

REPORT SUMMARY

REFERENCE NO: 14/505432/FULL			
APPLICATION PROPOSAL: Residential development to provide 167 dwellings, areas of public open space, associated landscaping and infrastructure and the formation of new vehicular access from Headcorn Road and pedestrian access from Fishers Road, Hurst Close and Headcorn Road.			
ADDRESS: Land North of Headcorn Road, Staplehurst, Kent, TN12 0DT			
RECOMMENDATION: DELEGATED POWERS TO APPROVE SUBJECT TO CONDITIONS AND A LEGAL AGREEMENT (see section 8 of report for full recommendation)			
SUMMARY OF REASONS FOR RECOMMENDATION The proposed development does not conform with policy ENV28 of the Maidstone Borough-wide Local plan 2000. However, the development is at a sustainable location, immediately adjoins an existing settlement, is not considered to result in any significant planning harm, and accords with the submitted Maidstone Local Plan (2011-2013) and the Staplehurst Neighbourhood Plan. These matters and that the development is considered to be in compliance with the National Planning Policy Framework is sufficient grounds to depart from the Borough-wide Local plan 2000.			
REASON FOR REFERRAL TO COMMITTEE <ul style="list-style-type: none"> • Departure from the Development Plan • Staplehurst Parish Council has requested the application be reported to Committee for the reasons set out below. 			
WARD Staplehurst	PARISH COUNCIL Staplehurst	APPLICANT: Bovis Homes Ltd AGENT: Bovis Homes Ltd	
DECISION DUE DATE: 29/05/15	PUBLICITY EXPIRY DATE 03/12/15	OFFICER SITE VISIT DATE 24/12/14, 03/02/15, 17/08/16	
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
80/0709	'Outline application for residential development of 10 houses to the acre i.e. 400 houses from two to five bedrooms'	WITHDRAWN	12/12/80

MAIN REPORT

BACKGROUND

The application site, along with the adjoining site to the east, where there is an application for 185 houses (ref. 15/510186) which is also on this Planning Committee Agenda, is allocated for housing development in the emerging Local Plan (submission version) under policy H1 (50). This policy states:

Policy H1 (50) Fishers Farm, Fishers Road, Staplehurst

Fishers Farm, as shown on the policies map, is allocated for development of approximately 400 dwellings at an average density of 30 dwellings per hectare. In addition to the requirements of policy H1, planning permission will be granted if the following criteria are met.

Design and layout

1. *Retain and enhance hedges and trees along the northern and eastern boundaries of the site in order to screen new housing from the railway line and adjacent open countryside.*
2. *The eastern section of the site will be built at a lower density to reflect the existing open character of the countryside beyond.*
3. *The proposals will be designed to include areas of open space that retain the integrity and connectivity of the existing framework of ponds, hedgerows and trees within the site.*

Access

4. *Primary access will be taken from Headcorn Road subject to agreement with the Highways Authority.*
5. *Secondary and/or emergency access will be taken from Fishers Road subject to agreement with the Highways Authority.*
6. *Pedestrian and cycle access will be taken from Fishers Road and Hurst Close.*
7. *Pedestrian and cycle linkages will be provided, to ensure good links to existing residential areas and the village centre.*

Noise

8. *Development will be subject to a noise survey to determine any necessary attenuation measures in relation to the railway line.*

Open space

9. *Provision of a minimum of 4.47ha of natural/semi-natural open space within the site together with contributions towards off-site provision/improvements required in accordance with policy DM22. Should the site be sub-divided through the development management process proportionate provision/contributions will be required. Open space should be sited to maximise accessibility to new and existing residents.*

Community infrastructure

10. *Appropriate contributions towards community strategic infrastructure in particular foul water drainage will be provided where proven necessary so that there is nil detriment to existing infrastructure capacity.*

Highways and transportation

11. *Package of measures in north eastern Staplehurst including the provision of a pedestrian and cycle crossing on Headcorn Road, bus infrastructure improvements, extension of the 30 mph speed limit on Headcorn Road.*

Strategic highways and transportation

12. *Capacity improvements at the junction of A229, Headcorn Road, Station Road and Marden Road, Staplehurst.*
13. *Improvements to public and passenger facilities at Staplehurst Rail Station.*

1.0 DESCRIPTION OF SITE

- 1.01 The site is grass pasture land largely in equestrian grazing use with an area of some 6.67ha. The site is immediately east of Staplehurst village with houses on Fishers

Road & Close, Newlyn Drive, and Hurst Close to the west; houses fronting Headcorn Road to the south; open pasture land to the east; and Fishers Farm to the north. The site adjoins the settlement boundary of the village in the Local Plan on its west and south sides. There are no significant land level changes on the site and the land generally slopes gently downwards from west to east away from the village.

- 1.02 The site is made up of a number of fields divided by hedge/tree lines and there are a number of ponds within the site. The eastern boundary of the site does not follow any physical feature on the ground and cuts through the middle of existing fields and hedge/tree lines.
- 1.03 The site adjoins settlement boundary of Staplehurst in the Local Plan but is located within the countryside for Development Plan purposes. The land has no special landscape designation, although there is a Special Landscape Area on the south side of Headcorn Road. There are no nearby listed buildings and the site falls outside of any flood zone.
- 1.04 There is a pending planning application for 185 houses on land adjoining the site to the east (ref. 15/510186) which is also on this Planning Committee Agenda to be considered by Members. To the south east on the south side of Headcorn Road is a pending outline application for 110 houses at ‘Stanley Farm’ which is also on this Planning Committee Agenda.

2.0 PROPOSAL

- 2.01 This is a full detailed application for 167 dwellings together with areas of open space, associated landscaping, infrastructure, formation of new vehicular access from Headcorn Road, and pedestrian/cycle access from Fisher Road, Hurst Close and Headcorn Road.
- 2.02 A single vehicular access point is proposed from Headcorn Road at the south end of the site. There are pedestrian/cycle links with Hurst Close to the west and with Fishers Road at the north end of the site, where there is also an emergency access.
- 2.03 More detailed analysis of the design will be carried out below but in general terms, the houses are arranged around a central spine road running from Headcorn Road, south to north through the site, with secondary roads running off the central road. There would be a mix of detached, semi-detached, and terraced houses and an apartment block. Driveways, garages and car barns would provide off-street parking for properties and some visitor parking would also be provided. The houses would be of 2 storey height with the apartment block three storey, within the centre. The density of the development would be 25 dwellings per hectare. Affordable housing is proposed at 40% (66 dwellings) with 60% of this rental and 40% intermediate/shared ownership.

The following housing mix is proposed:

1 bed	9
2 bed	37
3 bed	82
4 bed	35
5 bed	4
Total	167

2.04 A total of 391 parking spaces (inclusive of garages) would be provided of which 33 would be visitors. This would be broken down as follows:

1 bed	1 space per 3 dwellings
2/3 bed	2 spaces
4/5 bed	3 spaces
Visitors	33
Total	391

2.05 In terms of landscaping and open space, existing hedge/tree lines are retained and strengthened throughout the site, areas of landscaping and open space are shown around existing ponds, and an area of public open space is shown along the northeast part of the site. Landscaped front gardens are proposed and new tree planting along streets. The area given over to landscaping and open space is 2.14ha, roughly a third of the site.

3.0 POLICY AND OTHER CONSIDERATIONS

- The National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, T3, T13, T21, T23, CF1
- MBC Affordable Housing DPD (2006)
- MBC Open Space DPD (2006)
- Minerals and Waste Local Plan (2013 – 2030): N/A - Not in safeguarding area
- The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended)
- Draft Maidstone Borough Local Plan (2011-2031): SS1, SP5, SP10, H1, H1(50), DM1, DM2, DM5, DM7, DM11, DM12, DM13, DM23, DM24, DM25, DM27, ID1
- Draft Staplehurst Neighbourhood Plan (2015-2031): PW, E1, H1, H2, H3, H5

4.0 LOCAL REPRESENTATIONS

4.01 Approximately 104 representations, (including two letters each signed by 27 people and a petition with 37 signatures), have been received raising the following main (summarised) points:

- Highway safety, pedestrian safety & congestion, particularly at the crossroads
- Criticisms of transport assessment.
- Rat running will occur in Hurst Close, estate roads and Pile Lane
- Works to crossroads are not acceptable and are dangerous
- Poor access to village amenities
- Lack of parking at site and in village
- Poor/lack of existing infrastructure and it will be insufficient to support development
- Foul and surface water drainage is not adequate and not sufficient capacity
- Flooding
- Noise & disturbance

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- Increased pollution
- Density along east boundary is high
- Loss of light
- Overshadowing
- Loss of privacy
- Visual harm & loss of natural habitat
- Loss of trees
- Loss of views
- Loss of property value
- Lack of local employment
- Archaeology
- Lack of a play area
- How will it link to potential site to the west
- Ponds need to be protected
- Grouping of affordable housing
- Poor design
- Greenfield site
- Hedges must be protected
- Overdevelopment of village
- Brownfield sites should be used first
- Public transport is poor and does not have sufficient capacity
- Ignores and is contrary to Neighbourhood Plan
- Premature application
- Impact of construction traffic
- Harm to ecology
- Land ownership dispute

4.02 The Council has been made aware that there is an online petition titled 'A Safe Crossing at Cuckolds Corner, Staplehurst' which has comments on the crossroads in the village, and which at the time of writing this report had 149 supporters.

