

### Session 6B – Larger Villages Housing Development.

#### Inspector's Question 6.24

##### H1(29) New Line Learning, Boughton Lane

How do the proposed policy changes address the reasons for the dismissal of the appeal and are they sufficient for the site still to be deliverable?

#### **Council's response:**

6.24.1 With regard to design, the Inspector considered the proposal to be over-intensive, lacking openness or space, cramped, and with poor townscape quality. These matters were specific to the appeal proposal before him. The policy changes with the reduction in house numbers and amended design criterion will ensure a more spacious layout and high quality design complementary to its semi-rural location at the edge of the urban area. This would serve to overcome this ground for dismissal in the appeal.

6.24.2 With regard to highway safety, the Inspector considered that use of a 450m stretch of the central section of Boughton Lane from the school exit to a 90-degree right-hand turn towards Boughton Lane with additional vehicular, pedestrian and cycle flows accompanied by turning and crossing movements would be dangerous. The application proposed one access point on this stretch and another to the south onto Boughton Lane resulting in increased vehicle, pedestrian and cycle movements along this stretch.

6.24.3 The policy changes would mean that access would only be taken from the western/north western boundary of the site and a dedicated pedestrian and cycle route along the south and west sides of the site connecting with the existing footway at the southern school exit to the north would be provided. The Inspector considered the proposal for a 100m section of such a pedestrian /cycle route was essential and this would extend it along the full western and southern sides of the site. Restricting the access would reduce vehicle movements along Boughton Lane and the dedicated route would ensure pedestrian and cycle flow would be within the site and would link with the existing footway. These policy changes shall minimise conflicts between pedestrians/cyclists and motorised vehicles and so address this ground for dismissal in the appeal.

6.24.4 The Inspector also raised concerns regarding use of the desire line to public footpath KM98 to the southwest of the site. The application proposed a path in this corner of the site at a point the Inspector considered to be the most dangerous point of Boughton Lane. The policy changes would secure a dedicated safe pedestrian/cycle crossing point on the southern boundary of the site to link to public footpath KM98 and/or to link to site H1(53) to the south to provide access to public footpath KM98. This would serve to overcome this ground for dismissal in the appeal.

6.24.5 In terms of highway improvements at the junction of Boughton Lane and the A229

Loose Road, the Council believes that there is a deliverable solution for the Swan junction as set out in the Mott MacDonald A229 Boughton Lane Junction Review (TRA 030).

6.24.6 The policy change would add an additional criterion regarding improvements to capacity at the Wheatsheaf junction. There is a deliverable scheme for this junction which is outlined in the Council's response to question 6.25.

6.24.7 With effective mitigation at the Swan and Wheatsheaf junctions, the highway capacity reasons for dismissal in the appeal are addressed. In respect of transport matters therefore, the Council asserts that the site is still deliverable at the lower yield.

6.24.8 The Council held pre-application discussions with the developer for the site in August 2016 where the developer confirmed that the site was still deliverable and that the policy changes would serve to overcome the reasons for dismissal of the appeal.

6.24.9 For the above reasons, the policy changes are considered sufficient to ensure the site is still deliverable.

### **Inspector's Question 6.25**

What capacity improvement is possible at the Wheatsheaf Junction and would that be sufficient to clear the Swan junction as claimed having regard to traffic from other proposed developments?

#### **Council's response:**

6.25.1 KCC's report to the Maidstone Joint Transportation Board (JTB) on 15 April 2015 presented the scope for the A229 Loose Road Corridor Study which commenced following that meeting. In respect of the Wheatsheaf junction, KCC's April 2015 report outlined a two-step approach to the delivery of capacity improvements:

- Step 1 - closure of the Cranbourne Avenue exit into the junction, requiring a Traffic Regulation Order (TRO).
- Step 2 - should Step 1 not gain sufficient capacity with respect to Local Plan growth, KCC stated its willingness (at that time) to consider a widening of the A229 southern approach to provide two northbound lanes through the junction, which would require land outside the current highway boundary. The complete closure of Cranbourne Avenue (entry and exit) was also proposed. A preliminary design was presented to the JTB on 14 October 2015.

