

REPORT SUMMARY

REFERENCE NO - 17/503118/FULL		
APPLICATION PROPOSAL - Erection of 10 dwellings and associated works including associated garaging and construction of access road		
ADDRESS - Land west of Windmill Lane, Eyhorne Street, Hollingbourne, Kent, ME17 1TR		
RECOMMENDATION - The Head of Planning and Development BE DELEGATED POWERS TO GRANT planning permission subject to the prior completion of a legal agreement		
SUMMARY OF REASONS FOR RECOMMENDATION - Site is strategic housing allocation H1(63) in Maidstone Local Plan (2017)		
REASON FOR REFERRAL TO COMMITTEE - It is contrary to views expressed by Hollingbourne Parish Council - Councillor Garten has called application to Planning Committee		
Ward: North Downs	Parish Council: Hollingbourne	Applicant: Mr M. Stevens Agent: Country House Homes
DECISION DUE DATE 01/05/18	PUBLICITY EXPIRY DATE 22/09/17	OFFICER SITE VISIT DATE 18/11/17
RELEVANT PLANNING HISTORY: - 16/508436/FULL – Erection of 12 dwellings and associated works – Withdrawn		

MAIN REPORT

1.0 SITE DESCRIPTION

- 1.01 For the purposes of the Maidstone Local Plan (2017), the proposal site is allocated for housing under policy H1(63) for approximately 15 dwellings at an average density of 10 dwellings per hectare.
- 1.02 The application site (approx. 1.5ha in area) is located on the southern side of Eyhorne Street, set behind frontage development and accessed via Windmill Lane. Windmill Lane serves the number of properties, including the Windmill Inn public house car park, the village hall, and 'Grove Mill House'; and a public right of way (KH199) also runs along this access. The northern corner of the proposal site abuts the Hollingbourne, Eyhorne Street Conservation Area and the majority of the properties on the southern side of Eyhorne Street are listed buildings. The proposal site is currently greenfield land that is bordered by Windmill Lane to the north-east; properties fronting onto Eyhorne Street to the north-west; 'Grove Mill House' is to the south-east; and beyond other open land, the CTRL and the M20 are found to the south-west. A well-established hedge runs along the north-eastern boundary of the site; and the northern tip of the site is within an Area of Archaeological Potential. The site is also within a minerals safeguarding area.

2.0 PROPOSAL

- 2.01 The proposal is for the erection of 10 detached houses (5 4-bed & 5 5-bed) with a new access from the north-eastern boundary, sited some 85m from the junction with Windmill Lane and Eyhorne Street. There would also be the creation of a passing point located in the area of the existing field access, some 37m from the junction with Eyhorne Street.
- 2.02 The properties would be located around a single road, with a pond and meadow area at the western end; and a woodland area would be created along the south-western boundary of the site. The properties are individually designed and of a traditional appearance, and the materials palette will include: stock facing brick; white timber weatherboarding; hand-made clay tile hanging; and plain clay roof tiles. The proposed detached car ports would have a brick plinth and ebony weatherboarding and the roofs would be of natural slate. The road surfacing would be predominantly block paving and permeable retained shingle.

2.03 In terms of off street parking provision, each plot would have a minimum of 2 independent spaces (via either a driveway, carport and/or garage); a minimum of 1 visitors space (with some plots having 2/3 spaces); and there would also be the provision of 3 on-street parking spaces within the site.

2.04 The proposal will provide a contribution of £248,595 towards off-site contributions for affordable housing provision, and this will be discussed later on in the report.