4.03 **Cllr Brice:** Raises the following concerns/issues:

- *Foul water / drainage. Residents who live along the Hurst Close boundary, report they have a ditch that runs alongside the proposed development, which then carries on to the site. It appears that no building is planned along this outlet, but it is vital that this is respected, as we have had severe localised groundwater flooding, when these existing drainage provisions are not respected.*
- *Please could you also confirm the arrangements for dealing with Foul Water – there is concern in the village that the current sewage treatment centre is at capacity.*
- *Clean water provision – the MBC Water Cycle Study 2010: concluded mains serving Sutton Road, Marden and Staplehurst have limited capacity for future development and indicated that there would need to be significant investment to upgrade provision from the Bewl Reservoir.*
- *Traffic constraints – the recent Mott McDonald survey indicated significant capacity issues at the Headcorn Road crossroads.*
- *Or how we can encourage traffic to the exit the village and drive North towards Maidstone via Hawkenbury. A key constraint here is the single file bridge system – how can this be improved to remove the single file? Also this bridge was unsafe due*

to flooding a few years ago – will this be reviewed, due to the likely increase in road traffic?

- *The pavements are very narrow along the Headcorn road, and traffic parks along this road, in effect reducing it to a single lane and contributing to traffic build up at the lights. Could implementation of double yellow lines here be considered as part of this scheme?*
- *Encouraging fewer car journeys. Contributing to improvements at the station, I am afraid will only increase the volume of traffic to Staplehurst not decrease it, having precisely the opposite effect of your objective. Could we investigate a cycle path at the north of the site, along the railway tracks to allow quicker access?*
- *Construction traffic – could we consider how the traffic will deal with the left turn in to Headcorn Road from Maidstone? The turn will be narrow and the turning circle will cause the body of the lorry to cut across the corner of the pavement. This is where school children congregate to cross, many of whom walk to school over the age of 9 without an adult. We need to ensure there is a review of construction access traffic*
- *The site itself. Provision of a play area.*
- *There is no current play park at Jubilee fields. There is a skate park only. This resides at the end of a long, unlit and narrow access, which is why a play area is not there – it is not safe to encourage small children to use. Surrenden fields has already been allocated funding, and will encourage children to cross the busy traffic lights. Therefore provision of a small play area, similar to that on the Lime Trees estate, should be strongly considered.*
- *S106 contributions – the community has outlined projects in their Neighbourhood plan that include*
 - a. *Youth centre improvements – £10k to landscape and improve the outside area, extending the space able to be used*
 - b. *Enhancing Jubilee fields for families and older residents – e.g provision of a Pavilion, providing sports showers and improvement to the Kathie Lamb guide centre, providing better lighting, pavement widening and crossings (e.g. from Poyntell over the Headcorn road) - £10-£50k*
 - c. *Contribution to our Village Centre re-development appeal*
 - d. *Provision of allotments (we have 2 allotments in the whole of Staplehurst, two!)"*

4.04 **Kent Wildlife Trust:** Suggest the imposition of a condition to ensure the implementation of all prescriptions identified in the Habitat Maintenance & Management Plan (including its routine maintenance schedules) and that the Council should satisfy itself that the funding arrangements for this work are adequate and secure before granting planning permission.

5.0 CONSULTATIONS

5.01 **Staplehurst Parish Council:** Recommend refusal and request that the application be reported to MBC Planning Committee.

December 2014 comments:

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- *the application does not take into account the emerging Staplehurst Neighbourhood Plan and draft MBC Local Plan;*
- *the Neighbourhood and Local Plans deal with the proposed development site as part of a larger area encompassing land lying to its east (MBC Local Plan reference H1-37) - the application makes no reference to this land;*
- *consequently the application offers no vision or master plan for the overall site;*
- *the application is therefore considered to be premature;*
- *the application contains outdated information, inconsistencies, errors and omissions, such that it appears rushed and generates little confidence in its claims and projections, e.g. access points are missing from some plans, documentation confuses Fishers Road and Fishers Close, incorrect dwelling numbers are quoted, some information is contradictory, there is an acknowledged absence of a report on sewage management;*
- *the proposed green space fails to deliver recreational facilities and ignores any consideration of creating community land on the western boundary as advanced in the emerging Neighbourhood Plan;*
- *the application fails to demonstrate convincingly how flooding, drainage and sewage issues will be managed, submitting a flood risk assessment that pre-dates Christmas 2013 floods and taking no account of work under way to redraw surface water drainage maps (ref. KCC's Staplehurst Surface Water Management Plan) and manage flows on the River Beult; drainage management is based on a SuDS strategy inappropriate for an area of Wealden clay with a high water table; there is no report on sewage management;*
- *The applicant does not show in any way how the site would drain to the River Beult but merely states in 3d of the flood risk assessment that "there is an informal drainage network made up of ditches and ponds which then flow into the River Beult to the north-east." This is completely inadequate and unacceptable bearing in mind public safety is involved. The entire route must be described in text and on the map with details of how the applicant will maintain the downstream system.*
- *the Transport Assessment appears based on flawed assumptions - e.g. Cranbrook schools apparently 'can be accessed by bicycle'; there is no mention of many local children who travel to Maidstone schools; information about bus frequency is incorrect and the service issues are not acknowledged; a more current analysis than the March 2012 Appendix 2 'Manual Peak Hour Turning Count' should be presented; the directional analysis of traffic leaving the development appears unsubstantiated but, if it were to materialise, the many more vehicles heading east would encounter both a single carriageway road bridge with an accident history and a stretch of road prone to severe flooding; critically, the assessment shows no evidence of considering the cumulative impact arising from current and planned development in Staplehurst and further afield (both within and beyond the borough boundary) – this is a grave omission given the likely impact, on the Cuckolds' Corner crossroads and its feeder roads, of potential development north and south along the A229 (e.g. in South Maidstone, Coxheath, Linton, Cranbrook, Hawkhurst, Sissinghurst) and in neighbouring villages to the west and east, all of which must be seen in the context of the known attraction of the railway station to commuters from those areas;*
- *the Headcorn Road access point gives rise to safety concerns, being located close to the edge of the 30mph limit which traffic is likely to approach at higher speeds and for which the visibility appears inadequate.*

December 2015 comments:

- *Access from the site onto the Headcorn Road is positioned on a bend and the proposed visibility splays will not be adequate, especially in wet weather. The Headcorn Road is already congested with tailback from the junction with the traffic lights at the A229 causing delays. This is likely to result in traffic using 'rat runs' either through Hurst Close or along Couchman Green Lane which is a narrow lane unsuitable for heavy traffic.*
- *The lack of any formal recreation and playground facilities on the site is extremely disappointing. A letter from MBC Parks & Leisure requests funding from the developer towards improvements and refurbishment to Jubilee Playing Fields and Play Area. However, there is currently no children's play equipment at Jubilee Field. Councillors would wish to see some formal play area on the east side of the village but preferably on site.*
- *The application does not include any reference to the Neighbourhood Plan currently at the advanced stage of Regulation 16. Both the Local Plan and the Neighbourhood Plan deal with the development as part of the larger site referred to as Fishers Farm (NP Policy H5). The proposals do not demonstrate how the new development will integrate and respond to the master plan or the needs and requirements of the existing residential development. There is no circular footpath, cycleway, fitness trails or sports facilities (NP Policy E1). The design of the proposed housing is bland with no landmark buildings (NP Policy H1).*
- *A number of Hurst Close residents have raised concerns regarding the issues of safety relating to a pond at the rear of their gardens, on the boundary with the Bovis development. It is not clear from the application how this area is going to be protected from inquisitive children living in the proposed housing. We would be grateful for clarification of this matter.*
- *Councillors are disappointed that despite the number of documents received the concerns previously raised have not been addressed, and the core principles of the Local Plan and the Neighbourhood Plan have not been acknowledged.*

June 2015 comments:

- *There is a need for a traffic assessment to be provided on a cumulative basis, including reference to (a) the recently approved Hen & Duckhurst Farm outline application for 250 dwellings (which will bring the Marden Road/Headcorn Road crossroads above capacity) and (b) the requirement for full funding of improvements to the Marden Road/Headcorn Road crossroads including provision of turning lanes from south to east, north to east and east to north, together with widening of footpaths and ensuring their gradients at crossings meet full Kent Highways standards.*
- *Fishers Farm must be considered as a single site, in line with MBC Local Plan and draft Regulation 16 consultation of the Staplehurst Neighbourhood Plan, and not as two separate developments.*
- *Investment required in Staplehurst Primary School: Any monies arising from the development will be held by KCC, and discussions must take place between the school and the Authority as to its best educational use.*

- *Staplehurst Parish Council formally request that if (contrary to its recommendation) the Planning Authority is minded to grant consent to application 14/505432, then the consent includes conditions requiring the applicant to enter into agreements for contributions towards improvement/mitigation projects in accordance with Section 106 of the Town and Country Planning Act 1990; and Section 278 of the Highways Act 1980; and for other matters in the following areas:*
 - **Improved Village Centre**
Feasibility study to understand the cost/benefit of redeveloping the site through demolition, rebuild, conversion or refurbishment, with the aim of creating a community hall fit for purpose. An improved village hall and/or village centre is a priority for the village and so will also be a priority for any s106 and/or CIL contributions; and the present Village Centre site should be protected as being in community use. The study must include all surveys, design and full planning application costs; development of a business plan; and other necessary elements. This is likely to cost in the region of £100,000, plus about £21,000 (plus indexation) for the acquisition of the freehold of the Youth Club site.
 - **Investment in the school**
Investment in the primary school, see above.
 - **Better retail opportunities**
Development of two retail clusters, one in the village heart, another at the railway station. Feasibility study, including surveys and architectural and landscape designs and land owner agreements, will be needed for the station area.
 - **Investment in the medical centre, sports facilities + the library**
Continued investment will be required in the medical facilities and the library, in the village heart. New sports investment should be focused at facilities in Jubilee Field subject to funding applications.
 - **Buses, parking + traffic**
A rationalisation of parking provision in the village heart; the installation of two new signalled pedestrian crossings, one near the village centre and one slightly north of Pinnock Lane; the provision of improved bus services.
 - **Better broadband communications**
Use the expected growth of the village, to be managed through the Neighbourhood Plan, to argue for better telecommunications and broadband technology in Staplehurst: the co-operation of utility companies is needed.
 - **Improved drainage infrastructure**
All new developments to use best practice techniques in mitigating against further drainage problems.
- 5.02 **MBC Housing Officer:** No objections. Advises that the 40% provision of affordable housing with tenure split of 63% affordable rent and 37% shared ownership is acceptable. Also advise that the range of affordable housing unit sizes is acceptable to meet the need
- 5.03 **MKIP Environmental Health Officer:** No objections subject to conditions regarding contaminated land and air quality mitigation.

