
Representations to the Maidstone Borough Council Regulation 19 Local Plan Consultation

Land North of Moat Road, Headcorn

Prepared for:

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1. Introduction

- 1.1. These representations have been prepared on behalf of Catesby Estates PLC (herein referred to as or “Catesby”), in relation to the Land North of Moat Road in Headcorn and are submitted in response to the consultation on the Maidstone Borough Council (MBC) Regulation 19 (R19) Local Plan Review (LPR) and Sustainability Appraisal (SA). The consultation opened on 29th October and closes on 12th December 2021.
- 1.2. The current consultation comprises the following documents:
 - The Local Plan Review – Draft Plan for Submission (Regulation 19)
 - The Local Plan Review – Sustainability Appraisal.
- 1.3. Evidence base documents have also been updated and published.
- 1.4. The existing Local Plan was adopted by MBC in October 2017. Policy LPR 1 requires that a review takes place shortly after adoption to review the housing needs, specific allocations, housing land, employment land and transport infrastructure.
- 1.5. Land at Moat Road (the site) has been actively promoted to MBC through the ‘Call for Sites’ and Regulation 18 consultations for a residential development. It comprises 7.26 hectares (ha) of agricultural land on the western edge of Headcorn (see site location plan in **Appendix A**). The site is considered suitable, available, achievable and deliverable for approximately 130 dwellings.
- 1.6. The site has been allocated within the R19 LPR under draft Policy LPRSA310 for 110 dwellings - a reduction of approximately 17 dwellings from the Regulation 18b consultation document.
- 1.7. Please note that the name of Draft Policy LPRS310 still includes the incorrect spelling of the site. This needs to be updated from ‘Mote Road’ to ‘Moat Road’ to ensure this policy is not confused with Draft Policy LPRSA151 (Mote Road, Maidstone Town Centre).
- 1.8. These representations provide observations on the proposed policies set out within the R19 19 LPR consultation document. Additionally, comments have been provided in relation to the information within the published evidence base and Sustainability Appraisal. Where relevant, Catesby and Savills have made recommendations to ensure that the Local Plan is able to meet the tests of soundness set out in paragraph 35 of the National Planning Policy Framework (NPPF) that is, being positively prepared, justified, effective and consistent with national policy.
- 1.9. These representations follow an earlier representation to the Regulation 18a LPR consultation that took place in summer 2019 and the Regulation 18b LPR which took place in winter 2020. Subsequent to this, Catesby has had discussions with MBC and provided further technical details. These documents are included within the appendices of these representations. The detailed technical work completed to date demonstrates the deliverability of approximately 130 dwellings at the site.

- 1.10. Catesby and Savills reserve the right to comment further on all elements of the emerging LPR including its evidence base, at future consultation stages.
- 1.11. Catesby also request notification of examination and would like to participate at the relevant hearing sessions.

2. The Site

Site Context

- 2.1. The land north of Moat Road, herein referred to as “the site” is situated on the western edge of Headcorn and comprises 7.26 hectares (ha) of agricultural land. It lies outside of but immediately adjacent to the settlement edge and to the immediate south of Catkins Gardens, a new development of 62 dwellings.
- 2.2. The site is otherwise bounded by Moat Road to the South, residential back gardens of Mill Bank to the east, and agricultural land to the west. A number of dwellings and farm buildings are situated to the north west (off Black Mill Lane) and an electricity substation sits to the south west corner of the site off Moat Road.
- 2.3. Existing access to the site is via an area of hardstanding off Moat Road which currently accommodates former farm sheds. Secondary access is available from a field gate to the north east corner connecting to Mill Bank. The High Street of Headcorn is within 800m of the site and is within reasonable walking and cycling distance for new residents. For context, a site location plan is attached at **Appendix A**.
- 2.4. Headcorn is a well serviced village with a number of facilities and is recognised in the current Local Plan as a Rural Service Centre. Such locations are regarded as sustainable and sit below only Maidstone town centre and urban area in the settlement hierarchy. The facilities in Headcorn range from a primary school, a library, a Post Office, convenience stores, petrol station, and public houses / restaurants. There are also a number of churches and a village hall, in addition to a doctor’s surgery and pharmacy. All of these facilities are within walking and cycling distance of the site.
- 2.5. For access further afield, the village is well located within the public transport network, with the Headcorn train station situated approximately 0.6 miles from the site. This provides regular services to London Charing Cross, London Canon Street, Dover Priory, Ramsgate and Folkstone. There are also a number of bus stops in the immediate area, notably in the vicinity of the high street and train station, providing access to services towards Tenterden and Maidstone. A public footpath crosses the site and links into a wider network of public rights of way.
- 2.6. With regards to designations, the site is relatively unconstrained. The majority of the site lies in flood zone 1, which has the lowest fluvial risk of flooding. A small section of the south eastern corner of the site is however in flood zones 2 and 3. This is due to the proximity of the site to the River Beult (to the south) which is also a SSSI. Whilst the northern most part of the site lies within the Low Weald National Character Area, this is not a national landscape designation such as AONB.
- 2.7. From a heritage perspective, the site is not within a Conservation Area and does not contain a listed building or registered park and garden. The closest listed building to the site is The Moat, which is a grade II Listed former farmhouse (reference ID: 1060848). This is located to the south east of the site. Whilst there are a number of other listed buildings in Headcorn, these predominantly lie in the centre of the village which is also designated as a Conservation Area.
- 2.8. As detailed in the Arboricultural Technical note at **Appendix E**, Trees are sited principally on the site boundaries and separating the two fields. They are incidental to land under agricultural use. There are also

several trees within and surrounding the site. The most significant of these lies outside of the site to the north and relates to a mature English oak tree. A number of other trees are considered to be category B including four standalone English Oaks, two established collections surrounding ponds, a linear group of English Oak with hedgerow and a collection of mature Pear. The standalone Oaks have the most arboricultural significance. Only one of these falls within the site and this has reduced physiological condition.

- 2.9. The site is affected by Tree Preservation Order (TPO) no.5 1986. Following inspection of the site by Aspect Arboriculture, groups of the TPO (those set within the central hedgerow) were not present. There were no Oak trees present in either location. Thus only three areas are within the TPO, one of these areas is off site and the others lie on the sites' boundary. Full details of this can be found in the Arboriculture Technical note at **Appendix E**.

Update since the Regulation 18b consultation

- 2.10. As expressed through our earlier representation to the Regulation 18 Consultations, the site provides an opportunity to deliver much needed new homes in this location. The Regulation 18 representations, demonstrated that 130 homes could be accommodated on the site.
- 2.11. Since the Regulation 18b consultation, Catesby have been in direct contact with MBC and separately with Kent County Council (KCC) Highways to discuss the site and seek to agree a scheme that is acceptable for allocation within the LPR. This has resulted in a revised scheme being presented to officers for 130 homes. The revised scheme was submitted to MBC in March 2021 along with various documents which clearly demonstrate the proposed development is achievable and provide a much stronger evidence base for the site than is generally expected at Local Plan stage. Notably this included:
- Amended proposals submission (including masterplan) (**Appendix B**)
 - Preliminary Flood Risk Assessment (**Appendix C**)
- 2.12. Key aspects of the March 2021 submission, and thus the proposal for the site, are:

Access

- **KCC have agreed in principle access and footpath arrangements which were also subject to a Stage 1 Safety Audit.**
- The access is able to come forward on land within Catesby and KCC Highways control requiring no third party land.
- A footpath within the site that provides access in the south eastern corner and enables retention of more of the boundary hedge and fewer highway works to deliver a footpath.
- A 1.5m footpath to join the existing footpath in Moat Road, and is located within land either under the control of Catesby or the Highway Authority and so is deliverable.
- Traffic calming measures to help slow vehicle speed into Headcorn that improves safety of the road for cyclists.
- Emergency access to the north which also serves as a pedestrian and cycle link.