3.0 POLICY AND OTHER CONSIDERATIONS

- Local Plan (2017): SS1, SP11, SP14, SP18, SP19, SP20, ID1, H1, H1(63), DM1, DM2, DM3, DM4, DM6, DM8, DM19, DM20, DM21, DM23
- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)
- Minerals & Waste Local Plan (2013–2030)

4.0 LOCAL REPRESENTATIONS

4.01 **Local Residents:** 21 representations raising following main (summarised) points:

- Highway safety/inadequate access/parking provision/congestion
- Potential impact of construction traffic including property/road damage/up keep of lane
- Refuse trucks and emergency services cannot access site
- Land ownership/right of way disputes
- Noise, including from CTRL and M20
- No management plan submitted for proposed woodland
- Poor design and cramped form of development
- Inappropriate countryside development
- Impact upon setting of conservation area and AONB
- Impact upon village hall
- Construction works could impact upon HS1
- Delay in construction could damage local house prices
- Ecological impacts
- Unsustainable location
- Set a precedent
- Would no longer be able to use existing access as means of accessing and parking vehicle to rear of property on Eyhorne Street
- Overlooking/loss of privacy
- Impact upon community infrastructure

5.0 CONSULTATIONS

5.01 **Councillor Garten:** Called application to Planning Committee as it is a sensitive application being of high community interest.

5.02 **Hollingbourne Parish Council:** Wish to see application refused and reported to Planning Committee;

“There is unsustainable access connection from Eyhorne Street to Windmill Lane and development. Access is no more than 3m wide and we are strongly concerned increase in traffic would cause severe problems. PC has objected to its possible detrimental effect on village hall. Report in newspaper with regards to WI ladies being blocked in Windmill Lane by parked car, shows how easily residents of aforesaid development could also become trapped. Bus service within village is due to stop in beginning of 2018 and therefore residents of development would put extra pressure on traffic within village as they would need to use own vehicles. Parking could also be challenging for them, particularly if entertaining visitors, as car-park behind Windmill PH is privately owned by and it is not a public car-park.”

5.03 **Conservation Officer:** Raises no objection on heritage grounds.

- 5.04 **Historic England:** Do not wish to offer any comments.
- 5.05 **KCC Archaeology:** Raises no objection.
- 5.06 **Landscape Officer:** Raises no objection.
- 5.07 **Environmental Protection Team:** Raises no objection.
- 5.08 **Environment Agency:** Raises no objection.
- 5.09 **KCC Flood Risk Project Officer:** Raises no objection.
- 5.10 **Biodiversity Officer:** Raises no objection.
- 5.11 **KCC Minerals:** Unable to provide further comments until additional information regarding mineral safeguarding has been provided (see main report).
- 5.12 **KCC Public Rights of Way Officer:** Raises no objection.
- 5.13 **Southern Water:** Raises no objection.
- 5.14 **Kent Police:** Raises no objection.
- 5.15 **HS1:** Does not wish to comment.
- 5.16 **Upper Medway Internal Drainage Board:** Has made no comment.
- 5.17 **UK Power Networks:** Has made no comment
- 5.18 **Scottish Gas:** Has made no comment
- 5.19 **KCC Highways:** Raise no objection.
- 5.20 **KCC Education:** Has requested contributions (see main report).
- 5.21 **NHS West Kent CCG:** In line with their local agreed policy, they will not be seeking a contribution towards healthcare for developments of 20 or less dwellings.
- 5.22 **Parks and Open Spaces:** Has requested no contributions as set out later on in report.

6.0 APPRAISAL

Main issues

- 6.01 Policy H1(63) of the Maidstone Local Plan allocates this site for approximately 15 dwellings at an average density of 10 dwellings per hectare. In accordance with the relevant policies of the Local Plan (as stated above) and specifically policy H1(63), the main issues for consideration are the proposal's design and layout; its heritage impact; access; landscape/ecology; and flood risk and drainage. The report will then focus on other matters outside policy H1(63) such as community infrastructure contributions, affordable housing provision and highway safety implications, as well as other relevant material planning considerations.
- 6.02 Eyhorne Street is recognised as a 'Larger Village' in the Local Plan, where it is accepted that it can accommodate limited growth (including this allocated site) and so the site is considered to be sustainable in terms of its location. Hollingbourne parish does not have a Neighbourhood Plan area designation.
- 6.03 The details of this planning application will now be discussed.