5.04 **MBC Parks & Leisure:** Request an off-site open space contribution of £98,196 towards improvements and refurbishment of the Jubilee Playing Fields and play area.

5.05 **KCC Development Contributions:**

Primary Education: £585,333.36 (new build) + £97,862.76 (land acquisition) towards the second phase of expansion of Headcorn Primary School from 1FE to 2FE.

“The proposal gives rise to additional primary school pupils during occupation of the development. This need, cumulatively with other new developments in the vicinity, can only be met through the enlargement of Headcorn Primary School from 1 form entry to 2 forms of entry as the forecast primary pupil product in Staplehurst & Headcorn results in the maximum capacity of local primary schools being exceeded. There are strong links between Staplehurst and Headcorn Primary Schools. It is known the travel to school patterns in the rural service centres of Maidstone are broad with pupils travelling up to 5 miles to their preferred school. KCC’s intention is to enlarge Headcorn Primary School to act as a strategic provision contributing to meeting the overall increase in demand across both Staplehurst and Headcorn.

This proposal has been assessed having regard to the indigenous pupils, overlain by the pupil generation impact of this and other new residential developments in the locality, and then proportionate allocation of spare places available at Staplehurst Primary School.”

Secondary School Provision: £371,078.55 sought towards the Phase 3 expansion of Cornwallis school.

Library Bookstock: £8,018.64 sought to address the direct impact of this development (supplied to Staplehurst Library).

Youth Services: £1409.86 sought towards equipment to expand the range of youth focused activities able to take place in Staplehurst by KCC’s commissioned youth worker.

Community Learning: £5,126.39 sought towards the cost of providing additional laptops and software to the Adult Education delivery point at Staplehurst Library.

5.06 **KCC Highways:**

1. No objection in respect of development itself subject to conditions and off-site highway works.
2. Objection raised in respect of the cumulative impact of development on the crossroads in the centre of the village – specifically in relation to congestion/traffic impact and highway safety issues.

(See paragraph 6.30 onwards for further discussion/detail)

5.07 **KCC Ecology:** No objections subject to conditions relating to GCN and Reptiles mitigation strategy, landscape/ecology management plan, and enhancements.

5.08 **KCC Flood Team (Lead Local Flood Authority):** No objections subject to conditions relating to a detailed SUDs scheme and long-term management.

- 5.09 **KCC Heritage:** No objections subject to a condition requiring a programme of archaeological work.
- 5.10 **Natural England:** No objections
- 5.11 **UK Power Networks:** No objections.
- 5.12 **Rural Planning Ltd:** No objections.
- 5.13 **NHS:** Seeks a healthcare contribution of £93,060 towards extension, refurbishment and/or upgrade of Staplehurst Health Centre.
- 5.14 **Environment Agency:** No objections subject to conditions requiring a SUDs scheme.
- 5.15 **Southern Water:** Outline that there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development but advise a condition is attached to provide details
- 5.16 **Upper Medway Internal Drainage Board:** No objections provided any permission includes an appropriate condition requiring attenuation of surface water runoff to Greenfield rates (or less) the Board's interests should remain unaffected.
- 5.17 **Kent Police:** Recommend condition re. crime prevention.

6.0 APPRAISAL

Policy Background

- 6.01 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.
- 6.02 The application site is outside the defined settlement boundary of Staplehurst. It is therefore upon land defined in the Local Plan as countryside and policy ENV28 is relevant.
- 6.03 Paragraph 215 of the NPPF states that, *“due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”*
- 6.04 Saved policy ENV28 seeks to protect the countryside by restricting development beyond identified settlement boundaries. In general terms, this policy is consistent with the NPPF, which at paragraph 17 recognises the intrinsic character and beauty of the countryside. However, the submitted draft MBLP evidence base identifies objectively assessed needs for additional housing over the plan period 2016-2031, which the submitted draft MBLP addresses, in part, by way of site allocations for housing sites outside existing settlement boundaries. The submitted draft MBLP is currently at the examination stage and the public hearing is currently taking place and concluding in November 2016. The submitted draft MBLP will deliver the development (and infrastructure to support it) to meet objectively assessed need over the plan period.

- 6.05 The existing settlement boundaries defined by the adopted Local Plan (2000) will be revised by the draft MBLP to deliver the development necessary to meet identified needs in accordance with the site allocations in submitted draft MBLP policies and H1. In this instance the weight attached to ENV28 should be reduced due to the allocation of the site in the emerging Local Plan under policy H1 (50).
- 6.06 Paragraph 216 of the NPPF states that,
"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:
- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
 - *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
 - *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."*
- 6.07 Inevitably any major development on a greenfield site will clearly have an impact upon the environment. In this respect at paragraph 152 the NPPF advises that,
"Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered. Where adequate mitigation measures are not possible, compensatory measures may be appropriate."
- 6.08 In allocating the site, the Council considers its use for housing is appropriate subject to the criteria outlined within draft MBLP policy H1(50) to mitigate the impact as far as possible. On this basis, it is considered that in general, the proposed allocation is consistent with the principles and policies set out in the NPPF when taken as a whole.
- 6.09 The site forms part of a larger site allocated for housing (400 dwellings) titled 'Fishers Farm' (policy H1(50)). The application site forms the western part of this wider site and makes up just over one third of its area. The policy allocates the site for 400 dwellings and has criteria relating to design/layout (retaining landscape features), access (main access form Headcorn Rd and pedestrian/cycle linkages with existing roads), noise, open space (minimum of 4.47ha of natural/semi-natural open space), community infrastructure, and highways (improvements to crossroads, train station, and bus services).
- 6.10 As such, the non-compliance with saved policy ENV28 must be considered in the context of the site's inclusion within the planned expansion to Staplehurst. The Council can demonstrate a five-year housing land supply that is based, in part, on the allocation of housing sites in the submitted Local Plan, which will alter existing development boundaries. Those allocations include this site. Accordingly, although this application does not comply with ENV28 as it proposes development in the 'countryside' under the 2000 Local Plan, limited weight should be accorded to that non-compliance, as the site is allocated for development in the submitted Local Plan.

- 6.11 The Staplehurst Neighbourhood Plan (NP) is a material consideration, and allocates the wider site for 400 dwellings under policy H5, in line with the submitted Maidstone Local Plan. Criteria relates to an overall site masterplan; connections and linkages with the village and countryside; respecting existing properties amenities; sufficient space for ecological requirements/retention of hedgerows and trees, SUDs and open space; and recreational routes. The NP has now been examined and the examiner recommended modifications. These do not change the aims of the criterion referred to above but would add to criterion relating to on-site sewerage provisions and protecting amenity due to the proximity off the wastewater works to the north of the site. Having been examined and with only referendum as the next stage which is scheduled for 3rd November 2016, before it can be 'made', it is considered that the NP attracts significant weight.
- 6.12 In terms of the suitability of the location of the development, the NPPF advises as one of its core principles to, *"actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable."* Staplehurst is defined as a Rural Service Centre, which outside of the town centre and urban area, are considered the most sustainable settlements in Maidstone's settlement hierarchy, under the submitted Local Plan. The submitted Local Plan outlines that, *"Rural service centres play a key part in the economic and social fabric of the borough and contribute towards its character and built form. They act as a focal point for trade and services by providing a concentration of public transport networks, employment opportunities and community facilities that minimise car journeys."* The settlement clearly offers a good range of key services including a primary school, doctor's surgery, employment, shops, public house, regular public transport bus connections to Maidstone and a train station, and as such, the site is considered to be at a sustainable location immediately adjoining an existing settlement.
- 6.13 In conclusion, the proposal does not comply with the settlement boundaries of the Local Plan 2000 but in order to meet current housing needs these boundaries must change. To meet this need, the submitted Local Plan allocates the site for housing development under H1(50) and the NP also allocates the site for housing which are both considered to attract significant weight. With this in mind, I consider the policy principle of residential development at this location is acceptable, this being a sustainably located site adjacent to a settlement with a range of services and public transport links, and the provision of 167 houses would provide a meaningful contribution towards housing need and this is considered to be a strong material consideration in favour of the development.
- 6.14 The report will now go on to consider the key planning issues which are considered to be visual impact/design, access/highway safety, infrastructure, ecology, drainage/flood risk, and residential amenity. It will also be necessary to assess whether the proposal accords with policy H1 (50) of the new Local Plan and policy H5 of the NP.