Surface Water Flooding

- A SUDS scheme that will be designed to manage a 1 in 100 year storm event, plus 40% for climate change allowance. A further 10% capacity will also be worked into the final design.
- A Preliminary FRA has been carried out and this confirms that the majority of the site and all of the developed area is within Flood Zone 1 (lowest risk of fluvial flooding).
- No development is within the higher risk flood zones, with the exception of site access but in the event of an extreme flood the emergency access provides an alternative and safe access point.

Open Space

- Open space provision of 3.26ha providing a variety of informal and formal green spaces, and semi natural wildlife areas.

Summary of Development Opportunity

- 2.13. As detailed in the March 2021 submission and above, the site is more than capable of accommodating 130 dwellings. The homes would be in a range of sizes, types and tenures. The site is enclosed by existing defensible features, notably existing residential development and the highway network.
- 2.14. As shown on the masterplan (**Appendix B**) it is anticipated that the development will be provided within the eastern part of the site, close to the existing residential development and enabling a higher density of development in this location. As development moves further from the existing built form, density will slightly reduce. This enables a larger area of green space and significant landscape buffer to be provided to the west and south. An additional green buffer and SUDS pond would also be provided in the south eastern corner. The development would result in a net density of 18 dwellings per hectare (dph) which includes 3.26 ha of open space (formal and informal spaces plus semi natural wildlife areas). Thus, there is a total developable area of circa 4ha and a density on this area alone would be 32.5dph.
- 2.15. The SUDS pond would be within flood zone 1 but lie adjacent to the higher risk areas. No development would be within this corner of the site due to the higher risk flood zone, but this will provide a greater degree of space and separation between the proposed development of the site and the closest listed building, The Moat (former farmhouse). A preliminary flood Risk Assessment (FRA) has been carried out confirming that the entirety of the developed area is within flood zone 1 (**Appendix C**).
- 2.16. The main access into the site will be via a new entrance onto Moat Road, with a range of pedestrian links provided to the wider area and connections to the existing footpath network. An emergency vehicle access would also be provided towards the north, which can also serve as a further pedestrian and cycle link onto Mill Bank and to the surrounding area.
- 2.17. The site, is entirely capable of accommodating a high quality residential development scheme of approximately 130 dwellings, in this sustainable, accessible location. The development would be focused on quality of design, with a landscape led approach that incorporates a range of dwelling types, styles, sizes and tenures, including affordable housing, and utilising a range of materials to create visual interest and support place making. See details of the scheme in **Appendix B**.

- 2.18. In November and December 2021, Catesby undertook further technical work in respect of trees and heritage and archaeology. The Heritage Note is produced in **Appendix D**; and the Arboricultural Technical Note is produced at **Appendix E**. These reports address specific issues raised in the evidence base of the R19 LPR which ultimately underpin the reduced quantum in the site's draft allocation. The evidence demonstrates that neither trees nor heritage/archaeology represent a constraint to development to justify the reduced developable area or resultant quantum. Therefore, it is clear from the evidence that the site is capable of accommodating approximately 130 homes.
- 2.19. **Accordingly, the draft allocation of the Land at Moat Road under Policy LPRSA310 is supported in principle however these representations show that the site is capable of delivering a greater number of houses than stated in the draft policy. We therefore seek an amendment to the draft policy to allow for approximately 130 dwellings.**

3. Evidence Base

3.1. MDC has published a considerable evidence base to support the R19 LPR consultation. Of the documents that are published, the following are examined in this section:

- **Maidstone Strategic Housing Market Assessment Update – Comment;**
- **Strategic Land Availability Assessment Update 2021 and Strategic Land Availability Assessment, Appendix A - Green Site – Comment;**
- **Climate Change, Biodiversity and Standard Paper – Comment**
- **Sustainability Appraisal of Maidstone Local Plan Review Regulation 19 Presubmission Consultation – Comment;**
- **Maidstone Viability Assessment – Comment;**
- **Maidstone Heritage Asset Assessment – Comment;**
- **Duty to Cooperate Statement and appendices - Comment;**

3.2. Catesby and Savills reserve the right to comment on any of the other evidence base documents as applicable to the site and as the LPR as it progresses through to examination and later adoption.

Maidstone Strategic Housing Market Assessment Update – Comment

3.3. The SHMA update identifies that the Standard Method housing figure for the Borough is now 17,355 dwellings over the new plan period (2022 to 2037), equating to 1,157 dwellings per annum (dpa). Whilst this figure is marginally lower than that presented in the Regulation 18b consultation previously, it is based on 2014-based Household Projections and 2020 affordability ratios, and remains considerably higher than the current adopted housing target of 883dpa. In context, the annual increase is for 274 dpa, or an additional 31% of the existing adopted target. Thus it is essential that MBC allocates deliverable sites and seeks to make the most efficient use of those sites to ensure this higher annual target is achievable. Taking into account the historic delivery rates over the last few years, it is more likely that this higher annual target will be met if the quantum of development on the draft allocated sites are maximised.

3.4. Catesby agrees with paragraph 1.5 of the SHMA that there are no circumstances which warrant a lower housing target than the Standard Method. However, in section 4 where an assessment of housing need is set out, there is inconsistency with the level of required housing stated for the Borough and the uplift that has been applied. Notably in paragraph 4.12 MBC states the housing requirement of 1,214dpa. However, in the table immediately below, the requirement applied is 1,157dpa. It is understood that this has not been updated since the R18b consultation. This must be clarified and if applicable the higher suggested annual target applied over the plan period.

3.5. In addition, reference is made throughout the consultation to a 40% affordability uplift, but MBC has applied a 38% affordability uplift. It is not clear in the SHMA how the 38% has been derived. This should be clarified to demonstrate that the correct uplift has been applied. In the event that this is incorrect, MBC's emerging plan would be failing to provide the minimum housing required over the plan period. MBC should also be cautious that the LPR timeframes do not slip whereby the proposed Plan Period would no longer cover a 15 year period from adoption.

- 3.6. In our representations to the Regulation 18b consultation the need for MBC to consult fully with Tonbridge and Malling Borough Council (TMBC) was highlighted, and Catesby confirmed their support for this approach. R1 of the SHMA continues to refer to the importance of this due to the cross boundary relationship in respect of housing. Catesby continues to offer support for this stance and notes the Draft Statement of Common Ground with TMBC produced in the Duty to Cooperate Statement Appendices. It is assumed that the agreement is no longer in a draft format and that MBC and TMBC are now in agreement, given the stage of the LPR.
- 3.7. R2 refers to the unmet housing needs in London and advises that it is uncertain how the unmet needs will be addressed. MBC should be mindful of the unmet need in London and ensure that comments are provided accordingly in the relevant evidence base documents.
- 3.8. MBC should seek to address an appropriate proportion of the unmet housing need through additional delivery in the Borough, particularly if there is capacity on existing draft site allocations to accommodate a greater housing quantum, as is the case with Land at Moat Road. Our representation clearly demonstrate that the site can accommodate approximately 130 dwellings, as opposed to the current draft allocation of 110 homes in policy LPRSA310 and the suggested lesser amount of 100 homes LPRSP6 (C) for Headcorn as a whole.
- 3.9. Our earlier representations also comments on R3 – the need to test the standard method housing requirement. It remains that Catesby consider it absolutely essential that MBC assess whether a higher provision of housing is required in the area, and particularly in light of the need to shift the LPR plan period forward to ensure its covers the minimum 15 years from date of adoption as per the NPPF. It is anticipated that there will be further housing needed in the Borough, and no doubt further unmet needs in neighbouring authorities over this revised time period, and this, in addition to any further unmet needs including a proportion from London, must be addressed in the LPR. As above, increasing the quantum of homes to be delivered from the draft allocations, and notably from Land at Moat Road (given the submitted evidence), can help to achieve this.
- 3.10. With regards to affordable housing and R4, it is noted that the number of affordable homes required in the Borough has increased to 559 since the earlier regulation 18 consultation. Our previous comments remain applicable in that MBC should not have an affordable housing policy that is too prescriptive on local level needs. Rather, it should reflect the NPPF and provide flexibility to provide affordable housing that is required in any given area and that can adapt to changing needs over the plan period.
- 3.11. The need for flexibility equally applies to housing mix. It is reasonable for MBC to include an indicative housing mix within the plan and SHMA; however this mix will change over the plan period and MBC should not seek to be overly prescriptive on the mix requirements in the knowledge that they will likely change going forward. Thus Catesby agree with the concept of R12 as set out in the conclusion of the SHMA that the suggested housing mix should inform discussions on mix for future developments and notably the suggestion at paragraph 10.27 that the plan should not be prescriptive.