Design and layout

- 6.04 The proposal shows 10 detached dwellings, set out as a cul-de-sac type development. The buildings and access are grouped together at the northern/north-western end of the site, close to the existing built form along Eyhorne Street. In this instance, the proposed layout and the lower density of housing shown allows for the southern end of the site to remain undeveloped, providing a soft transition from the village to the countryside beyond the site. This approach reflects the context of this allocation, and the retention and reinforcement of the boundary planting; the open frontages of each house and rural-type boundary treatments to be used; and the creation of a woodland area along the south-western edge of the site (that helps to maintain an acceptable buffer between the development and the adjacent wooded area in the western corner of the site), would also help to soften the scheme so that it integrates well to its edge of village location.
- 6.05 The properties are individually designed with good levels of detailing and of a traditional appearance, appropriate to this location; and the materials palette will include: stock facing brick; white timber weatherboarding; hand-made clay tile-hanging; and plain clay roof tiles. The proposed detached car ports would have a brick plinth and ebony weatherboarding and the roofs would be of natural slate; and the road surfacing would be predominantly block paving and permeable retained shingle. It is therefore considered that the proposal would be of a high standard of design and sustainability, as it would incorporate the use of vernacular materials and would take design cues from the adjacent Conservation Area and other local designated Heritage Assets.
- 6.06 The proposal would inevitably result in a visual character change from the current field, however, it is evident that given the existing containment of development surrounding the site, the proposal's impact would be mainly limited to short range views from Windmill Lane; and given the relatively modest scale of the proposal and its location and close relationship with the village of Eyhorne Street, it is considered that it would not have an adverse impact upon the setting of the AONB which is more than 500m away to the north-east of the proposal site. It is therefore considered that this proposal would not appear adversely visually harmful or dominant.

Heritage impact

- 6.07 The application has taken into account what impact it would have upon the heritage assets within the vicinity; the Conservation Officer has raised no objection to the proposal in terms of its impact upon the conservation area and near-by listed buildings; and the Archaeological Officer has raised no objections to the proposal subject to a condition securing the implementation of archaeological field evaluation works and further archaeological investigation, which shall be duly imposed.

Access

- 6.08 In accordance with Local Plan policy H1(63), the access will be taken from Eyhorne Street via the existing lane serving the village hall and Grove Mill House. Highway safety implications will be discussed further on in the report.

Landscape/ecology

- 6.09 There are no trees protected by TPOs on this site but any tree on the boundary to the north-west is protected by virtue of being located in the Hollingbourne, Eyhorne Street, Conservation Area. There also appears to be significant trees along the line of the northern and western boundaries. Whilst no detailed arboricultural information has been submitted, the layout plan states that all trees and hedgerows are to be retained

and they do not appear to form a constraint on the proposed layout. Furthermore, the Landscape Officer has raised no objection to the proposal on arboricultural grounds, subject to suitable conditions for a detailed landscaping scheme and tree protection information; and a long-term management plan of the proposed woodland/meadow area will be secured by way of condition.

- 6.10 The Biodiversity Officer has reviewed the submitted ecological information and they are satisfied that sufficient information has been provided to determine the planning application. Notwithstanding this, the following has been raised.
- 6.11 Due to the small area of reptile habitat to be directly impacted by the proposal, the Biodiversity Officer is satisfied that there is no requirement for a reptile survey to be carried out prior to determination. However, they have highlighted that reptile mitigation will have to be implemented to avoid killing/injuring reptiles during the planting of the trees and that this could be ensured by way of an appropriate condition for a detailed reptile mitigation strategy.
- 6.12 The proposal includes the creation of a woodland strip along the south-western boundary and a meadow area, and this is welcomed by the Biodiversity Officer. They also highlight that there would be a need for some management to be implemented for these areas, and recommend that this should be secured by way of an appropriate condition.