Visual/Landscape Impact

- 6.15 The site is visible from Headcorn Road to the south although there is an established tree/hedge line fronting the road, which would provide some screening/softening. Some views and glimpses would also be possible from Hurst Close, Newlyn Drive and Fishers Road to the west between houses and at the end of cul-de-sacs. Pile Lane to the east benefits from a strong tree/hedge line such that views of the site are well screened. There is significant built development immediately to the west within the village settlement; development at Fishers Farm (albeit relatively limited) to the

north but the railway line further north provides a strong physical edge to the settlement in this direction; and development to the south, where the settlement protrudes eastwards roughly in line with the application site. There is some more limited and sporadic development on Pile Lane further east.

- 6.16 Due to the existing containment of development to the north, west, and south, the impact of the development would be mainly limited to close range views. The village settlement has an irregular shape which is relatively narrow in the south and widens towards the north, and development of the site would follow the general morphology of the village being wider at the northern end. For these reasons, development would not be out on a limb or result in any significant protrusion beyond the current settlement.
- 6.17 Overall, development of the site would inevitably result in a visual and character change from the current grassed fields but this would well contained and limited to close range views. Development would undoubtedly cause some harm and therefore result in some conflict with policy ENV28 of the Local Plan but this is considered to be relatively low and localised harm. I will return to the balancing of this harm in the conclusion.

Design Matters

Density/Scale

- 6.18 The density would be 25 dwellings per hectare, which although slightly lower than policy H1(50) which states 30/ha, is considered appropriate for this edge of rural settlement site and not out of keeping with development to the west. The houses would be of 2 storey height some with rooms in the roof space, and with the apartment block in the centre at three storeys. Garages and car barns would be single storey. Houses in the vicinity are generally 2 storeys so this would be in keeping, and the three storey building would be within the site rather than on the edge. Overall, it is considered that the density and scale is acceptable and in line with policy H1(50) of the submitted Local Plan and the NP.

Layout

- 6.19 In terms of layout, the houses are arranged around a central spine road running from Headcorn Road, south to north through the site, with secondary roads running off the central road. The existing landscape character of the site is that of small to medium sized level fields, divided by established hedge/tree lines with a number of ponds with scrub areas. The development retains these existing features using them to shape the development. For example, one of the ponds forms part of an entrance feature to the site and two others are focal points for public open space within the centre of the development, and around a larger area of open space towards the north end of the site. The hedge/tree lines are retained and strengthened whilst used to divide housing areas, providing breathing space, and doubling up as pedestrian routes throughout the site in places.
- 6.20 In terms of the development, houses are set back from roads with small front gardens creating attractive streetscenes throughout. At the main entrance the layout is such that the existing hedge/tree line would be retained and strengthened which is considered appropriate in this case and in line with the NP. Parking areas are generally positioned to the side of houses in tandem, with garages, which reduces the levels of hardstanding.

- 6.21 The entrance to the site has houses addressing Headcorn Road and a focal building on the right hand side which provides an end stop, which has been negotiated. Through negotiation, buildings address corners with dual frontages through materials and detailing, and buildings frame the open space areas particularly in the centre of the site. Buildings address the northern end of the site which should form a well-used pedestrian/cycle access to the site.
- 6.22 As outlined above, the east boundary of the site does not follow any physical feature on the ground and cuts through the middle of existing fields and hedge/tree lines. The land to the east is in different ownership and forms part of the wider draft allocation for housing development and is subject to a separate planning application for 185 houses (ref. 15/510186) that was submitted after this application, and is also being considered at this Committee Meeting. As the wider site has been subdivided and planning applications have been submitted by different developers, a master plan for the whole site has not been submitted and it has not been possible to provide vehicle routes connecting the Bovis and Redrow schemes as required by the NP. However, through negotiations pedestrian and cycle routes would link the Redrow and Bovis housing developments and the formal play areas for both sites would join up acting as a central focal point to create a visual area of connectivity between the two sites. A pedestrian route would also link the two play space areas. Whilst each application must be assessed on its own merits, officers have been careful to ensure both sites would appropriately link with one another in the interest of good planning.
- 6.23 Landscaping is proposed along parts of the boundary with the adjoining site but there would not be any hard boundary treatments to enclose the site, and this can be ensured by condition. Connections are proposed but a condition can be attached to ensure they link up with the neighbouring site. On the other hand, it could be the case that both applications were not approved or implemented so the same condition could be used to cover this eventuality with suitable landscaping or boundary treatments to provide an appropriate edge. Pedestrian/cycle access is also provided through to existing estate roads to the west at Newlyn Drive and Fishers Road, which would ensure good permeability and connections with the existing Staplehurst settlement.
- 6.24 Overall, it is considered that the layout is of a high quality standard and whilst the landscape features of the site are limited, the layout retains those that exist, and this would serve to create a quality sense of place unique to this site. Connections between both sites have been secured and the layout is considered to be in accordance with policy H1(50) of the submitted Local Plan and the NP.

Appearance/Materials

- 6.25 There would be a mix of detached, semi-detached, and terraced houses and an apartment block. Buildings would be of traditional form with gabled roofs, some gable projections, bay windows, porch overhangs, and chimneys on some properties. Brick detailing for lintels, soldier courses and plinths is also proposed. Focal buildings would have additional detailing including gabled dormer windows, and flint with brick edging on some properties. Materials would include weatherboarding, hung tiles, render, brickwork, and flint with clay roof tiles. It is considered that the traditional design of the buildings would be appropriate for this location, the materials draw on aspects of local vernacular picked up in the NP at page 23, the building's would have sufficient detailing, and the use varied of materials would provide a quality appearance. Whilst materials are listed I considered it would be necessary to require samples by condition in order to determine whether these are appropriate.

- 6.26 Surfaces would include tarmac for the main roads and pavements, although pavements would only be used on parts of the main spine road. Driveways, parking areas, and cul-de-sacs would have block paving and pathways through landscaped areas would be finished with gravel, which would provide good variation. Conditions could ensure high quality materials.

Boundary Treatments/Landscaping

- 6.27 Boundary treatments within public areas include black steel railings on the right-side of the entrance to frame the pond/open space area, and ragstone/brick walling just north of the access to provide an entrance feature, and framing the main spine road in places towards the central open space. These treatments are considered to be of good quality. I also consider it appropriate for measures to prevent parking on landscaped areas such as timber bollards, and around ponds for safety and ecology reasons, which could be secured by condition.
- 6.28 As outlined above, established hedge/tree lines within the site would be retained and strengthened and ponds used as features. There would be landscaped front gardens and new street and feature trees throughout. Wildflower planting and bulbs would also be used. It is considered that the boundary treatments and landscaping proposals would provide a high quality environment.
- 6.29 In conclusion on design matters, it is considered that the design of the development is of a high standard. It provides for good permeability throughout the site and connections with development to the west, and the proposed development to the east. The layout works with the existing landscape features retaining hedge/tree lines and ponds. Strong streetscenes would be created with buildings addressing roads and corners, and appropriate landscaping and boundary treatments. Buildings are of good quality reflecting local vernacular would use good quality materials, and surface materials are varied. with policy H1(50) of the submitted Local Plan and the NP. The application has also been assessed under the Design South East (DSE) surgery used by the Council (where DSE members provide advice), and the proposals were considered to be of a good quality.

Highways/Transport Matters

Access

- 6.30 There would be a single vehicular access onto Headcorn Road at the south end of the site and pedestrian/cycle links with Hurst Close/Newlyn Drive to the west and with Fishers Road at the north end of the site, where there is also an emergency access. This is in accordance with policy H1(50). Kent Highway Services (KHS) raise no objections to the access points, and their safety.

Cumulative Traffic

- 6.31 A transport assessment (TA) has been submitted which has been assessed by KHS. The trip generation from the development is expected to result in 94 movements during the AM peak (8am to 9am) and 109 in PM peak (5pm to 6pm). This is an average of between 1-2 movements per minute in both the AM and PM peak.
- 6.32 The TA demonstrates that the traffic for this development alone would not take the signalised crossroads in the centre of the village over capacity. However, a cumulative assessment of planning applications and allocated sites within the

submitted Local Plan of which one at ‘Hen & Duckhurst Farm’ for 250 houses has a resolution to approve at Planning Committee (and including the pending outline application just to the south of this site at ‘Stanley Farm’ for 110 houses), would take the junction over desirable capacity (which is 90% saturation). Whilst this is not above the theoretical capacity (100%), KHS have raised ‘holding objections’ and consider that it is necessary to ensure mitigation to this junction based on the cumulative impact. On this basis, lengthy discussions have been carried out with KHS and the developers. The costs would be divided between developments that come forward in the village.

6.33 Table 1 below illustrates the impact upon the junction if no physical changes were made (but includes a 10% reduction in development traffic by use of Travel Plans, which is discussed in more detail at paragraph 6.37 below.) This uses the most recent traffic modelling data produced by the Department for Transport (TEMPro 7.0: July 2016). This shows that 3 arms would operate above desirable capacity (90% saturation) in the AM and PM peaks and one arm would be above theoretical capacity (100%) in the PM peak.

6.34 Table 2 shows the impact excluding the outline application for 110 houses at ‘Stanley Farm’ on the basis that Members may wish to know these results as this site is recommended for refusal on this Agenda, and is not within the draft Local Plan or Neighbourhood Plan. Should Members agree with the recommendation then the results with this site excluded are shown below, which shows that 3 arms would operate above desirable capacity (90% saturation) in the AM and PM peaks but none above theoretical capacity (100%). It must be noted that the application is subject to an appeal and an Inspector could find the development acceptable so this is for illustration purposes.