ACTION REQUIRED:

- MBC must clarify the housing requirements over the plan period including the relevant affordability uplift that is applied and demonstrate that the minimum housing target for the Borough is correct.
- MBC to change the plan period to cover the minimum 15 year requirement – ie covering at least 2022/23 to 2037/38.
- MBC must update the housing requirement to cover the revised plan period.
- MBC should demonstrate how the unmet housing needs of London has been considered.
- Clarify the position with regards to agreed positions with TMBC and relevant London authorities / the Mayor of London, to demonstrate that housing requirements of the Borough, HMA and wider area are being met.

Strategic Land Availability Assessment and Appendices Update 2021

- 3.12. Land at Moat Road has been consistently assessed by MBC in the Strategic Land Availability Assessment (LAA) under reference SA310. As with the earlier Regulation 18b consultation, Catesby supports the conclusion that the site is available, suitable and achievable and thus that the site is proposed as a draft allocation.
- 3.13. Notwithstanding this, there remain a number of comments and concerns that should be addressed.
- 3.14. Primarily is that the quantum of development proposed for allocation in the LPR does not match the quantum of development suggested by the LAA, the quantum proposed for allocation in the earlier iterations of LPR (circa 130 dwellings) or the quantum that has been promoted by Catesby. That is, the policy (reference LPRSA310) refers to the site providing at least 110 homes; and the LAA concludes that the site capacity is 116 homes. This 116 figure does not however reflect the nominated capacity stated in the LAA of 150 homes or the modelled capacity stated in the LAA as 130 homes. It is not clear from the LAA how the suggested quantum of 116 homes has derived, or why the higher figures contained in the LAA has not been taken forward.
- 3.15. This is particularly relevant in light of the masterplan for the site, submitted to the Council which demonstrates that a development of 130 homes is fully capable of being accommodated on the site (**Appendix B**). This scheme of 130 homes is at a very modest overall density of 18dph, albeit the density changes across the site to reflect the immediate surroundings. This is clearly seen and detailed in **Appendix B**.
- 3.16. In this regard, it remains that the LAA continues to state that the developable area of the site would amount to 4.83 Ha. This is on the basis a 1.08 ha reduction due to the presence of 5 TPO trees (5% reduction in developable area), and potential archaeology (20% deduction), in addition to a reduction of 1.28 ha for open space. With regards to the TPO trees, the supporting Arboricultural Technical Note (**Appendix E**) explains that 2 of the TPO trees are not present on site. Catesby agrees that an area of space within the site does need to be set aside for open space but does not accept that a reduction of circa 1 ha is necessary in respect of the TPO trees and potential archaeology.

- 3.17. As shown on the masterplan (**Appendix B**), the site has been designed to include sufficient space around the trees and their root protection areas (RPAs) to avoid any future conflict with future residents. Notably it was confirmed that appropriate development stand-offs can be achieved for the TPO trees and they will be retained within public open spaces. This was in addition to further tree planting within the landscape scheme for the site.
- 3.18. Furthermore, with regards to Archaeology, it was confirmed that the design and layout has considered the heritage assets and appropriate buffers and landscaping will conserve the setting of the listed properties.
- 3.19. It would appear that very little, if any of this information, including the technical details, has been taken on board, particularly the information provided in **Appendices B and C** of this representation which has been submitted to MBC previously. Therefore, to further demonstrate that the site is capable of accommodating a higher quantum of development than MBC proposes, this representation is accompanied by an Arboricultural Technical Note (**Appendix E**) which shows that the development of 130 homes can be delivered whilst protected trees remain. A separate Heritage Note has also been prepared (**Appendix D**) which show not only that a development of approximately 130 homes can be provided, but that there are no heritage or archaeological constraints to development, or that there are any likely archaeological features on the site that would be required to remain in situ. If further works are required to examine this, it can be managed in the normal way through the imposition of planning conditions at the planning application stage. Based on the Heritage Report however this is not considered necessary.
- 3.20. In relation to other technical points in the LAA, and in particular the reference to third party ownership being required to access the highway, this appears to be an incorrect statement which has not been updated to take into account the technical highways response provided to MBC, or the further update provided in March 2021. Catesby can confirm that all investigations have been carried out with regards to access and there is no third party land required to access the site or to deliver any footpaths that is either outside of the control of Catesby or ownership of KCC Highways. The proposals have been agreed in principle by KCC Highways.
- 3.21. To reiterate and expand on the points previously made that do not appear to have been considered in this LAA update:
- 3.22. Access to the highway network - An indicative design has been produced to demonstrate the enhancements to Moat Road including the appropriate widening and the provision of a footpath. Catesby has also held discussions with Kent County Council (KCC) Highways regarding the access arrangements and new pedestrian links and they consider these to be suitable in principle. It remains therefore that the LAA table must be updated to correctly reflect this.
- 3.23. Access to Public Transportation & Services - The site is sustainably located near to public transport links which provide regular services to larger settlements as required. Future residents will be located within 800m of a bus stop which is the threshold adopted by the DfT within the accessibility planning tool. Thus it remains that no further bus enhancements are required as is suggested by the LAA.
- 3.24. Furthermore the fact that no enhancements are required to the bus services as a result of this development site does not mean that the site should score negatively, particularly when it is already accessible and existing public transport opportunities exist.

- 3.25. Flood Risk – As a point of clarity, development of the site will take place in areas of low flood risk. Access is sought through flood zone 2 and 3. In an extreme event, an emergency dry access is located to the north east. In relation to this, MBC is referred to the FRA produced at **Appendix D**.
- 3.26. Drainage - Surface water drainage, through SUDs will be incorporated into the southern open space areas (outside the Flood Zones 2 and 3). These will store and attenuate surface water flows to greenfield run off rates thus there is no need for any further reduction in developable areas as is suggested in the table. As detailed above, the SUDs will be designed to manage a 1 in 100 year storm event, plus 40% for climate change allowance and an additional 10% capacity.
- 3.27. It is noted that some of the comments above are broadly reflected in the “achievability” section of the LAA for the site, but it does not appear to be fully reflected in the earlier table.

ACTION REQUIRED:

Review the LAA for the site; ensure all relevant technical information has informed the assessment; increase site developable area and increase site capacity to reflect the masterplan.

Climate Change Standards and Design Supplementary Paper (Undated) – Comments

- 3.28. The report acknowledges that the government is soon rolling out a requirement for 10% biodiversity net gain (BNG) to be provided on all development sites. This is yet to be formally imposed. In their thematic assessment (page 15; noting that the contents page of the report refers to incorrect page numbers) MBC state that the intention is to require 20% BNG and that this has been assessed in the viability report and Sustainability Appraisal. It does not however state the reasons for a 20% requirement or how this has been determined. Further details are considered necessary in order to justify going above and beyond the national requirement that will be coming forward.