Flood risk and drainage

- 6.13 The Environment Agency (EA) has raised no objection to the proposal. Notwithstanding this, the site is located over a Principal Aquifer and within Source Protection Zone 3, and so further information relating to the protection of Controlled Waters and infiltration will be dealt with by way of appropriate condition, as recommended by the EA. KCC Flood Risk Team also raises no objection to the proposal from a flood risk perspective. Notwithstanding this, conditions have been raised requesting further details for a sustainable surface water drainage scheme and its implementation, which will be duly imposed. It has therefore been demonstrated that surface water run-off from the site will not lead to an increased risk of flooding off-site as a result of this proposal.

MATTERS FALLING OUTSIDE LP POLICY H1(63)

Community infrastructure contributions

- 6.14 A development of this nature is 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 the Local Plan (2017). However, any request for contributions needs to be scrutinised, in accordance with Regulation 122 and 123 of the Act. This has strict criteria setting out that any obligation must meet the following requirements: -

- It is:*
- (a) Necessary to make development acceptable in planning terms;*
 - (b) Directly related to development; and*
 - (c) Fairly and reasonably related in scale and kind to development.*

NHS West Kent CCG -

- 6.15 They have confirmed that in line with their local agreed policy, they will not be seeking a contribution towards healthcare for developments of 20 or less dwellings.

KCC Education -

- 6.16 A contribution of £33,240 has been requested towards primary education. The proposal gives rise to 3 additional primary school pupils during occupation of the development; and this need, cumulatively with other new developments in the vicinity, can only be met through the conversion and adaptation of library space to classroom along with associated works to Harrietsham Primary School to meet this additional demand for places. The KCC Education department have put in place strategic plans to deal with the shortage of places for the Borough. The contribution from this development to mitigate the impact of the additional demand the development is creating, is towards that strategic provision. The additional strategic places will allow the natural redistribution of pupils, so pupils can attend their local schools. In addition, now that Hollingbourne Primary School is oversubscribed, the selection criteria will favour those pupils living in Hollingbourne.
- 6.17 No secondary education contributions have been sought on this occasion.
- 6.18 A contribution of £480.16 has been requested towards the library Bookstock to mitigate the impact from this development. The bookstock in Maidstone Borough at 1119 items per 1000 population is below the County average of 1134 and both the England and total UK figures of 1399 and 1492 respectively. To mitigate the impact of the proposal, the County Council will need to provide additional library books to meet additional demand to borrow library books which will be generated by the people residing in these dwellings.

Parks and Open Space -

- 6.19 The Parks and Open Space Department comment that based on the quantitative assessment of the area, the proposed site and the requirements of policy DM19, there would be a requirement of 0.22ha of open space within this development. The plans indicate an area in excess of this will be provided in the site including natural woodland, meadow and a pond which is publically accessible. Therefore, they have confirmed that there is no requirement for further contributions to other open spaces in the area. The Parks and Open Space Department have also made it clear that the Council will not take on the management of new open space.

Summary -

- 6.20 It is considered that all of the contributions sought meet the tests of Regulation 122 and 123 of the Act and as such should be provided by the applicant. The applicant has also agreed to the Heads of Terms as set out.

Affordable housing

- 6.21 In accordance with policy SP20, because the proposed development would have a combined floorspace of greater than 1,000m² (gross internal area), there is a requirement for the delivery of affordable housing.
- 6.22 On-site provision would equate to 4 dwellings (40%), with 3 (70%) of these dwellings being affordable rented housing and 1 (30%) being intermediate affordable housing. However, the applicant has provided evidence to demonstrate that registered providers would not take on this small number of dwellings in this location. The Council's Housing Team has therefore accepted that on-site affordable housing cannot be provided in this instance, and as such have raised no objection to a financial contribution towards off-site affordable housing. After much discussion between the applicant and the Council's Housing Team, an off-site contribution of £248,595 towards affordable housing provision has been agreed.