Table 1: The impact on the junction from development traffic (including Stanley Farm) (with no mitigation and 10% Travel Plan reduction in traffic) is shown in the table below:

Arms	AM		PM	
	Degree of Saturation (%)	Mean Max Queue (Cars)	Degree of Saturation (%)	Mean Max Queue (Cars)
A229 Station Rd	70.3%	19	86.0%	24
Headcorn Road	97.6%	28	100.2%	31
A229 High Street	98.5%	40	99.9%	48
Marden Road	97.8%	34	99.4%	26

Table 2: The impact on the junction from development traffic (excluding Stanley Farm) (with no mitigation and 10% Travel Plan reduction in traffic) is shown in the table below:

Arms	AM		PM	
	Degree of Saturation (%)	Mean Max Queue (Cars)	Degree of Saturation (%)	Mean Max Queue (Cars)
A229 Station Rd	76.8%	20	76.4%	22
Headcorn Road	92.4%	23	98.6%	29
A229 High Street	93.6%	34	97.7%	37
Marden Road	94.0%	31	98.5%	25

- 6.35 Based on KHS objections, work has been carried out on potential improvements by the Council's transport consultants the developers, based on an assessment of traffic in 2022, as these sites are anticipated to come forward over this period. The crossroads is relatively constrained by existing properties and third party land meaning that a wholesale re-design of the junction is not possible, as can be the case for rural junctions. As such, mitigation that maximise vehicular capacity whilst staying within the highway boundaries have been designed. These improvements (including a new crossing to the south) cost a total of approximately £277,100 which equates to £59,953 for this development.
- 6.36 The main change involves the footway on the southwest side of the junction (High Street arm) being removed to create an additional lane for traffic (creating a right turn) and changes to the stop line position with pedestrians routed via Chestnut Avenue. Consequently the crossing point here and bus stop would also be removed and relocated further south. On the Marden Road arm the stop line and crossing would be moved back slightly with the road widened, and a new footway would be provided to Chestnut Avenue. On the Headcorn Road arm the stop line and crossing would be moved back slightly. There would be no changes on the Station Road arm.
- 6.37 In addition, a comprehensive and robust Residential Travel Plan has been sought and submitted by the applicant in order to seek a 10% reduction in development traffic by 2022 (and also for the other sites). This would raise awareness of the alternate sustainable travel options available (buses and trains); provide each household with a Travel Information Pack; and offer each household subsidised vouchers to encourage and incentivise sustainable travel choices to the value of £100.00, to be redeemed either on local bus services or at a local cycle retailer potentially totalling £16,700 across the development. Management, monitoring, and review would be built into the Travel Plan over a 10 year period to seek to ensure the plan is working. This would be secured under the Section 106 agreement with a monitoring fee. Also proposed are mitigation measures targeting existing residents within the village should the 10% target not be achieved (at the developer's expense). This would seek to achieve a 5% reduction covering the development and the wider village. The Travel Plan has been accepted by KHS.
- 6.38 Table 3 below illustrates the impact upon the junction if the physical changes outlined above were made (including the 10% reduction from Travel Plans). This shows that 1

arm would operate above desirable capacity (90%) in the AM peak and 3 arms in the PM peak but none above theoretical capacity (100%). The results largely show a reduced saturation of the junction and car queue lengths in all but one case being reduced.

Table 3: The impact on the junction from all development traffic (with mitigation and 10% Travel Plan reduction in traffic) is shown in the table below:

Arms	AM		PM	
	Degree of Saturation (%)	Mean Max Queue (Cars)	Degree of Saturation (%)	Mean Max Queue (Cars)
A229 Station Rd	79.6%	20	89.1%	27
Headcorn Road	89.2%	23	93.5%	26
A229 High Street	90.0%	29	91.1%	20
Marden Road	90.4%	29	92.1%	22

6.39 KHS consider that this impact in terms of traffic/congestion would be severe, “as three of the four junction arms are shown to operate above practical capacity (90%).” It should be noted that KHS have provided advice on the results excluding Stanley Farm which are set out in Table 4 below. They did not raise any objections to traffic/congestion in this scenario and therefore set the threshold for traffic/congestion ‘severity’ at 90%. The implications for breaching the 90% level result in an increase in 1 additional car queuing on three arms in the AM, and 2 additional cars on one arm and 1 on another arm in the PM (as set out in Table 4 below). It is considered that this impact above 90% does not result in the traffic impact being severe and is therefore not sound grounds to refuse the application.

6.40 Again, Members may wish to know the model results with Stanley Farm traffic excluded which are shown below in Table 4. This shows all arms within desirable capacity (90%) and to which KHS raise no objections on traffic/congestion grounds. It is outlined again that the application is subject to an appeal and an Inspector could find the development acceptable so this is for illustration purposes. However, it is reiterated that even with Stanley Farm included, the impact with mitigation is considered to be acceptable from a traffic/congestion perspective.

Table 4: The impact on the junction from all development traffic excluding Stanley Farm (with mitigation and 10% Travel Plan reduction in traffic) is shown in the table below:

Arms	AM		PM	
	Degree of Saturation (%)	Mean Max Queue (Cars)	Degree of Saturation (%)	Mean Max Queue (Cars)
A229 Station Rd	78.0%	20	89.2%	27
Headcorn Road	87.8%	22	90.0%	24
A229 High Street	87.9%	28	86.6%	20
Marden Road	88.5%	28	89.1%	21

- 6.41 In terms of road user safety and convenience, as outlined above, the footway on the southwest side of the junction (High Street arm) would need to be removed to create an additional lane for traffic, and consequently the crossing point here and bus stop would also be removed. The mitigation scheme therefore provides for a new crossing and bus stop further south. KHS raise objection to this on safety grounds on the basis that pedestrians may still attempt to cross the High Street near the junction. However, a safety audit of the works to the crossroads also raised this issue but recommended that measures are incorporated to deter pedestrians crossing at this location, such as the installation of pedestrian guard rail and/or landscaping features. It is considered that a guard rail could be provided to overcome this issue and as such the KHS objection is not considered grounds to refuse planning permission for this application. As this issue can be resolved, this is certainly not considered to result in a 'severe' impact such to warrant objection to the development, this ultimately being the test within the NPPF.
- 6.42 Suggestions have been made to use the adjacent verge to the west of Station Road (in third party ownership) to provide a pavement which could potentially mean the crossing point could remain. Being in third party ownership, the applicant has no control of this land and therefore cannot ensure any proposals would be carried out. To impose such a condition would not be enforceable or reasonable and so would not pass the tests for planning conditions.
- 6.43 KHS have raised two other issues, firstly relating to assumptions made in terms of the number of cars that can wait to turn right without blocking through movements on Station Road and High Street, and secondly, the waiting time for pedestrians to cross at the traffic lights being over three minutes, which they consider could encourage more pedestrians to undertake uncontrolled crossing movements. Rather disappointedly, KHS only raised these matters under their latest set of advice (despite them being part of the modelling previously). The transport consultants for the adjoining 'Redrow' site have respond to these points and provided photographic evidence of 3 cars waiting and a car/van passing which vindicates this assumption. With regard to the waiting time, they advise that the signals operate under a MOVA controller (software that responds to the demand on each arm) and they have observed that there are currently numerous examples of waiting times in the 3 to 4 minute range and the maximum (238 seconds) were noted to be utilised at some of

the busiest periods. As such, the situation would be no worse than existing and this is not considered to be grounds to object.

- 6.44 Local representations have also raised objections on the basis that pedestrians, including those with disabilities, will be negatively affected by the changes. The main impact upon pedestrians will be from the removal of the crossing and pavement on the Station Road arm. For people walking east to west from Headcorn Road to reach Marden Road (and vice versa), this would mean potentially carrying out three crossings as opposed to one. For all other routes no additional crossing would be necessary. For those heading north or south on the west side of the crossroads, they would have to walk via Chestnut Avenue. This is not considered to be a significantly longer or less attractive route to use. It is acknowledged that the changes would make some routes slightly longer but this is not considered to warrant refusal of the planning application. For clarification, the latest proposals do not narrow any pavements that would remain.

Public Transport Improvements

- 6.45 In addition, in order to facilitate a traffic reduction and promote sustainable transport use by future residents and in line with the NPPF aim of managing pattern of development that facilitates the use of sustainable modes of transport and make the fullest possible use of public transport, improvements to the frequency of bus services and improvements to the train station would be secured.
- 6.46 Through negotiation, the bus operator 'Arriva' has committed to increase the frequency of services from hourly to half hourly with s106 funding to support this for the first 3 years of service. This would be at a cost of £146,300 per year and this would be divided between the outstanding developments within the village. For this development it would mean a financial contribution of £140,280. Bus stops are located with walking distance of the site meaning that future residents would utilise such improved bus services, and this would reduce reliance on the use of private motor vehicles.
- 6.47 With regard to the train station, 'Southeastern' have been working on a scheme of improvements to the station including a new forecourt and transport interchange, improving public and passenger facilities to the station frontage and on the approach to provide a safer and clearer route, and improved cycle parking facilities. The costs of the works has been assessed as being approximately £1.1million and would be divided between developments within the village equating to £238,643 for this development. This would be secured under the Section 106 agreement. In addition, a new pedestrian crossing on the A229 Station Road between Station Approach and Fishers Road would be secured which would provide a suitable link to the railway station.
- 6.48 These improvements to public transport would serve to promote sustainable travel for new residents in line with the NPPF, which encourages opportunities for sustainable transport modes to be taken up (para. 32), and such improvements would be in accordance with policy T23 of the Local Plan, policy H1(50) of the submitted Local Plan and policy PW1 of the NHP. The scale of the contributions are reasonably related to the proposals and based on costs provided by 'Arriva' and 'Southeastern'. Accordingly, I am satisfied that the necessary legal and policy tests would be met.
- 6.49 Policy T3 of the Local Plan refers to the requirement, where necessary and appropriate, for public transport facilities within significant developments. In this case the site provides good access to existing public transport points, including through

Fishers Road, Hurst Close, and Headcorn Road, and through a dedicated crossing on the A229, which is in accordance with policy T21 of the Local Plan and H1(50) of the submitted Local Plan.