Sustainability Appraisal of Maidstone Local Plan Review Regulation 19 Pre-submission Consultation

- 3.29. Linked to the issue of BNG above, paragraph 6.106 of the Sustainability Appraisal (SA) refers to the NPPF – stating that *“In line with NPPF requirements, Local Plan Review policy should be put in place to ensure biodiversity net gain is achieved on each development site or losses are offset elsewhere within the Borough where this is not feasible. Where development would be within an established zone of influence of a designated biodiversity sites, policy should require contribution to any established mitigation scheme.”*
- 3.30. There are instances in the SA of reference to a 20% requirement, but this appears to be specific to garden settlements rather than the plan as a whole. The above paragraph in the SA does not justify a BNG requirement over the NPPF or emerging government intention for 10%. Arguably the requirement for 20% as set out in policy LPRSP14A has not been tested from a sustainability perspective and thus raises concerns with regards to the detail and support of the SA for this particular policy requirement.
- 3.31. In terms of the site, it remains that the SA incorrectly spells the site address (“Mote” rather than “Moat”) although this is a minor point. With regards to the scoring, MBC has altered 2 of the scores for the site in respect of objectives 14 (biodiversity) and 15 (historic environment). Whilst these remain a neutral or

uncertain minor negative score they are an improvement on the earlier Regulation 18b SA scoring, suggesting that some of the earlier evidence submitted may have been taken into account. As previously indicated, A Heritage Assessment will be undertaken to establish any impact of the proposal on nearby heritage assets at the planning application stage, although a Heritage Note is also provided with this representation (**Appendix D**) clearly identifying that no harm is anticipated to any nearby heritage asset. Furthermore, there is sufficient separation between the site and any heritage asset to enable harm to be avoided. The Heritage Note (**Appendix D**) also advises that archaeology is not a constraint to the development of this site. Thus it is considered that the score could be updated further to a neutral score.

- 3.32. With regards to the remaining scores for the site in the SA, the representations submitted to the Regulation 18b consultation remain entirely relevant and in many instances it is clear that a neutral or positive score should be awarded to the site. These representations are repeated and updated as applicable below:
- 3.33. A residential development on the Land at Moat Road will deliver well-designed, sustainable and affordable housing. Catesby has a track record for working closely with Councils, local residents and community groups to design high quality developments which deliver significant and lasting benefits. It is therefore considered that the land at Moat Road will have positive effects on SA objective 1.
- 3.34. In terms of SA Objective 3 (community), it is agreed that any development coming forward on the site will provide a positive effect on community cohesion.
- 3.35. SA Objective 4 aims to *“To improve the population's health and wellbeing and reduce health inequalities”* and the allocation of the Land at Moat Road is considered by MBC to provide minor positive effects. It is agreed that this will result in a positive effect. However, Catesby consider that this would actually be a significant positive effect due to draft policy LPRSA310 requirements for design, layout, landscape and public open space requirements.
- 3.36. There are no major comments on SA Objective 5 – Economy but it should be noted that the development of the site will provide employment opportunities during the construction stage of the proposal.
- 3.37. Catesby are in agreement with the comments on SA Objective 6 – Town Centre.
- 3.38. SA objective 7 seeks to reduce the need for travel whilst promoting sustainable and active methods of transport. As explained in paragraph 6.225 of the SA, the site is situated in a sustainable location, near to public transport nodes. The allocation requires the pavements on Moat Road to be addressed and Public Rights of Way to be maintained. Further to this, any development proposal would need to adhere to the NPPF transport requirements and Draft R19 LPR draft policy LPRTRA2. Thus, it is agreed that the development will result in a positive effect. The fact that footpath and highway works are agreed in principle with KCC further supports this.
- 3.39. A minor negligible effect has been identified for SA objective 8. This is due to the northern half of the site's location within a Minerals Safeguarding Area. It should be noted that this will result in a small percentage of loss to the safeguarded area.
- 3.40. In terms of SA Objective 9, it should be noted that the development of the site will be on small percentage of Grade 3 land. Headcorn is significantly constraint by flooding and this site is located mainly outside of this. It is sustainable location and is the only identified site for development in the village.

- 3.41. There are no comments on SA objective 10 – Water.
- 3.42. SA objective 12 relates to flooding. Flood modelling assessments will be undertaken on the site and SUDS will be incorporated into any development proposal. In accordance with Policy LPRSA310, the flood safety measures will be agreed with the EA. Furthermore, no inappropriate development (i.e. residential) will take place in the areas of flood zone. Thus the effects of the flood zone are considered to be very minor if not negligible. MBC is referred to the FRA in **Appendix C**.
- 3.43. SA objective 13 seeks to “*minimise the Borough’s contribution to climate change*”. The allocation at Moat Road has been identified to cause minor negative impacts due to “*the relatively poor accessibility to some key services and employment and consequent travel-related carbon emissions*”. However, the SA also identifies that the site to have a positive effect in terms of sustainable transport. Therefore, whilst some services may not be located directly in Headcorn, it is considered that they are reachable with sustainable transport options. It should also be noted that the development coming forward will need to be sustainable construction criteria listed at draft policy LPRSP14(c). Consequently, the site should have negligible effects on climate change.
- 3.44. There are no significant comments on SA objective 16. It is acknowledged that the site is situated within a sensitive landscape area the proposal will seek to contribute positively to the enhancement and conservation of protected landscape.

Local Plan Review Viability Assessment & CIL Review Pre-Submission Plan (Regulation 19) September 2021

- 3.45. With regards to viability testing for 20% BNG the viability report identifies that on a 10% requirement basis, costs are £948 per unit for greenfield sites and £207 per unit for brownfield sites. This is grossed-up for the 20% BNG requirement by applying DEFRA guidance that says costs would increase by 19%. Thus it suggests for 20% BNG costs are £1,128 per unit (greenfield sites) and £243 per unit (brownfield sites).
- 3.46. Whilst initial reference is made to a DEFRA impact assessment, there is no further detail of where these figures are from or indeed if they are accurate and representative of current markets. This information is essential if MBC is to continue to seek 20% BNG on all development sites, as ultimately, if such a provision is not viable (or appropriately viability tested) there is a significant risk that all allocations and potential future windfall sites will struggle to be delivered. In this regard, the report identifies in the Policies Review Matrix that the costs of BNG would have a medium impact on viability. However it appears to assume that the 20% BNG would be delivered on site which may not be possible, especially on small or medium scale sites, and the cost of delivering the additional 10% BNG over and above the national requirements could therefore have a significant impact on deliverability of sites and thus the LPR. Further evidence is required to demonstrate the viability of offsite BNG delivery.
- 3.47. Furthermore, it is noted in the conclusions that there is no mention of BNG or its impact on viability of development in the higher, mid or lower value areas, and this is particularly relevant bearing in mind the recommendation of the report regarding affordable housing. In higher value zones it suggested that 40% affordable housing could be sought. However, in lower value zones, it suggests that development at lower densities – i.e. those below 75 dph (which is typically regarded as a higher density compared to the former standard of 30dph) is not viable and that zero affordable housing plus zero CIL rating should apply.

- 3.48. Arguably, there is a need for a balance to be applied and if provision of affordable housing would become more viable Borough wide with a standard requirement of 10% BNG then this is surely the more appropriate and balanced approach to take over the plan period. It is not clear whether this has been considered fully or how MBC has drawn the conclusion that seeking a higher delivery of BNG is strategically more important than delivery of a range of dwelling types and tenures, including affordable housing, throughout all areas of the Borough. Notably the viability report highlights that the Council would need to be proactive to deliver development and regeneration in these lower value zones.

ACTION REQUIRED:

Further evidence is required to justify the position with regards to a requirement for 20% BNG onsite and offsite as well as the implications of a lower 10% provision on viability and affordable housing delivery and regeneration across the entire Borough.