Highway safety implications

- 6.23 As stated, access will be taken from Eyhorne Street via Windmill Lane, and the Highways Authority considers these arrangements to be adequate for the scale and use of the proposal. It should also be noted that the crash record for the area within the immediate vicinity of the access has been reviewed by the Highways Authority and they confirm no personal injury collisions have been recorded in the last 18 years; and the proposed access is not considered a crash cluster site.
- 6.24 The limit of publicly maintainable highway is where the tarmacked footpath adjacent to the Eyhorne Street (C603) abuts the public footpath (KH199), and so KCC Highways are limited to assessing the impact upon the publicly maintainable highway and not the private lane that the public footpath runs along. However, it is pointed out that *Kent Design*, which provides guidance on the design criteria for different road hierarchies does allow for a 'lane' that can sever a maximum of 25 dwellings to be between 3m and 4.8m in width, with intervisible passing bays at intervals of less than 40m. This proposal does provide a passing bay as recommended within this guidance; and at its narrowest point, Windmill Lane is not less than 3m wide between Eyhorne Street and the proposal's new access. The KCC Public Rights of Way Officer is also satisfied that the proposal should not affect the public right of way (KH199) and has raised no objection in this respect.
- 6.25 The Highways Authority raises no objection in terms of the refuse strategy shown, what with the turning fork provided in the centre of the site to allow larger vehicles, such as refuse freighters, to manoeuvre and then exit the development in forward gear. Furthermore, the vehicle tracking/swept path analysis submitted is also considered acceptable; and the new passing bay is welcomed, as it has a level of sufficient forward visibility to allow vehicles to stop and then wait whilst another vehicle passes. As a result, the risk of larger vehicles having to reverse onto the publicly maintainable highway is low and the Highways Authority has raised no objection. After discussing the application with Building Control, it is also likely that Kent Fire and Rescue Service vehicles could access the site but in any case, the new houses could install a suitable sprinkler system to overcome any potential access issues for fire trucks (to be dealt with at Building Regs stage).
- 6.26 In terms of parking provision, the proposal would be in accordance with policy DM23 of the Local Plan and the Highways Authority has raised no objection in this respect. The level of on-site parking provision is acceptable and potential use of the public house or village hall car parks by future occupants or visitors to this site is not a material planning reason to object to this application.
- 6.27 The Highways Authority has also confirmed that the predicted traffic generation is acceptable and the cumulative impact of the traffic that will be generated as a result of the proposal could not be described as 'severe,' as per the NPPF. The Highways Authority has suggested a number of conditions relating to the construction phase of the development, but these are not considered to pass the planning tests of when conditions are reasonable and necessary.

Other considerations

- 6.28 Given the separation distances between this proposal and the properties on Eyhorne Street and 'Grove Mill House' to the south-east of the site, it is considered that this development would not result in a significant loss of privacy, light or outlook to any neighbour; it would not appear overbearing for any neighbour when enjoying their immediate garden space; and it would not result in an unacceptable level of general noise and disturbance for local residents. It is also considered that the proposal

would provide acceptable living conditions for future occupants of the development. A condition will also be imposed to ensure that any new external lighting would not adversely harm the amenity of future and existing residents in the area.