Parking

- 6.50 In terms of parking provision, there would be 2 spaces for the 2/3 bed dwellings, 3 spaces for the 4/5 bed dwellings, and 3 spaces for the nine 1 bed units. Visitors parking of 33 spaces over the site would be provided, along with room for on-street parking. Whilst Kent Highway Services (KHS) have raised some concerns regarding tandem parking, I don't see this as a significant constraint to people using their parking spaces. In addition, it provides for more space for landscaped areas, rather than hardstanding so on balance this is considered to be acceptable. Overall, the parking provision is considered to strike the right balance between a sensible provision and providing a good quality design,
- 6.51 Some concerns have been raised by KHS regarding some minor visibility issues within the site (not onto Headcorn Road) but it is acknowledged that this may act as an indirect traffic calming measure, and on balance I do not consider this is a significant safety issue to warrant objection.

Off-site Highways Works (specific to this development)

- 6.52 Various off-site highways works and conditions have been requested and it is considered that these are necessary in the interest of safety, providing good connectivity with the local area, and promoting sustainable transport use. These include new footways; extending the 30mph speed limit; new pedestrian crossings; pedestrian/cycle access to the west; and a construction management plan.
- 6.53 KHS have also raised the issue of Hurst Close, Newlyn Drive and Fishers Road and roads to the east potentially being used as an alternative route to access the A229. It is considered that a suitable head of terms for the s106 could be used to address this and which could require appropriate measures, if necessary, such as traffic calming. Any contribution would be pooled between relevant sites.
- 6.54 The NPPF states at paragraph 32,

"Plans and decisions should take account of whether:

- *The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- *Safe and suitable access to the site can be achieved for all people; and*
- *Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."*

- 6.55 In conclusion, there are no objections from KHS to the development itself. The development would provide a robust Travel Plan, and contribute towards improvements to the bus service and train station, involving a total financial contribution of £438,876. Based on this, significant improvements to public transport would be secured, safe access to the site is possible, and works to the crossroads

would be funded to mitigate the cumulative impact of this development with others in the village, and safety issues raised could be overcome through the use of guard railing. This would serve to limit any significant impacts and any residual impacts are not considered to be severe subject to the mitigation, despite the view of KHS.

Community Infrastructure

6.56 A development of this scale is clearly likely to place extra demands on local services and facilities and it is important to ensure that the development can be assimilated within the local community. As such suitable contributions to make the development acceptable in planning terms can be sought in line with policy CF1 of the Local Plan and the Council's Open Space DPD.

6.57 However, any request for contributions needs to be scrutinised, in accordance with Regulations 122 and 123 of the Community Infrastructure Levy (CIL) Regulations 2010. This has strict criterion that sets out that any obligation must meet the following requirements: -

It is:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

*And

A planning obligation ("obligation A") may not constitute a reason for granting planning permission to the extent that —

(a) obligation A provides for the funding or provision of an infrastructure project or type of infrastructure; and

(b) five or more separate planning obligations that—

(i) relate to planning permissions granted for development within the area of the charging authority; and

(ii) which provide for the funding or provision of that project, or type of infrastructure have been entered into before the date that obligation A was entered into.

6.58 *This section came into force on 6th 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).

6.59 The following contributions have been sought:

6.60 For primary education provision, £683,196.12 is sought towards the Phase 2 expansion of the Headcorn Primary School (new build and land acquisition). The question as to why monies are being diverted to Headcorn and not Staplehurst has been raised. KCC have advised that, *"there are strong links between Staplehurst and Headcorn in terms of educational demand. Staplehurst PS currently has a surplus of places which will diminish over coming years and is not enough to accommodate the full effect of development in Staplehurst, Headcorn PS does not have a current surplus. The nature of Staplehurst PS is such that an expansion would yield an increase of 105 places across all year groups, the expansion of Headcorn PS will yield 210 pupil places. The expansion of Headcorn PS by 1FE for September 2017 will act as strategic response to the growth in Headcorn and Staplehurst. Staplehurst PS is also likely to need additional places in the medium term as the existing surplus*

capacity is diminished; at that point development contributions in the area will likely be directed to Staplehurst.”

- 6.61 For secondary education £371,078.55 is sought towards the Phase 3 expansion of Cornwallis school to address the increased impact the development would have.
- 6.62 For youth services, £1,409.86 is sought towards equipment to expand the range of youth focused activities able to take place in Staplehurst by KCC's commissioned youth worker.
- 6.63 For libraries, £8,018.64 is sought towards libraries to address the demand from the development towards additional bookstock (supplied to Staplehurst Library).
- 6.64 For adult education, £5,126.39 is sought towards the cost of providing additional laptops and software to the Adult Education delivery point at Staplehurst Library.
- 6.65 In terms of open space, the development would provide approximately 2.14ha of onsite open space, which would largely be natural/semi-natural space due to ecological requirements and retaining landscape features. A LEAP is also to be provided which has been secured through negotiation. Notwithstanding this, there would still be an increased pressure on nearby facilities and so an off-site contribution of £98,196 is also sought towards improvements and refurbishment of Jubilee Playing Fields and Play area, which is considered acceptable to mitigate the impact.
- 6.66 In terms of healthcare, the NHS are seeking a contribution of £93,060 towards extension, refurbishment and/or upgrade of Staplehurst Health Centre, which is considered acceptable to mitigate the increased impact on the centre.
- 6.67 It is considered that the requested contributions are sufficiently justified to mitigate the additional strain the development would put on these services and comply with policy CF1 of the Maidstone Borough-Wide Local Plan (2000), policy PW1 of the NHP where relevant, and the CIL tests above.
- 6.68 Requests for contributions towards the youth centre, village centre, feasibility studies for retail opportunities in the village, and broadband have been raised by the Parish Council and Cllr Brice. In terms of the youth centre, KCC have secured monies to youth services. In terms of the village centre there is no detailed evidence of the specific expansion or works that are required as a result of this development, detailed proposals or costs, and so at present any request for monies would not pass the legal tests. With regard to retail development in the village, this is not necessary to make the development acceptable. In terms of broadband standards, the development cannot be expected to solve a perceived existing problem.

Drainage & Flood Risk

- 6.69 Southern Water has advised that there is insufficient capacity in the local network to accommodate the development but have raised no objections stating that improvements can be secured under the Water Industry Act. The proposed foul sewer system is being designed as gravity sewers in accordance with Southern Water requirements. There is an existing foul water sewer which runs through the site to which the development will connect. The applicant has been liaising with Southern Water as to the requirements for offsite works to provide sufficient capacity within this sewer. This would include the upgrading of 40m of 300mm diameter sewer to 375mm to the north of the site, and increasing the pump capacity within the

Staplehurst Waste Treatment Works from 109 l/s to 120 l/s. The detailed designs have since been submitted to Southern Water for technical approval. It is therefore considered that the applicant has demonstrated that foul drainage measures can be provided, (which have been carried out in consultation with Southern Water), and that adequate foul drainage could be provided to mitigate the impact of the development. Conditions could ensure that these works are carried out prior to occupation of the development.

- 6.70 In terms of surface water and flood risk, a Flood Risk Assessment (FRA) and Surface Water Management Strategy have been submitted. The site does not fall within a high risk flood area and as such the development is not at risk from river flooding. There is some risk from surface water flooding and the development proposes a Sustainable Urban Drainage scheme (SUDs) to deal with surface water drainage to ensure the run-off rates would not exceed the current situation. It is outlined that given the poor permeability of ground conditions across the site the potential for infiltration of surface water is considered unsuitable and based on the ditches and ponds present it is proposed to discharge surface water from the development to these existing features which are to be retained. The methods within the SUDs scheme would restrict flows to greenfield run-off with a 30% allowance for climate change as required and include the recycling of roofwater via water butts; soakaways or shallow attenuation tanks; permeable paving; and a swale for attenuation and improvement of biodiversity towards the north end of the site.
- 6.71 The Environment Agency has raised no objections (as they were the relevant body when the application was submitted) subject to a condition securing the surface water drainage details and on-going maintenance of the SUDs. KCC as 'Lead Local Flood Authority' (LLFA) have also been consulted and do not raise any objections to the surface water management proposals subject to conditions to secure the details.