6.25.2 Mitigation step 1 would increase the green timing for the A229 and A274 by 17 seconds. In a presentation to the 22 February 2016 JTB, KCC reported that such a closure would enable an additional 340 vehicles an hour to pass through the junction. KCC's mitigation scheme is consistent with that proposed by the Transport Assessment (TA) submitted in October 2015 (and TA Addendum submitted in April 2016) to accompany the planning application for residential development at Land South of Sutton Road (allocation H1(10), application MA/15/509015/OUT) by Countryside Properties (the Countryside TA).

6.25.3 The Countryside TA tested the cumulative impacts of all housing development within the South East Strategic Development Location and nearby allocations H1(27) and H1(28) for

a 2029 assessment year. Allocations H1(29) and H1(53) were not tested specifically, however the impacts of these and other planned developments in the wider area to the year 2029 were accounted for using TEMPRO6.2/NTM AF09 traffic growth factors.

6.25.4 The Countryside TA presented the results of localised transport modelling undertaken at the Wheatsheaf junction using industry standard LinSig software. Model outputs for the 2029 assessment year indicate that, without mitigation, queues from the Wheatsheaf junction would extend southwards for a distance of 889m in the AM peak period and 844m in the PM peak period. The distance between the Wheatsheaf and Swan junctions is approximately 600m. Consequently, queues from the Wheatsheaf would, without mitigation, block back through the Swan junction in the 2029 assessment year.

6.25.5 However, the Countryside TA concluded that the closure of the Cranbourne Avenue exit into the junction could enable an additional 500 vehicles per hour to pass through. Model outputs indicate that, with this mitigation, southwards queues from the Wheatsheaf junction towards the Swan junction would be significantly reduced. The Swan junction would remain clear of queuing traffic from the Wheatsheaf junction in both the AM and PM peak periods, with queue lengths of 146m and 279m respectively.

6.25.6 Members had received communications from members of the public objecting to KCC's proposals in respect of Cranbourne Avenue. The 22 February 2016 JTB therefore resolved that the recommendation for formal consultation on a TRO be dismissed. KCC has commissioned a feasibility study to look at options for improving both the Wheatsheaf and Swan junctions.

6.25.7 In conclusion, the Council believes that the possible Step 1 capacity improvements originally identified in KCC's April 2015 report can mitigate the impact of committed and proposed development to an extent which ensures that the Swan junction will remain clear of queuing traffic from the Wheatsheaf junction during the Local Plan period.

### **Inspector's Question 6.26**

Does the adoption of the neighbourhood plan have any implications for the Local Plan?

#### **Council's response:**

6.26.1 No. The made North Loose Neighbourhood Development Plan 2015-2031 does not allocate any potential sites for either residential or employment use.

6.26.4 The Neighbourhood Forum paid significant regard to the emerging Local Plan policies in developing their Neighbourhood Plan, and this was supported through regular dialogue with the Council. There are therefore no implications for the Local Plan as submitted.

### **Inspector's Question 6.27**

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### **Inspector's Question 6.28**

Setting aside claims of conflict with policies and guidance that are either no longer in effect or which would be superseded, would Mr Carpenter please clarify where he considers the proposed allocation to be inconsistent with the national policy as currently set out in the National Planning Policy Framework?

#### **Council's response:**

6.28.1 The Council understands this to be a question for Mr Carpenter. The Council believes its policy is consistent with the Framework.

### **Inspector's Question 6.29**

Would the Council please advise the Inspector if the planning application is determined before the examination hearing or of any other update to progress of the application?

#### **Council's response:**

6.29.1 Planning application 15/509961/FULL has not yet been determined. An extension of time to the 30 September 2016 has been agreed with the planning agent. The Council, at 12 September 2016 are awaiting revised plans for this application.

### **Inspector's Question 6.30**

Would the Council please respond to the Coxheath PC representations?