- 6.29 The site is outside the Maidstone Town Air Quality Management Area, and the Environmental Protection Team do not consider the scale of this development and/or its site position to warrant either an air quality assessment or an Air Quality Emissions Reduction condition applied to it. Details of a '*Code of Construction Practice*', as recommended by the Environmental Protection Team, is not considered to be necessary or reasonable for a development of this scale; and restricting construction hours is also not considered to pass the planning tests of when conditions are reasonable and necessary. As advised by the Environmental Protection Team and in accordance with policy DM23, each unit will be required to provide an electric charging point for low-emission plug-in vehicles.
- 6.30 Southern Water has raised no objection to the proposal in terms of foul sewage disposal, and the applicant has confirmed that it is recognised that there is foul water capacity issue within Eyhorne Street, potentially subject to some upgrading of the local pipe network. It is considered that on and off-site measures and improvements can be provided, and that adequate foul drainage could be provided to mitigate the impact of the development. Clearly, a new development can only be required to mitigate its own impact and not solve existing problems; and it is therefore advised that issues relating to foul drainage are not grounds to object to the application as this is dealt with via the Water Industry Act. Furthermore, whilst Southern Water have requested details of the rain water harvesting system that will be used for toilet flushing, this is not considered reasonably necessary to make this proposal acceptable in planning terms. It should also be noted that Building Control confirms the use of soakaways here to be acceptable.
- 6.31 The above site is within a minerals safeguarding area (that being Silica Sand/Construction Sand - Sandstone: Folkestone Formation) and policies within the Kent Minerals & Waste Local Plan (2013–2030) aim to prevent the sterilisation of Kent's potentially economic mineral assets. However, under Policy DM7 of the KMWLP, an exception to when planning applications can be permitted is that a proposal "*constitutes development on a site allocated in the adopted development plan*". There is also no specific requirement for any minerals information within the allocation policy (H1[63]), as at no point did KCC identify this site in formal (duly made) representations on the Local Plan. So whilst the County Council states it is unable to provide any comments on this issue given the lack of information submitted, it is considered that in this instance it is not considered necessary to request further information on mineral safeguarding.
- 6.32 Kent Police have made suggestions in terms of achieving Secured By Design, but this is not a reason to delay this application and such matters will have to be dealt with under any application made by the applicant for SBD.
- 6.33 Hollingbourne Village Hall has been listed as a community asset, but this is a separate procedure on a different site that does not impact upon the determination of this planning application. It should also be noted that no material planning objection is raised in terms of the proposal's potential impact upon the use of the village hall.
- 6.34 The proposal would not have significant environmental effects in the context of the EIA (Environmental Impact Assessment) Regulations alone or cumulatively with other developments, it 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 considered that an EIA is not required for this application in light of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

6.35 The main concerns raised by local residents and Hollingbourne Parish Council have been addressed in the main body of this report. However, it should also be added that issues of rights of way; access arrangements to properties; use of other private parking areas; house prices; and potential property/road damage at the construction phase are not material planning considerations. Furthermore, in response to the land ownership issues raised, the applicant has demonstrated that the site-outline and the ownership certificate served is correct, and there is no reason to pursue this matter further in planning terms, or delay the determination of this application for this reason. Each application must be considered on its own merits and this proposal would not set precedent for other development. Furthermore, HS1 have not raised any objection to the proposal and any potential future impacts upon this facility/service would be dealt with under separate legislation.

7.0 CONCLUSION

7.01 The principle of residential development on this site has been established by the allocation for residential use in the Council's adopted Local Plan. In accordance with policy H1(63), the proposal would provide an acceptable design and layout for its edge of village location; no objection is raised in terms of its heritage impact; access is considered acceptable; there are no landscape/ecology issues to warrant refusal; and flood risk and drainage have been addressed. In the absence of identifying any adverse harm regarding this allocated site for residential development, a recommendation of approval subject to appropriate conditions and the finalisation of a legal agreement is therefore proposed on this basis.

8.0 RECOMMENDATION

8.01 The Head of Planning and Development **BE DELEGATED POWERS TO GRANT** planning permission subject to the prior completion of a legal agreement to provide the following (including the Head of Planning and Development being able to settle or amend any necessary terms of the legal agreement in line with the matters set out in the recommendation resolved by Planning Committee):

Heads of Terms

- *Contribution of £480.16 towards provision of additional library books*
- *Contribution of £33,240 towards the conversion and adaptation of library space to a classroom along with associated works at Harrietsham Primary School*
- *Contribution of £248,595 towards off-site affordable housing provision*

And the imposition of the conditions as 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) Prior to commencement of works/development above damp-proof course (DPC) level, written details and samples of the materials to be used in the construction of the external surfaces of the buildings and hardsurfacing shall be submitted to and approved in writing by the Local Planning Authority and shall include:

- Natural slate roof tiles
- Stock facing bricks
- Painted timber weatherboarding
- Hand-made clay tile hanging
- Plain clay roof tiles
- Permeable block paving and retained shingle

The development shall be constructed using the approved materials and maintained thereafter;

Reason: To ensure a high quality appearance to the development.