Maidstone Heritage Asset Assessment March 2021

- 3.49. The LAA makes reference to the potential archaeology of the site at Land at Moat Road and thus a reduced developable area is applied. As limited details are provided it is expected that information is contained within the Heritage Asset Assessment (HAA) produced by Urban Vision Enterprise CIC for MBC, to authenticate the conclusions of the LAA. However, there is no information provided within this report, and the only instance where archaeology of Headcorn as a whole is referred to, is at section 4.6 where it states that archaeology surveys have been undertaken for areas including Headcorn. No results are published in the report to suggest that the site is likely to contain any archaeology and certainly none that is required to remain in situ.
- 3.50. Thus, Catesby has obtained a DBA of the site which demonstrates that there is likely to be no archaeology on the site that is required to remain in situ. In the event that further investigation is required, this can be dealt with at the planning application stage and where applicable, secured by standard planning conditions. This would not prevent the site from being delivered or affect its suitability for development. Thus Catesby retain the view that the reduction in developable area set out in the LAA and reflected in the draft allocation policy is not justified and should be removed. The lack of commentary on the matter in this Heritage Assessment further supports this position.

Duty to Cooperate Statement and Appendices (DtC)

- 3.51. It is noted that MBC has not considered the unmet housing need in London and has stated at paragraph 1.2 that they have not consulted the Mayor of London with regards to the plan. MBC should ensure they have sufficient evidence to demonstrate that they have met the DtC requirements in this regard.

4. Observations on the Regulation 19 Local Plan Review

4.1. The Local Plan Review will cover the period from 2022 to 2037 and will replace the MBC Local Plan 2017. The purpose of the plan is to deliver the social, economic and environmental needs of Maidstone and the wider area. Catesby are generally in support of the R19 LPR. However, the section below will provide observations into areas where it is felt the Council are at risk of failing the NPPF's test of soundness, as set out in NPPF paragraph 35:

- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

Draft Policy LPRSS1 – Maidstone Borough Spatial Strategy

OBJECT

Plan Period

4.2. The Plan Period currently covers 2022 - 2027. NPPF paragraph 22 sets out “that strategic policies should look ahead over a minimum 15 year period from adoption”. MBC need to be mindful that the LPR may not be adopted in 2022 and as such the Plan Period would need to change. This could impact on the housing requirements within the borough.

Housing Needs – Flexibility

4.3. MBC has calculated the objectively assessed need (OAN) to be 1,157 dwellings per annum using Standard Methodology as required by NPPF paragraph 61 and set out within the PPG. The delivery of the housing need relies on 7,870 dwellings via extant planning permissions, 800 via the Invicta strategic site, 883 within town centre location and 2,738 dwellings via windfall sites. This leaves a requirement of land to accommodate 5,064 dwellings.

4.4. Whilst it is accepted that MBC is currently planning for their objectively assessed needs (Standard Method), it is fundamental to recognise that the figure is a minimum and not a ceiling. Early delivery will be essential to achieving the required level of growth over the plan period and sites such as Land at Moat Road can go

some way in providing the flexibility required through an increased site quantum. It is important to ensure that the Council allows for sufficient flexibility in the Plan to accommodate housing needs and allow for choice in the market through delivery of a higher number of homes than the minimum expected. It is considered that the plan has not allowed for any flexibility in this requirement and therefore not in accordance with NPPF paragraph 82.

OBJECT - ACTION REQUIRED:

MBC proactively seek to deliver housing during the Plan Period noting that their objectively assessed need is a minimum. Therefore, MBC should provide a buffer within their figures to allow for flexibility.

Housing Needs – Extant Planning Permissions

- 4.5. The housing need relies on a large proportion of homes being delivered via extant planning permission and other previous allocations. MBC need to ensure there is a robust evidence base to demonstrate the extant planning permissions are deliverable given that they have not been fruitful to date. Thus, in order for the LPR to be justified and effective in accordance with NPPF paragraph 35, further information is required.

OBJECT - ACTION REQUIRED:

MBC compile further evidence to support the delivery of the extant planning permission.

Housing Needs – Unmet Need

- 4.6. It is noted that MBC has not considered the unmet housing need in London and has stated at paragraph 1.2 that they have not consulted the Mayor of London with regards to the plan. MBC should ensure they have sufficient evidence to demonstrate that they have met the DtC requirements in this regard.

Housing Needs - Windfall Allowance

- 4.7. Paragraph 5.9 of the R19 LPR explains that the estimated windfall contribution between 2022-2027 is 2,738 dwellings. In accordance with NPPF paragraph 71, there should be compelling evidence that there is a reliable source for any proposed windfall allowance. This evidence should have regard to the SHLAA, history of windfall delivery and expected future trends. Currently, MBC explain that their allowance is based upon the anticipated windfall developments granted permission during the 2021/22 financial year which is not yet complete. Catesby do not consider this to be sufficient evidence to demonstrate this need. It cannot be considered realistic if it only uses anticipated, predicted figures from one year based on incomplete evidence of final planning permissions or development completions over that financial year. Consequently, this would result in the LPR failing the tests of soundness set out in NPPF paragraph 35.

COMMENT

MBC provide a sufficient evidence base to demonstrate the proposed windfall allowance across the amended Plan Period.

Spatial Focus

- 4.8. Draft Policy LPRSS1 sets out that Maidstone Urban Area will continue to be the main focus for development along with new garden settlements and strategic development location. A secondary focus will be within Rural Service Centres which are recognised for providing vital services within LPR Paragraph 5.31.
- 4.9. Catesby support the delivery of housing outside of Maidstone Urban Area and the new Garden Settlements. Whilst it is acknowledged that the new settlements can provide a larger amount of MBC's housing requirement, it should be recognised that these types of development can often be constrained and have long build out rates. Consequently, MBC must plan for smaller development sites to come forward in the earlier stages of the Plan Period. In all alternative spatial strategies tested by the Council, development in rural service centres was always required. MBC needs to ensure a secure supply of sites within the early part of the plan and therefore they make the best use of sites such as Moat Road (Draft Policy LPRSA310) which can be delivered in the first 5 years of the plan.

COMMENT

MBC should ensure a sufficient small and medium scale developments (such as Moat Road (draft Policy LPRSA310) are encouraged to boost housing during the early stages of the Plan Period.

Draft Policy LPRSP6 (C): Headcorn

SUPPORT WITH COMMENTS

- 4.10. Draft Policy SP6 confirms that Headcorn is classified as a Rural Service Centres which has not changed since the adopted Local Plan (2017). The focus of development in these centres will be via allocated sites within the 2017 Local Plan or Local Plan Review. Paragraph 6.102 of the LPR explains that these locations are considered to be highly deliverable due to their land price/house price balance. As such, sufficient land must be identified in these areas to enable housing delivery in the Borough and MBC should be proactively encourage as much development in these areas as possible.
- 4.11. With regards to Headcorn (Draft Policy LPRSP6 (part c)), paragraph 6.105 explains the sustainable nature of the existing village due to its *'diverse range of services and community facilities which are easily accessible on foot or by cycle'*. Furthermore, there is access to local employment opportunities. Draft Policy LPRSP6 (part c) sets out that approximately 275 new homes will be delivered via allocation in Headcorn. This is a reduction of 127 in the village. This in itself is contrary to LPR paragraph 6.102 which explains that rural service centres are highly deliverable. Catesby question why such a reduction in dwellings has occurred in such a sustainable location.

COMMENT - ACTION REQUIRED:

MBC should review the proposed housing requirement in Headcorn given its deliverability and sustainability.

- 4.12. The Land at Moat Road is a key allocation within Headcorn. Under Draft Policy LPRSA310, the site is allocated for approximately 110 dwelling (this is questioned under our observations to this policy). There is a discrepancy between the allocated number in Draft Policy LPRSP6 (C) and Draft Policy LPRSA310. Currently Draft Policy LPRSP6 (part c) sets out only 100 units will come forward on the site. This should be amended to approximately 130 homes to reflect the promoted quantum that is demonstrated to be deliverable on this site, and which Catesby has previously agreed with the Council officers. This quantum should also be reflected in Draft Policy LPRSA310.