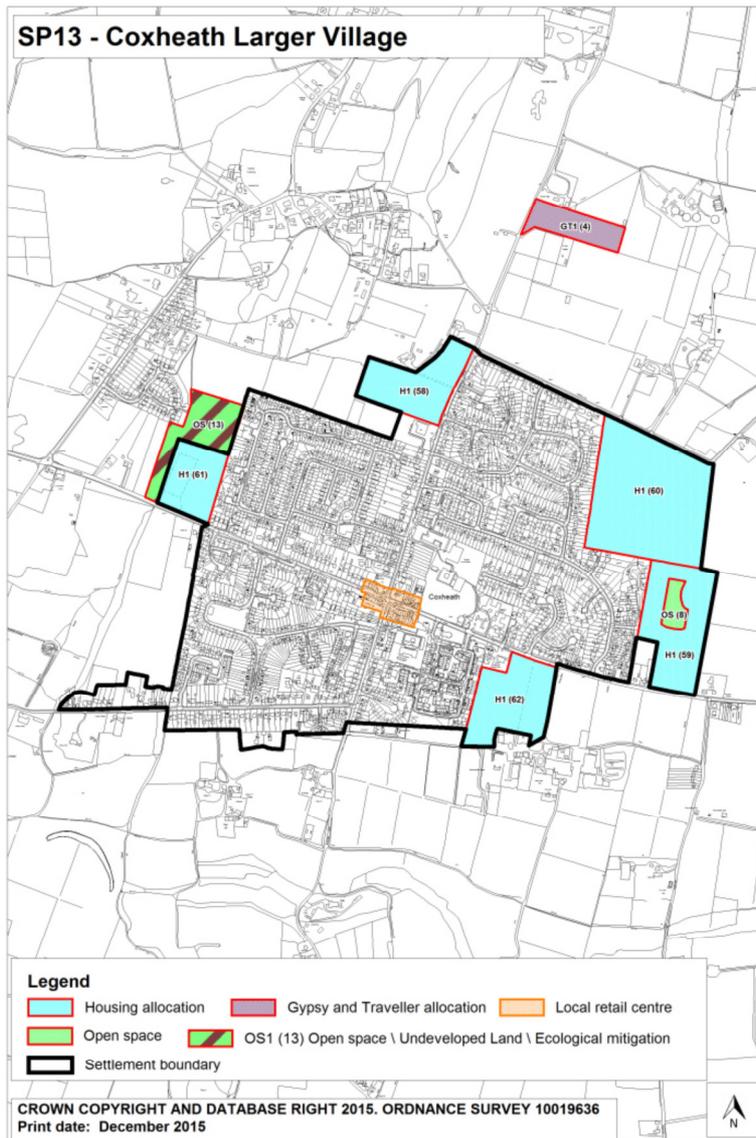
#### **Council's response:**

6.30.1 Policy SS1(6) defines Coxheath as a location suitable for limited housing development consistent with the scale and role of the village.

6.30.2 Coxheath has a good range of key services and facilities to help meet the day to day needs of the local community. The compact form of the village provides good access on foot to all community services and facilities. Most parts of the village are within a 10 minute walk of the village centre services.

6.30.3 Appendix 1 of the Spatial Strategy Topic Paper (SUB 007) illustrates that Coxheath has similar facilities and services to other Rural Service Centres. However, the proximity of Coxheath to Maidstone means that it has less of a role in serving the surrounding rural area than other Rural Service Centres.

6.30.4 Coxheath is by far the largest of the designated Larger Villages with a parish population of 4,082 (2011 Census). In comparison, Boughton Monchelsea has a population of 3,313; Hollingbourne 949; Sutton Valence 1665 and Yalding 2,418.