- (3) The boundary treatments for the development hereby approved shall be carried out in accordance with drawings 501/MT/006/A received 07/11/17 and 505/MT/023 received 19/06/17, including native hedgerows with chestnut cleft rail fencing and native tree planting dividing plots 1-5;

Reason: To ensure a high quality appearance to the development.

- (4) In accordance with drawing 501/MT/006/A (received 07/11/17), 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, details of any to be retained, tree protection details (covering trees, hedges and new areas of planting in accordance with BS:5837: 2012), and a programme for the approved scheme's implementation and long term management, have been submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall be designed using the principle's established in the Council's adopted Landscape Character Assessment 2012 and shall include:

- i) Retention of all existing hedgerows and trees within and around the site;
- ii) Reinforcement of existing hedge along the boundary with properties in Eythorne Street;
- iii) Details of plant mix for wild flower meadow;
- iv) Details of all new tree planting (including the woodland area), which shall be of native species and of Select Standard size;
- v) Details of new hedgerow planting (including planting mix and size) around each plot and the wild meadow/woodland areas;

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 high quality appearance to the development.

- (5) The approved landscaping associated with individual dwellings shall be in place at the end of the first planting and seeding season following completion of the relevant individual dwelling. Any other communal, shared or street landscaping shall be in place at the end of the first planting and seeding season following completion of the final unit. Any trees or plants, which, within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

- (6) Before the development hereby permitted is first occupied, the first floor flank windows that serve bathroom/ensuite facilities to all properties; the first floor flank windows that serve bedrooms for plots 4 and 9; and the first floor flank window that serves the landing for plot 7, shall be obscure glazed and shall be incapable of being opened except for a high level fanlight opening of at least 1.7m above inside floor level and shall subsequently be maintained as such;

Reason: To safeguard amenity of future occupants.

- (7) Prior to any works starting on site (including any site clearance) a detailed reptile mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. The mitigation strategy must provide the following information:

- a) Map demonstrating area of suitable reptile habitat (informed by up to date site walk over)
- b) Up to date reptile surveys of donor and receptor site (if required)
- c) Translocation methodology
- d) Map showing Location of receptor site
- e) Habitat assessment of receptor site
- f) Details of ecological enhancements to increase carrying capacity
- g) Timetable of the proposed works
- h) Details of 5 year monitoring plan

All works must be carried out in accordance with the approved mitigation strategy;

Reason: In the interests of biodiversity. Details are required prior to commencement of development to ensure the protection of protected species.

- (8) Prior to the first occupation of any dwelling hereby approved, an ecological and enhancement management plan (EEMP) for the woodland/meadow area shall be submitted to and be approved in writing by the local planning authority. The content of the EEMP shall include the following.

- a) Long term aim/goal of the woodland and meadow area;
- b) Methodology to establish/create the meadow and woodland;
- c) Ecological trends and constraints on site that might influence management;
- d) Aims and objectives of management plan - both establishment and long term;
- e) Appropriate management options for achieving aims and objectives;
- f) Prescriptions for management actions;
- g) Preparation of work schedule (including annual work plan capable of being rolled forward over a 5 year period);
- h) Details of the body or organization responsible for implementation of the plan;
- i) Ongoing monitoring and remedial measures.

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

Reason: To ensure the long term retention and management of the woodland and meadow area.