Ecology

- 6.72 Ecological surveys have been carried out and identified the following were present within the site:
- Reptiles
 - GCN
 - Breeding Birds
 - Features suitable for roosting bats
- 6.75 KCC Ecology advise that sufficient information has been provided to determine the planning application.
- 6.76 In terms of GCN and reptiles, the three existing ponds support GCN and they would be retained and enhanced and GCN also move throughout the site and would be impacted. The proposal is to retain and enhance green corridors and green space essentially as the receptor site for GCN and reptiles. Where existing hedge/tree lines would be broken in places to provide roads culverts are proposed under roads to maintain connectivity and wildlife friendly kerbs would be installed. Additional and enhanced habitat would be created through wildflower grassland creation and shrub and hedgerow creation/reinforcement.
- 6.77 KCC have raised no objection in terms of any impact upon GCN and reptiles subject to the proposed mitigation being secured. They advise that, *"the green corridors and green space to be incorporated in to the development are vital for the success of the mitigation strategy there is a need to ensure that the site will be managed*

appropriately in perpetuity. A habitat maintenance and management plan has been submitted with the planning application and it demonstrates that the applicant is proposing to manage the site to benefit GCN and Reptiles. From reviewing the document we are aware that a Landscape Management Plan (LMP) will be produced if planning permission is granted – we suggest that the proposed LMP include details of interpretation boards to be incorporated in to the development site to inform residents of the sites management. The site is currently sub-optimal and there is a need to ensure that the receptor site is sufficiently established prior to the translocation commencing. We are satisfied with the proposed methods to establish the receptor site (detailed within the habitat and management plan) but we have concerns that the receptor site will not be established prior to the translocation of GCN and Reptiles (if planning permission is granted). We recommend that the detailed GCN and Reptiles mitigation strategy (to be submitted as a condition of planning permission) provides details of the timings for the establishment of the receptor site and triggers for when translocation can commence. If planning permission is granted the translocation cannot begin until the receptor site has established to an acceptable standard.”

- 6.78 Conditions are recommended to secure the GCN and reptile mitigation and a landscape and ecology management plan (LEMP) to ensure appropriate mitigation of these protected species.
- 6.79 In terms of bats, a number of mature trees are present which contain suitable features for roosting bats. These trees would be retained and so no emergence surveys have been requested. A lighting condition could be attached to ensure no direct impact on these trees and to generally limit the potential impact upon bats.
- 6.80 With regard to general enhancements, green corridors and a wildflower meadow are being created/retained within the proposed development site. There is a need to ensure that a management plan is produced for these areas and it is implemented to retain their ecological interest. The green corridors will also include bat and bird boxes and a condition would be attached to increase the bird nesting and bat roosting opportunities within the buildings.

Residential Amenity

- 6.81 It is considered that the houses would be positioned a sufficient distance from any existing and proposed properties bordering the site so as not to cause any unacceptable loss of privacy, outlook or light. The proposal is for housing development which is clearly a compatible use with adjoining uses. It is also considered that the new properties would benefit from sufficient amenity standard in terms of privacy, outlook, light and house and garden sizes.
- 6.82 Pedestrian and cycle connections to the west would result in increased use of local roads and introduce residents walking to the front and side of properties, however, this is not considered to result in any unacceptable impact upon amenity.

Other Matters

- 6.83 Affordable housing is proposed at 40% in line with the 2006 DPD and emerging policy. The housing mix in terms of tenure and size has been amended in response to the Housing Section's comments and they are satisfied with the proposals.
- 6.84 Conditions could suitably deal with archaeology and contaminated land. It is considered that the travel plan and proposed public transport improvements are

sufficient measures to limit any impact upon air quality. In terms of agricultural land loss, there is a mix of partly 3a (good quality, within the best and most versatile category) and partly 3b (moderate quality not within the best and most versatile category). The Council's advisors states that, *"in practice the interplay of the Grade 3a and Grade 3b within the fields concerned, the irregularly shaped and fairly small fields bounded by hedgerows, and the presence of various ponds, tends to limit the potential for any more intensive use of the land than use for grass, which appears to have been the practice for many years. Thus it may be that as part of the overall Planning balance, the issue of loss of agricultural land under this scheme should be afforded relatively little weight."* Based on this I do not consider this is grounds for an objection to the application, and the benefits and need for housing outweighs any loss of agricultural land.

- 6.85 Other matters raised, where relevant to planning, have been addressed in the relevant sections in the main report.
- 6.86 A separate Screening Opinion has been adopted by the Council for the application where it has been concluded that the development would not have significant environmental effects in the context of the EIA Regulations alone or cumulatively with other developments, would not be of more than local importance, and any environmental implications from the development would not be so significant or wide-ranging so as to warrant an EIA. Therefore it is not considered that an EIA is required for this application in light of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended).

7.0 CONCLUSION

- 7.01 The proposed development is contrary to policy ENV28 in that it represents housing development outside a settlement boundary in the Local Plan. However, the draft MBLP evidence base identifies objectively assessed needs for additional housing over the plan period 2016-2031, which the draft MBLP addresses, in part, by way of site allocations for housing sites outside existing settlement boundaries. The existing settlement boundaries defined by the adopted Local Plan (2000) will be revised by the MBLP to deliver the development necessary to meet identified needs in accordance with the site allocations in draft MBLP policies and H1. In this instance the weight attached to ENV28 should be reduced due to the allocation of the site in the emerging Local Plan under policy H1 (50).
- 7.02 There would be some impact upon the landscape (and thus conflict with the countryside protection element of policy ENV28) but this would be limited and localised and is considered to result in low environmental harm. However, this is a factor that weighs against the development.
- 7.03 In favour of the development, the site is considered to be at a sustainable location adjoining the settlement boundary of Staplehurst in the Local Plan, which offers a good range of facilities and services. The works to the crossroads would mitigate the traffic impact of the developments cumulatively in the village and highway safety matters can be overcome. Improvements to the bus and train services within the village and a Travel Plan would be secured in accordance with the NPPF. Appropriate community infrastructure would be provided and affordable housing at 40%. Drainage issues have been fully considered and mitigation for the development could be achieved and secured by condition. There are no objections from the Environment Agency in terms of flooding or the LLFA in terms of surface water drainage. There are no ecology objections or any other matters that result in an objection to the development.

- 7.04 In accordance with advice in the NPPF, there are three dimensions to sustainable development giving rise to the need for the planning system to perform environmental, economic and social roles. It is considered that the development would provide economic benefits through delivering houses, associated construction jobs, and the likelihood of local expenditure (economic benefits commonly recognised by Inspectors at appeal). It is considered that there would be social benefits through providing much needed housing, including affordable housing, community infrastructure, and I do not consider the impact upon existing resident's amenity would be harmful. There would be some impact upon the landscape but this would be limited and localised and so is considered to result in low environmental harm. There would be no other significant harm to the environment. As such, it is considered that the development would perform well in terms of economic, social and environmental roles required under the NPPF.
- 7.05 All representations received on the application have been fully taken into account, and in balancing matters, it is considered that the low level of landscape harm caused by the development is outweighed by the economic and social benefits of providing much needed housing, including affordable housing, at a sustainable location, including at a location identified in the emerging Local Plan and Neighbourhood Plan. As such, it is considered that compliance with policy within the NPPF is sufficient grounds to depart from the adopted Local Plan and it is recommended that permission is granted subject to conditions and a legal agreement as set out below. Delegated powers are sought to finalise the terms of the legal agreement.

Conditions

- 7.06 Conditions are recommended to cover slab levels, ecology, surface and foul water drainage, construction method statement, archaeology, contaminated land, renewable energy, materials, landscaping, lighting, off-site highways works, access and parking, and boundary treatments.
- 7.07 KHS have also suggest conditions relating to on-site facilities relating to construction vehicles, preventing surface water on the highways, wheel washing, details of roadways footways street lighting, street names etc. is required prior to the commencement of work on site and this should be agreed with KCC Highways. It is considered that these conditions are not necessary to make the development acceptable and so do not pass the tests for conditions.

8.0 RECOMMENDATION

Subject to the prior completion of a legal agreement, in such terms as the Head of Legal Services may advise, to provide the following:

- The provision of 40% affordable residential units within the application site.
- Financial contribution of £585,333.36 towards the Phase 2 expansion of the Headcorn Primary School.
- Financial contribution of £97,862.76 towards land acquisition costs of the Headcorn Primary School expansion.
- Financial contribution of £371,078.55 towards the Phase 3 expansion of Cornwallis school.

- Financial contribution of £238,643 towards train station improvements at Staplehurst Station.
- Financial contribution of £140,280 towards bus service enhancements to increase the frequency of services through Staplehurst village.
- Financial contribution of £59,953 towards junction improvements at the A229/Headcorn Road/Marden Road junction.
- Financial contribution of £1,409.86 towards equipment to expand the range of youth focused activities able to take place in Staplehurst by KCC's commissioned youth worker.
- Financial contribution of £8,018.64 towards libraries to address the demand from the development towards additional bookstock (supplied to Staplehurst Library).
- Financial contribution of £5,126.39 towards the cost of providing additional laptops and software to the Adult Education delivery point at Staplehurst Library.
- Financial contribution of £98,196 towards improvements and refurbishment of Jubilee Playing Fields and Play area.
- Financial contribution of £93,060 towards extension, refurbishment and/or upgrade of Staplehurst Health Centre.
- The provision of a Residential Travel Plan to aim to achieve a 10% reduction in development traffic flows covering a 10 year monitoring period, and to include monitoring costs.
- Annual monitoring and reporting of the effect of displaced traffic on highway routes surrounding the site ("rat-running" monitoring).
- A financial contribution towards suitable mitigation measures to combat any significant adverse traffic flow conditions as may be established by the monitoring exercise to be conducted.

The Head of Planning and Development BE DELEGATED POWERS TO GRANT planning permission subject to the imposition of the conditions set out below:

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Reason: In order to secure a satisfactory form of development.