6.30.5 Commensurate with the scale of the settlement and local facilities and services, five housing sites are allocated in the Local Plan totalling approximately 506 new dwellings up to 2031 (Policies H1(58) to H1(62)):

- H1(58) Linden Farm, Stockett Lane, Coxheath 74
- H1(59) Heathfield, Heath Road, Coxheath 110
- H1(60) Forstal Lane, Coxheath 195
- H1(61) North of Heath Road, (Older's Field), Coxheath 55
- H1(62) Clockhouse Farm, Heath Road, Coxheath 72

6.30.6 Consistent with the NPPF, it is hoped that such development will help support local facilities.

6.30.7 In terms of infrastructure, the GP surgeries are currently at capacity and any further development in Coxheath will be expected to contribute towards ensuring healthcare facilities

can meet the demands of future growth. Contributions have already been secured from development towards the expansion of Coxheath Primary School. Linton Crossroads junction improvement outline design has been completed and S106 contributions are being secured from development sites at Coxheath and other locations where this would have an impact on traffic at this junction. A package of measures including bus stop improvements on Heath Road, new footways and pedestrian crossings has been committed through the planning permission on H1 (62) Clockhouse Farm (MA/14/0566).

6.30.8 In terms of open space, Policy SP13 seeks a minimum of 3.62 hectares of publicly accessible open space. In addition to the retention of amenity open space within sites, the following open space requirements are set out in the housing allocation policies.

6.30.9 In order to cope with water supply to Coxheath, South East Water recognise the need for 4km of 400mm diameter water main from Loose to Linton. This will be delivered by developer contributions off set by revenue and business plan funding from the water company.

6.30.10 In conclusion, the Council considers the allocation of five sites contributing 506 homes is consistent with the scale and role of Coxheath. Coxheath is a sustainable location with a wide range of services able to accommodate this level of residential development and associated infrastructure.

### **Inspector's Question 6.31**

What are the strategic Local Plan policies with which the Neighbourhood Plan should be consistent once the Local Plan has been adopted?

### **Council's response:**

6.31.1 The Coxheath Neighbourhood Plan is still "emerging", and it appears unlikely that the Coxheath Neighbourhood Plan will have been consulted on and examined before the New Year 2017. The Council has had a recent informal meeting (September 2016) with Coxheath about progress of the Neighbourhood Plan.

6.31.2 To ensure consistency with the Local Plan, the Council advised that the Coxheath Neighbourhood Plan should look to reflect the submitted Local Plan (2016) rather than the Regulation 18 Local Plan (2014) on which the current draft is based.

6.31.3 The Council also advised that:

- the Coxheath Neighbourhood Plan should accord with the 'positive planning' approach of the National Planning Policy Framework (NPPF);
- it should be mindful of the February 2016 updates to Planning Policy Guidance about up-to-date evidence; and
- the Housing Policies should reflect any consents granted and consider the Local Plan (2016) position in terms of dwelling numbers and uses.

6.31.4 In terms of strategic policies with which the Neighbourhood Plan would need to conform, the Council's view is that this would encompass policies SS1, and SP1 to SP17 inclusive.

### **Inspector's Question 6.32**

Would the Council please advise the Inspector should these planning permissions be issued before the examination hearings?

**Council's response:**

6.32.1 Outline planning permission was granted on the 28 August 2016 for the Local Plan allocation site H1 (58) Linden Farm, Stockett Lane, Coxheath. At 12 September 2016 the Local Plan allocation site H1 (61) North of Heath Road, (Older's Field), Coxheath is still awaiting resolution of S106 agreement. No planning application has yet been submitted for the Local Plan allocation site H1 (60) Forstal Lane, Coxheath.

**Inspector's Question 6.33**

Is there evidence that the site is both viable and deliverable?

**Council's response:**

6.33.1 The Council believes that Local Plan allocated site H1 (60) Forstal Lane, Coxheath is viable and base this assumption on the evidence supplied within the Strategic Housing and Economic Development Land Availability Assessment (SHEDLAA) 2016.

6.33.2 The Council are confident that this site can be delivered. In March 2016 the owner of site confirmed to the Council that they were in advanced talks with Countryside Properties, a company who are developing the adjoining Local Plan allocated site to the south, H1 (59) Heathfield, Heath Road Coxheath. Countryside Properties then confirmed to the Council in March 2016 that contract negotiations were on-going and that they expected to submit an application within the next year.