OBJECT - ACTION REQUIRED:

MBC update Draft Policy LPRSP6(c) to ensure it is consistent with the figure under the allocation of the Land at Moat Road (Draft Policy LPRSA310).

- 4.13. Key infrastructure within Headcorn is listed at point 3 of the Draft Policy LPRSP6 (C). This infrastructure includes :
- Highways/transport improvements;
 - A one form entry extension to the primary school;
 - Public open space;
 - Sewer and wastewater improvements;
 - Health infrastructure improvements.
- 4.14. In accordance with NPPF paragraph 20, the LPR should be providing for infrastructure improvements, and Catesby support the delivery and implementation of these in order to support a sustainable and balanced community. It is important that the obligations for the delivery of these are proportionally distributed among the housing developments within the village in accordance with the tests set out in NPPF paragraph 57. It is also relevant to note the contribution that can be provided via the Council's Community Infrastructure Levy which was approved on 25th October 2017.

SUPPORT:

Catesby support the provision of essential infrastructure so long as any obligations to secure them meet the test set out within NPPF paragraph 57.

Draft Policy LPRSP (A): Housing Mix

RECOMMENDATION

- 4.15. NPPF paragraph 62 requires the size, type and tenure of housing need to be assessed and reflected in Policy. MBC have acknowledged at paragraph 7.8 of the LPR that a specific housing mix target has not been set to allow for flexibility over time. Instead, Draft Policy SP10A requires development proposals to consider the latest SHMA (currently 2021). Our observations on the SHMA are located at paragraphs 3.3-3.11 of this document.
- 4.16. It is noted that Draft Policy LPRSP10(A) includes policies relating to affordable housing. In accordance with NPPF Paragraph 16(f), unnecessary duplication of policies should be avoided. The details set out in part 3 of the draft policy repeat information set out within subsequent policies. As such Catesby recommend that the policy is amended.

RECOMMENDATION:

Draft Policy LPRSP10(A) is updated as follows:

From:

3) Where affordable housing is to be provided, developers should also take into consideration the needs of households on the council's housing register and discuss affordable housing requirements with the council's housing team at the pre-submission stage of the planning process.

To:

3) Where affordable housing is to be provided, development proposal should take account of Policy LPRSP10(B).

Draft Policy LPRSP13: Infrastructure Delivery

COMMENT

- 4.17. As stated in paragraph 4.14 of these representations, Catesby support the delivery and implementation of essential infrastructure within the Borough. It is acknowledge that in some cases developments will be required to provide a financial contribution towards this. MBC should be mindful of the tests set out at paragraph 57 of the NPPF whereby obligations should only be sought when they are:
- 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.*

COMMENT:

It is important that MBC is confident it can deliver the required infrastructure whilst ensuring planning obligations at development proposals meet the test at NPPF paragraph 57.

Draft Policy LPRSP14A – Natural Environment

OBJECT

- 4.18. Draft Policy LPRSP14A tackles a number of issues relating to the natural environment including, biodiversity, ecology, landscape, pollution and the water environment. Part 1(a) of the policy requires a minimum of a 20% biodiversity net gain (BNG) on new residential developments. The Environment Act received Royal Assent on 9th November 2021 and Schedule 7a sets out that a biodiversity net gain objective is met whereby the proposed biodiversity value of a development exceeds the pre-development biodiversity value by at least 10%. However, this will not come into force until 2023 via secondary legislation. This figure is recognised by MBC at paragraph 7.156. However, there is no information as to why MBC consider a 20% gain in biodiversity is required over that set out within The Environment Act.
- 4.19. There are concerns that a 20% target for BNG could significantly impact the viability of developments, most notably on greenfield sites of which the spatial strategy allocates many. It is also likely to have a significant impact on small and medium sized sites where they may not be able to accommodate BNG onsite. MBC do not appear to have consider the potential of offsite delivery whereby developers can purchase credits. The Council should seek appropriate sites and test the potential for offsite BNG to support the delivery of small and medium scale developments.
- 4.20. The Viability Assessment completed by Aspinall Verdi explains that a 20% BNG requirement will increase central estimate costs by 19%. This is an increase of £180 per greenfield unit above a unit delivered via a development providing 10% BNG. This leads to significant concerns that the LPR will not be deliverable and consequently, not meet the tests of soundness. It is also noted that this Viability Assessment only considers onsite BNG and the impact of offsite BNG should be tested.
- 4.21. Further discussion on this is provided within these representations under section 3. Notably, our comments on the Viability Assessment, Sustainability Assessment and the Climate Change Standards and Design Supplementary Paper (Section 3 of these representations).

OBJECT - ACTION REQUIRED:

MBC reduce their BNG targets to reflect that set out within the Environment Act (at least 10%).

Draft Policy LPRSP15 – Principles of Good Design

OBJECT

- 4.22. Catesby is encouraged to see the MBC are seeking high quality design given the Government's recent approach to 'building beautiful'. As MBC is aware, the Government has recently updated the NPPF to reflect this within national policy. NPPF paragraph 110 now requires plan-makers to consider the National Design Guide and the National Model Design Code when allocating sites. These document should also be the basis for a policy for design.
- 4.23. Generally, the policy is overly prescriptive leaving little flexibility and room for creativity. Furthermore there are areas of the policy that are ambiguous. For example, part 3 states:
- "Incorporation of a high quality, modern design approach and making use of vernacular materials where appropriate."*
- 4.24. In this sentence it is unclear whether it relates to a modern contemporary design requirement or whether it relates more to a modern method of construction / style. Either way the term 'modern' is far too prescriptive and may not be appropriate for every development proposal. It is also contradictory to the use of vernacular materials which seek to reflect local styles which may very well not be modern.
- 4.25. The ambiguity throughout this policy needs to address through a revised policy in accordance with NPPF paragraph 16(d). Moreover, there is potential that the length and description within this policy will conflict with National Policy and Guidance or for the policy to become quickly outdated if amendments are made to national policy or guidance. As such, Catesby consider that greater reliance should be placed upon national policy and guidance.

OBJECT - ACTION REQUIRED:

MBC review this policy to ensure that it is evident how a development should respond. Further reliance should be placed on National Policy and Guidance.

Land at Moat Road, Headcorn, Allocation - Policy LPRSA310

SUPPORT WITH COMMENTS

- 4.26. For the avoidance of doubt, the road name 'Mote' has been spelt incorrectly throughout the policy, instead it should read 'Moat'.

ACTION REQUIRED:

Catesby request that MBC amend the site name from 'Mote Road' to 'Moat Road' throughout the policy.

- 4.27. Catesby support the allocation of the land at Moat Road for residential development and consider the site to be a suitable and developable and deliverable development site which will contribute towards the housing need of the Borough.

- 4.28. Within the Regulation 18b consultation document the site was allocated for approximately 127 dwellings at an average density of 30 dwellings per hectare. Technical evidence was submitted with our representations to the Regulation 18b consultation and further technical evidence was submitted in March 2021, notably the masterplan document (**Appendix B**) and FRA (**Appendix C**). This clearly showed that the site is capable of accommodating approximately 130 homes and so it is surprising and disappointing to see that MBC has further reduced the allocated dwellings at the site within the R19 LPR to 110 dwellings. The evidence available to MBC and provided with this representation does not support a reduction in quantum.
- 4.29. Comments in relation to the LAA have been provided in these representations. In relation to the developable area the LAA states that 4.83 ha is available. This is on the basis a 1.08 ha reduction due to the presence of TPO trees (5% reduction in developable area), and potential archaeology (20% deduction), in addition to a reduction of 1.28 ha for open space. Catesby agrees that an area of space within the site does need to be set aside for open space but does not accept that a reduction of circa 1 ha is necessary in respect of the TPO trees and potential archaeology, particularly in light of the findings within the Heritage Note (**Appendix D**) and the Arboricultural Technical Note (**Appendix E**) submitted with this representation. These reports conclude that neither heritage nor trees should be regarded as a constraint to development of this site.
- 4.30. NPPF paragraph 124 explains that planning policies should support development that makes efficient use of land. In doing this, plan makers should take a number of elements into account. These elements are discussed below in relation to the site.

