries Contribution** - £2005.16 to provide additional bookstock and equipment at Local libraries
- **Assistive Technology & local community facilities** - £826.28
- **Healthcare** - contribution of £16,380 to invest in local surgery premises, plus support for legal costs in connection with securing this contribution.
- **Open Space provision** - off-site contribution of £20,475 from the developer towards enhancement, maintenance, improvement and renewal of Provision for Children (Equipped Play) and Outdoor Sports Facilities within a one mile radius of the development, but more specifically at Headcorn Recreation Ground

B. the applicant entering into a S278 Agreement regarding the proposed works within the highway to provide a new footpath along the south side of Lenham Road, through the application site to the woodland at the rear of Kent Cottage,

C. the Head of Planning be delegated authority to grant outline planning permission subject to the following conditions:

1. Approval of the details of hard and soft landscaping of the site (hereinafter called "the reserved matter") shall be obtained from the local planning authority in writing before any development is commenced.

Reason: No details have been submitted and in the interests of the visual amenities of the area

2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved. Before development commences an arboricultural implications assessment shall be carried out in accordance with BS5837: 2012, including tree protection details, and a landscape scheme using predominantly indigenous species in accordance with our landscape guidelines.

Reason: As 1 above

3. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of 3 years from the date of this permission.

Reason: As 1 above

4. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, (numbers PLWH-002, 003, 004, 007, PL-WH-P5-6-03, P7-8-01, P9-10-01, P11-12-01, P11-12-02, P13-01, P13-01, P13-02, P3-4-7-10-1, P3-4-01, P2-01, P2-02, P1-02) and the supporting documents relating to Design and Access, Agricultural Land Classification Report, Report on Tree Inspections, Preliminary Ecological Appraisal and Transport Statement.

Reason: To ensure that the development conforms to the submitted plans

5. The development shall not commence until, written details and samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development.

6. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: In the interests of the visual amenities of the area

7. The development shall not commence until, details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by



the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation of the buildings or land and maintained thereafter;

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

8. All planting, seeding or turfing approved pursuant to conditions 1 and 2 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: To ensure a satisfactory setting and external appearance to the development.

9. The dwellings shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved.

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

10. No development shall take place until details of slab levels of the buildings and existing site levels have been submitted to and approved by the LPA and the details shall be completed in accordance with the approved levels.

Reason: To ensure a satisfactory form of development.

11. 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 Southern Water

Reason: In the interests of safeguarding water supplies and to reduce the risk of flooding

12. No dwellings shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning and highway authorities

Where a sustainable drainage scheme is to be provided, the submitted details shall:

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

ii) include a timetable for its implementation; and provide a management and maintenance plan for the lifetime of the development which shall 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.

Reason: as 6 above

13 No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority.

The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

The approved Statement shall be adhered to throughout the construction period.

Reason: In the interests of the amenities of the area

14. The garages and parking spaces hereby permitted shall be kept available for the parking of motor vehicles at all times. The garages/car parking spaces shall be used solely for the benefit of the occupants of the dwellings of which they form part and their visitors and for no other purpose and permanently retained as such thereafter

Reason: To ensure satisfactory parking provision within the site in the interests of highway safety

## **INFORMATIVES**

Southern Water has advised that a formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, Please contact:

Southern Water,  
Sparrowgrove House,  
Sparrowgrove ,  
Otterbourne,  
Hampshire S021 2SW

(Tel: 0330 3030119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)".

Case Officer: Tim Bloomfield

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.