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3. The development shall not commence until a Landscape and Ecological Design and Management Plan has been submitted to and been approved in writing by the local planning authority.

The Landscape and Ecological Design and Management Plan shall include the following:

- a) Purpose and conservation objectives for the proposed habitat creation and enhancements;
- b) Detailed design to achieve stated objectives;
- c) Extent and locations of proposed works on appropriate scale plans;
- d) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- e) Description and evaluation of features to be managed;
- f) Aims and measurable objectives of management;
- g) Appropriate management prescriptions for achieving aims and objectives;
- h) Preparation of a work schedule for the duration of the plan;
- i) Ongoing habitat and species monitoring provision against measurable objectives;
- j) Procedure for the identification, agreement and implementation of contingencies and/or remedial actions where the monitoring results show that the objectives are not being met;
- k) Details of the body/ies or organisation/s responsible for implementation of the plan.
- l) Details of interpretation boards to be incorporated in to the development site to inform residents of the sites management.

The Landscape and Ecological Design and Management Plan shall also include details of the legal and funding mechanism by which the short and long-term implementation of the Management Plan will be secured by the developer with the management body responsible for its delivery. The approved Plan will be implemented in accordance with the approved details.

Reason: To ensure a high quality design, appearance and setting to the development, and to protect and enhance biodiversity.

4. The development shall not commence until (including any demolition, ground works, site clearance) until a detailed Great Crested Newt and Reptile mitigation strategy has been submitted to and approved in writing by the local planning authority. The content of the strategy shall include:

- a) Details of the timings for the establishment of the receptor site and triggers for when translocation can commence
- b) Identification of ecological impacts, informed by updated ecological surveys where necessary;
- c) Purpose and ecological objectives for the proposed works;
- d) Practical measures (both physical measures and sensitive working practices) necessary to achieve stated objectives (may be provided as a set of method statements);
- e) Extent and location of proposed works, shown on appropriate scale maps and plans;
- f) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- g) Persons responsible for implementing the works, including times when specialist ecologists need to be present on site to oversee works;

The works shall be carried out in accordance with the approved details, unless varied by a European protected species mitigation 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 of the quality or quantity of mitigation/compensation provided.

Reason: In the interest of ecology and biodiversity enhancement.

5. The development shall not commence until details of measures to enhance biodiversity have been submitted to and approved in writing by the Local Planning Authority and shall include the following:
 - a) Swift bricks and bat boxes integral to buildings
 - b) Bird and bat boxes throughout the site
 - c) Wildlife friendly gullies
 - d) Retention of cordwood on site

Reason: To protect and enhance biodiversity.

6. The development shall not commence until an Arboricultural method statement (AMS) in accordance with the current edition of BS 5837 has been submitted to and approved in writing by the local planning authority. The AMS shall incorporate details appropriate to the construction operations being undertaken and shall include, but not be limited to, a working methodology/phasing for operations with the Root Protection Area (RPA) of any retained tree; consideration of the location and installation of services and drainage; a programme of site monitoring and arboricultural supervision if appropriate; a detailed schedule of pre-commencement tree works and; a revised Tree Protection Plan showing the design and location of fencing and/or ground protection necessary to ensure all retained trees can be successfully integrated within the permitted scheme.

No equipment, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre commencement operations approved in writing by the local planning authority. These measures 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 protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority.

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

7. The development shall not commence until a detailed surface water drainage strategy for the site has been submitted to (and approved in writing by) the local planning authority. It shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated with any offsite discharge limited to either QBAR or greenfield runoff rate as approved by the Local Planning Authority. The detailed drainage design will also provide details of any works on the existing drainage system, including ditches, proposed headwalls, and ponds to be approved by the Local Planning Authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions

8. The development shall not commence until a construction phasing plan of the surface water drainage scheme has been submitted to (and approved in writing by) the local planning authority. This phasing plan must be coincident with the appropriate phases of development and must include:

- a) A description of any temporary works to provide for uninterrupted surface flow during construction within the existing drainage systems which cross the site; and,
- b) A description of erosion and sediment control measures to protect the capacity of the existing drainage system and ensure that water quality of the surface water flows which leave the site are not contaminated by sediment or other pollutants.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

9. The development shall not commence until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. The parking of vehicles of site operatives and visitors
- ii. Loading and unloading of plant and materials
- iii. Wheel washing facilities
- iv. Measures to control the emission of dust and dirt during construction
- v. A scheme for recycling/disposing of waste resulting from demolition and construction works
- vi. Provision of measures to prevent the discharge of surface water onto the highway.

Reason: In the interest of highways safety.

10. The development shall not commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

11. The development shall not commence until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that

the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

4) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in (3). This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: In the interests of public safety and pollution prevention.

12. No development above damp proof course level shall take place until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and all features shall be maintained thereafter;

Reason: To ensure an energy efficient form of development.

13. Notwithstanding drawing no. STFF-004 Rev D, no development above damp proof course level shall take place until, written details and samples of the materials to be used in the construction of the external surfaces of any buildings and hard surfaces 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.

14. No development above damp proof course level shall take place until measures to prevent parking on landscaped/amenity areas and any measures to enclose ponds 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 and in the interest of safety.

15. No development above damp proof course level shall take place until details of a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection during the course of development in the form of a Tree Protection Plan undertaken by an appropriately qualified party in accordance with BS5837:2012 and a programme for the approved scheme's implementation and long term management, shall be submitted to and approved in writing by the Local Planning Authority.

The landscape scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment 2012 and shall include details of the repair and retention of existing hedgerows and tree lines within the site;

The implementation and long term management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens. The

landscaping of the site and its management thereafter shall be carried out in accordance with the approved details over the period specified;

Reason: To safeguard existing trees and hedges to be retained and ensure a satisfactory external appearance to the development and a high quality of design.

16. Details of foul water drainage, which shall include details of on-site drainage and off-site improvements to the local network, shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water prior to the occupation of the development. The approved details shall be implemented in full prior to the first occupation of the development.

Reason: In the interest of pollution and flood prevention.

17. The occupation of the development hereby permitted shall not commence until specific details of connections to the adjoining housing site including pedestrian and cycle links (in the event the adjoining housing site has been implemented), or a scheme of landscaping following the principles of condition 15 (in the event that it has not been implemented) have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels.

Reason: To ensure appropriate connections and in the interested of visual amenity.

18. The occupation of the development hereby permitted shall not commence until all planting, seeding and turfing specified in the approved landscape details has been completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within ten years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: To ensure a satisfactory landscaped setting for the development.

19. No building hereby permitted shall be occupied until details of any lighting to be placed or erected within the site have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include, inter alia, details of measures to shield and direct light from the light sources so as to prevent light pollution and illuminance contour plots covering sensitive neighbouring receptors. The development shall thereafter be carried out in accordance with the subsequently approved details.

Reason: In the interest of residential amenity

20. Prior to the occupation of the building(s) hereby permitted, a minimum of one electric vehicle charging point shall be installed at every residential dwelling with dedicated off street parking, and shall thereafter be retained for that purpose.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with paragraph 35 of the NPPF.

21. Details of a “lighting design strategy for biodiversity” for the site shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and in which lighting must be designed to minimise disturbance, and;
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.
- c) Include measures to reduce light pollution and spillage.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Reason: In the interest biodiversity protection and visual amenity.

22. No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the drainage measures, including permeable pavement, ditches, ponds and all outfalls, have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

23. No occupation of the development hereby permitted shall take place until the following off-site highways improvements have been made in full. Full details shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highways Authority:

- New footway on the western side of the new site access on Headcorn Road to link with the existing footway fronting Little Cossington on the south side of Headcorn Road.
- Extension of the existing 30mph speed limit and the associated gateway treatment to the east.
- New pedestrian crossing on the A229 Station Road between Station Approach and Fishers Road.
- Bus boarders at the pair of bus stops to the north of Fishers Road on the A229.
- Pedestrian access to Newlyn Drive/Hurst Close widened to enable use by cyclists.
- Dropped kerb crossings on Slaney Road, Poyntell Road and Hurst Road along Headcorn Road.

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Reason: In the interests of highway safety.

24. No occupation of the development hereby permitted shall take place until details of a scheme for the preparation, laying out and equipping of the play/amenity area, and its on-going maintenance have been submitted to and approved in writing by the Local Planning Authority. The facility shall be completed in accordance with the approved details prior to the first occupation of the development.

Reason: To provide open space to contribute to meeting the recreational needs of prospective occupiers.

25. The access point onto Headcorn Road shall be carried out in accordance with drawing no. STFF-GIA prior to the occupation of the development. Visibility splays shall be maintained in accordance with the approved drawing and kept free of obstruction above 0.9m thereafter.

Reason: In the interests of highway safety.

26. The development shall be carried out in accordance with the boundary treatments as shown on drawing nos. STFF-003 Rev D and STFF-031 and shall be implemented before the first occupation of the building(s) or land and maintained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.

27. The vehicle parking spaces and/or garages and vehicle loading/unloading and turning facilities shown on the submitted plans shall be permanently retained for parking and turning and shall not be used for any other purpose.

Reason: In the interest of highways safety and parking provision.

28. No physical boundary treatments shall be erected along any part of the eastern boundary of the site (excluding any temporary structures during construction).

Reason: To ensure appropriate connectivity.

29. The development hereby permitted shall be carried out in accordance with the approved plans as listed under the 'Schedule of Additional & Amended Application Drawings' document dated 10/11/15

Reason: For the purposes of clarity.

Case Officer: Richard Timms

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