- a) *the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*

MBC has assessed their housing requirement and their spatial strategy sets out that rural service centres are a secondary focus development. Therefore the location of housing in Headcorn is deemed acceptable. The land at Moat Road is the only new site allocated by the LPR which suggests it is the most suitable site in Headcorn to come forward.

- b) *local market conditions and viability;*

As set out in paragraph 6.102 of the LPR, Rural Service Centres (such as Headcorn) are considered to be highly deliverable due to their land price/house price balance. As such, it is considered that MBC should be encouraging growth in this settlement by making the most efficient use of land in accordance with NPPF 124.

- c) *the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*

Headcorn is a well serviced village with a number of facilities and is recognised in the current Local Plan as a Rural Service Centre. Such locations are regarded as sustainable and sit below only Maidstone town centre and urban area in the settlement hierarchy. It is understood that some infrastructure improvements are required which the development of the site can contribute to.

- d) *the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*

The character of the area in Headcorn is continually evolving. Currently a site to the north and to the east of the land at Moat Road is under construction. Thus new development is not out of character in the immediate setting of the site. The Masterplan for the site (**Appendix B**) and details provided in this representation demonstrates that the character of the area has been considered in the scheme design, and that important landscape features will be incorporated into the site layout whilst still achieving 130 dwellings. Additionally, it is important to note that the LAA sets out that the site is available, suitable and achievable. The site is therefore deliverable and is a key site for allocation in the LPR.

- e) *the importance of securing well-designed, attractive and healthy places.*

The Masterplan demonstrates that a high-quality development could come forward on the site (see **Appendix B** for the most recent masterplan). This will provide generous open space, landscaping and sustainable connections into the village. It is essential that high-quality development is encouraged in accordance with the Governments 'build beautiful' objectives set out within the NPPF and National Design Guide. Furthermore, access arrangements, including footpaths, have been agreed in principle by KCC highways and have been subject to a stage 1 Safety Audit.

- 4.31. Given that the development of the site can positively respond to the elements of NPPF paragraph 124, MBC should be seeking to make the most efficient use of land. Further to this, Catesby is also concerned that MBC's housing requirement will be subject to change, as discussed in paragraphs 4.2 – 4.7 of these representations. On this basis, it is likely that MBC will need to find further land to accommodate more housing. Therefore, it is logical to make more efficient use of an already allocated site.

OBJECT - ACTION REQUIRED:

Catesby request that MBC amend number of dwellings allocated under Draft Policy LPRSA310 from 'approximately 110 dwelling' to 'approximately 130 dwellings'.

Design and Layout

- 4.32. The draft allocation sets out several conditions for a development proposal to abide by. Under the design and layout conditions, it is explained that the density should reflect the site's semi-rural setting. Draft Policy LPRSA310 should not depict the current character as 'semi-rural'. Catesby is supportive of a landscape/character led approach to density. NPPF paragraph 124 seeks efficient use of land whilst taking in account '*the desirability of maintaining an area's prevailing character and setting*'. The land at Moat Road is adjacent to a good-sized settlement which is continually evolving. As such, the density should reflect the landscape/character of the area.

- 4.33. MBC should also be mindful of Draft Policy LPRHou 5 which seeks a net density of 30 dph in rural service centres where it is appropriate to the setting. These policies should be consistent with each other and NPPF paragraph 124.

OBJECT - ACTION REQUIRED:

MBC amend the bullet point that reads:

“Residential density and typologies shall reflect the site’s semi-rural setting”

To state:

“Residential density and typologies shall be informed by the character of the area”.

- 4.34. If approximately 130 dwellings were brought forward on the developed part of the site which is currently shown as circa 4ha on the masterplan in **Appendix B**, then a density of 32.5 dph is achievable. This is considered acceptable given the site location adjacent to Headcorn. However, it is also important to recognise the generous amount of open space provision that forms part of the proposal. The density of the entire site is 18d ph. This further demonstrates that the site has capacity for further dwellings than currently allocated. Therefore Draft Policy LPRSA310 should be updated to reflect a higher dwelling number.

OBJECT - ACTION REQUIRED:

MBC amend number of dwellings allocated under Draft Policy LPRSA310 from ‘approximately 110 dwelling’ to ‘approximately 130 dwellings’.

Landscape / Ecology

- 4.35. The conditions under the landscape / ecology section of the policy are broadly agreed with. However, it is important to note that to achieve safe highways access into the site, some of the hedgerow fronting Moat Road will need to be removed to provide access. To mitigate any further loses, the footpath connection on Moat Road are proposed within the site rather than adjacent to the road. This allows for the hedge to be retained (apart from access) whilst also providing a safe and attractive footpath connection that is integrated with the scheme. Whilst Catesby will ensure that the minimum amount is lost, it is essential that this access is safe for all users.

ACTION REQUIRED:

MBC amend the bullet point that reads:

“The existing hedgerow fronting Moat Road shall be retained and enhanced and the impacts of any access junction minimised and mitigated.”

To state:

“The existing hedgerow fronting Moat Road shall be retained and enhanced where possible and the impacts of any access junction minimised and mitigated.”

Flood Risk / Drainage

- 4.36. The NPPF sets out strict policy regarding flood risk, stating at paragraph 159 that inappropriate development in areas at risk of flood should be avoided and therefore, inappropriate to plan for dwellings in this area. Access is proposed in the south west corner of the site, whereas the south east corner falls within Flood Zone 2 and 3. No dwellings are proposed within these Flood Zones. In the event of flooding of Moat Road, the proposal also includes a secondary access to the north east. A Preliminary FRA (**Appendix C**) has been completed for the proposed development and confirms the acceptability of the approach to access on the site. Furthermore, the FRA sets out how surface water drainage will be designed. Fundamentally the FRA concludes that there is no reason the development should be precluded in relation to flooding of surface water.

Open Space

- 4.37. Catesby seeks to provide a generous amount of open space of 3.26 ha within the layout proposal for the land at Moat Road. This exceeds the combined requirements within this draft policy. However, the policy is very restrictive in how this open space comes forward and conflicts with other policies within the LPR.
- 4.38. Draft Policy LPRSA310 requires a minimum of 1.9 Ha of open space to be delivered within the site which is to have a principle focus to contribute to BNG. There does not seem to be any evidence to suggest that 1.9Ha of land is required to provide the required BNG for this site. This evidence is for Catesby to compile with ecological specialists that will view the current baseline and advise on the enhancements to achieve the necessary goal. MBC has failed to understand that BNG should be delivered across the entire site and should not undermine the design process. As set out within our comments to Draft Policy LPRSP14A, the BNG target should be at least 10%. Given this, Catesby do not consider it acceptable or justified for MBC to dictate that 1.9Ha of open space is required with the sole focus on BNG. Therefore, the policy would not meet the NPPF tests of soundness.

ACTION REQUIRED:

MBC remove reference to 1.9Ha of open space with the principle focus of which shall be to contribute to biodiversity net gain.

- 4.39. It is also considered that the open space standards required in this policy conflict with the standards set out in Draft Policy LPRINF1. In accordance with NPPF paragraph 16(d) and (f) plans should:

d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;

f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

- 4.40. It is essential that MBC make it clear what open space requirements they are seeking. To ensure consistency throughout the Plan and to make it obvious how a policy applies, MBC should remove specific size criteria from Draft Policy LPRSA310.

ACTION REQUIRED:

MBC remove reference to specific open space size requirement and instead refer to Policy LPRINF1.