**Inspector's Question 6.34**

Would the Council please respond to the Parish Council's representations on this matter?

**Council's response:**

6.34.1 The capacity of the planning system to address existing infrastructure deficiencies through new development is limited and open space improvements secured through s106 planning obligations must meet the strict tests set out in the Community Infrastructure Levy Regulations 2010 (as amended).

6.34.2 The Local Plan seeks to ensure that development sites mitigate their own impacts on open space provision and the Council's preference is that this is through appropriate provision of on-site open space. It is recognised however that this will not always be achievable and, in such cases, provision may be made off-site, or through financial contributions towards open space infrastructure improvements. Four of the five development allocations identified in the Local Plan have either received planning consent, or have been granted consent subject to completion of a S106 planning obligation by the Council's Planning Committee. In each case, open space provision and/or financial contributions towards qualitative improvements have been secured through the development management process.

6.34.3 Site Policies H1 (58), (59), (60) and (61) all seek to secure new on-site open space

provision as part of the development schemes and together will ensure that a minimum of 3.62 hectares of open space is provided alongside development. This is in addition to the financial contributions secured towards open space improvements through the committed developments.

6.34.4 Coxheath Parish Council make reference to site H1(58) Linden Farm, Stockett lane, Coxheath and the Council 'halving' the public open space. This is in reference to outline planning permission for 74 houses (with access approved) that was issued on 25/08/16 under application ref. 13/2008. Under this application, the applicant originally proposed a large area of public open space (1.4 hectares) which was well in excess of that necessitated by the development, and this was at the expense of other infrastructure contributions including affordable housing. The Borough Council negotiated a more balanced development in line with planning policy that resulted in less open space but still an amount necessary to serve the development (0.6 hectares).

6.34.5 Coxheath Parish Council make reference to "*10 acres of land promised by the landowner as public open space*" relating to site H1(61) North of Heath Road (Older's Field), Coxheath. This relates to land to the north of site H1(61) where the Borough Council resolved to grant permission for a 'change of use to public open space' of 2.15ha of land under application ref. 13/1999 in December 2014. The public open space the Parish Council refers to therefore benefits from a resolution to grant planning permission and as such there is no reason to allocate this land as public open space.

### **Inspector's Question 6.35**

Is the Neighbourhood Plan proposing to make provision for public open space to address the claimed shortfall?

#### **Council's response:**

6.35.1 The Coxheath Neighbourhood Plan is not yet at a stage where the Council can take a view as to its public open space provisions. An informal review of a very draft stage of the plan shows it to consider provision of open space but not in the same manner or quantum as that in the submitted Local Plan. At such time as the Neighbourhood Plan is formally submitted, the Council will consider it in the context of the adopted policies at the time.

### **Inspector's Question 6.36**

Would the Council please respond to the Parish Council's representations on this matter?

#### **Council's response:**

6.36.1 Sutton Valence has a range of basic services to help meet the day to day needs of the local community. Appendix 1 of the Spatial Strategy Topic Paper (SUB 007) illustrates that Sutton Valence has similar facilities and services (including bus services) to other Larger Villages.

6.36.2 As a result of their limited facilities and position in the hierarchy of settlements, Larger Villages are intended to provide for a limited amount of housing development. Policy SS1 (6) confirms this approach and defines Sutton Valence as a location suitable for limited housing

development consistent with the scale and role of the village. Sutton Valence has one of the smaller populations of the Larger Villages (1665 people, 2011 Census).

6.36.3 The village has a single housing allocation H1(66) for 40 dwellings over the period to 2031. The site has been granted planning permission (Ref 14/504556/FULL) and, consistent with the NPPF, it is hoped that such development will help support local facilities.

6.36.4 Following adoption of the Local Plan, it should be possible for a plan-led system to operate in the Borough. In this circumstance, speculative housing development which is not in accordance with the Local Plan should not succeed.

6.36.5 In conclusion, the Borough Council considers Sutton Valence is a reasonably sustainable location with a range of basic services able to accommodate limited housing development over the Plan period.