- (9) Prior to commencement of works/development above DPC level and in accordance with the submitted Preliminary Ecological Appraisal (ref no: 2015/10/14), an ecological method statement which details what enhancements are going to be implemented and where and how, shall be submitted to and approved in writing by the local planning authority and shall include the following;

- a) Provision of hedgehog nesting boxes;
- b) Provision of 12cm square gaps under any new fencing to allow hedgehogs access onto all garden areas;
- c) Provision of integral bird bricks/boxes on northern elevation of buildings;
- d) Provision of bat roosting spaces within buildings;
- e) Installation of ready-made bird/bat boxes;
- f) Provision of log piles for invertebrates.

The development shall be built in accordance with the approved ecological mitigation strategy and all features shall be in place prior to first occupation of any dwelling and retained in that manner thereafter;

Reason: In the interests of biodiversity enhancement.

- (10) Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:

- i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
- ii) further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority;

Reason: Details are required prior to commencement of development to ensure that features of archaeological interest are properly examined and recorded.

- (11) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details;

Reason: To be aware of potential risks associated with use of piling where contamination is an issue.

- (12) Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme 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 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters;

Reason: Details are required prior to commencement of development to ensure development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding.

- (13) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme 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:

- a) a timetable for its implementation, and
- b) 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 any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction).

- (14) Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where it has been demonstrated to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details;

Reason: To protect vulnerable groundwater resources.

- (15) The development hereby permitted shall not be commenced 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 scheme, 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) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

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

Reason: For the protection of Controlled Waters. Details are required prior to commencement of development as the site is located over a Principal Aquifer and within SPZ3 and no information has been provided to assess the site's potential for contamination.

- (16) Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved;

Reason: Should remediation be deemed necessary, applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

- (17) Prior to the first occupation of any house hereby approved, a detailed scheme of lighting shall be submitted to and approved in writing by the local planning authority. This scheme shall take note of and refer to the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005 (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The scheme of lighting shall be installed, maintained and operated in accordance with the approved scheme thereafter;

Reason: In the interests of residential amenity.

- (18) Prior to the commencement of development, details of decentralised and renewable or low-carbon sources of energy to be used as part of the approved development shall have been submitted to and approved in writing by the Local Planning Authority including details of how they will be incorporated into the development. The approved measures shall be in place before first occupation of the development hereby approved and maintained as such at all times thereafter;

Reason: To secure an energy efficient and sustainable form of development. Details are required prior to commencement of development to ensure that the widest range of options are available (i.e. ground source heat pumps).

- (19) Prior to the first occupation of any dwelling hereby approved, it shall have an operational charging point for low-emission plug-in vehicles installed and it shall thereafter be retained and maintained as such;

Reason: To promote reduction of CO2 emissions through use of low emissions vehicles.

- (20) 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 in accordance with the approved levels;

Reason: In order to secure a high quality development. Details are required prior to commencement of development to ensure the heights of the buildings are acceptable.

- (21) The vehicle parking spaces (including car ports/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: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

- (22) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions to the properties shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character and appearance of the development and the enjoyment of their properties by existing and prospective occupiers.

- (23) The development hereby permitted shall be carried out in accordance with the following approved plans:

501/MT/001; 009; 010; 011; 012; 016; and 018 received 13/06/17

505/MT/023 received 19/06/17

501/MT/013 received 23/06/17

501/MT/004/A; 005/A; 006/A; 007/A; 008/A; 017/A; 019/A; 021A; and 022 received 07/11/17

501/MT/014/A and 015/A received 12/10/17

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

INFORMATIVES

- (1) A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
- (2) The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any

temporary closures be required to ensure public safety then this office will deal on the basis that:

- Applicant pays for the administration costs
- Duration of the closure is kept to a minimum
- Alternative routes will be provided for the duration of the closure.
- Minimum of 6 weeks' notice is required to process any applications for temporary closures.

- (3) This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent. The successful making and confirmation of an order should not be assumed.
- (4) Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband. We understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer. For advice on how to proceed with providing access to superfast broadband please contact broadband@kent.gov.uk.
- (5) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at: <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Case Officer: Kathryn Altieri

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