Draft Policy LPRTRA2: Assessing the Transport Impacts of Development

OBJECT

- 4.41. In accordance with NPPF Section 9, this policy aims to promote sustainable transport through the determination of planning applications. However, it is considered that MBC has set out the hierarchy of sustainable transport modes incorrectly by stating that proposals will only be permitted if “*priority or exclusive provision for public transport vehicle access to or through the proposed development area*”. However, NPPF paragraph 112 states that priority is to be given to pedestrians and cycle movement and then to facilitating access to high quality public transport. Therefore, draft policy LPRTRA2 is contradictory to national policy and will be found unsound at examination.

OBJECT - ACTION REQUIRED:

MBC restructure Draft Policy LPRTRA2 to prioritise pedestrian and cycle movements over public transport.

Draft Policy LPRINF1: Publicly accessible open space and recreation

COMMENT

- 4.42. Draft Policy INF1 sets out standards and requirements for public open space. As explained in paragraph 4.45-4.46 of this representation, it is not considered that the requirements of this policy are reflected within Draft Policy LPRSA310. As such, Draft Policy LPRSA310 should be updated. It is considered that an overall strategy for open space should be established and then each development proposal should be considered on its merits.
- 4.43. Furthermore, it is not clear which open space typologies set out at point 1 are required on-site. The delivery of allotments and outdoor sports facilities on every housing development site is unlikely. This does not meet NPPF paragraph 11 to allow for plans to be sufficiently flexible nor is the policy deliverable. Thus it conflicts with the test of soundness.
- 4.44. Finally, the open space quantities are very specific and there does not seem to be an evidence base document leading to these figures. Therefore, to meet the tests of soundness in terms of it being justified, further information should form part of the evidence base for the Local Plan.

COMMENT:

MBC should clarify Draft Policy LPRINF1 to distinguish that not all open space is expected on-site. This will allow greater flexibility in the policy allowing applications to be considered by its individual merits. Evidence for the required standards should also be clearly defined within the supporting LPR evidence base.

Draft Policy LPRENV1: Development Affecting Heritage Assets

OBJECT

- 4.45. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, set out at NPPF paragraph 8, explains that part of achieving sustainability is protecting and enhancing our natural, built and historic environment. Thus, it is clear that the historic environment has a fundamental role in achieving sustainable development. Catesby are therefore pleased that a policy to protect heritage assets is included within the LPR.
- 4.46. Point 3 requires a proportionate landscape assessment to be submitted where a development site might include a heritage asset with archaeological interest. It is questioned why a landscape assessment is requested in relation to archaeology. NPPF paragraph 194 requires a desk based assessment for site that might include artefacts with archaeological interest. This is further explained in Paragraph: 041 (Reference ID: 18a-041-20190723) of the PPG states

“Where an initial assessment indicates that the site on which development is proposed includes or has potential to include heritage assets with archaeological interest, applicants should be required to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”

- 4.47. There is no national requirement for a landscape assessment to be submitted on the basis of archaeology. Given most archaeological artefacts are currently undetected, below ground level, the need for a landscape assessment for this is unreasonable and unjust.

OBJECT - ACTION REQUIRED:

Reference to a landscape assessment relating to archaeology is removed from Draft Policy LPRENV1.

5. Summary

- 5.1. These representations have been formulated on behalf of Catesby Estates PLC in relation to the Land at Moat Road, Headcorn. They are written in response to the consultation on the Maidstone Borough Council Regulation 19 Local Plan Review.
- 5.2. This consultation response has sought to provide observations on the R19 LPR and relevant evidence base in relation to the proposals for the Land North of Moat Road, Headcorn, demonstrating both the value and opportunity that the site brings to meeting housing needs in the Borough, and suggesting the approach that MBC should take to ensure a positively prepared plan is progressed.
- 5.3. Catesby would be pleased to meet with policy officers at MBC to discuss the opportunities at the site and how a collaborative approach can be taken to ensure the most appropriate development scheme comes forward which makes the best use of the available land resource.
- 5.4. **Catesby and Savills reserve the right to comment further on all elements of the emerging LPR including its evidence base, at future consultation stages. Catesby request notification of examination and would like to participate at the relevant hearing sessions.**

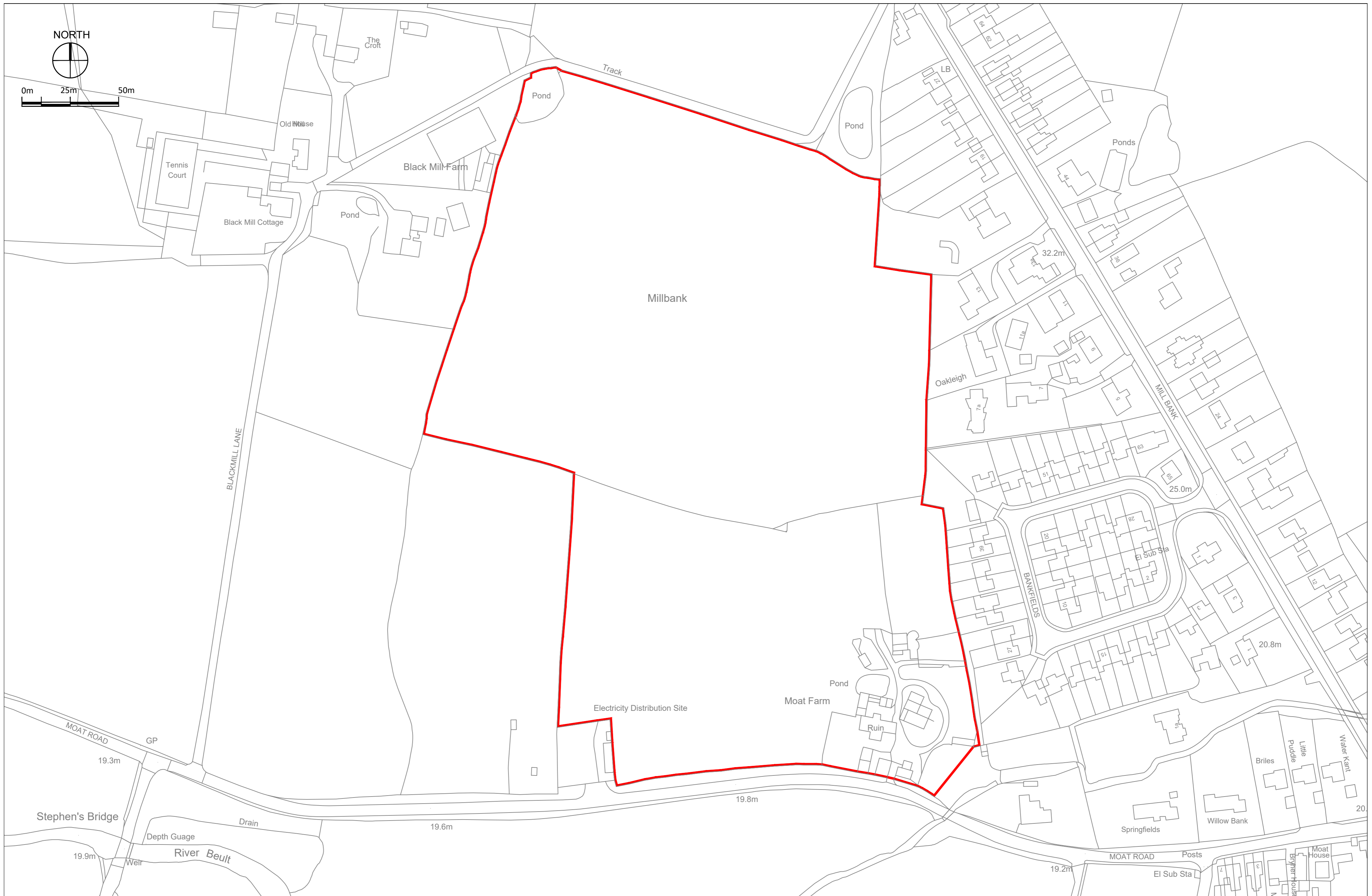


Appendix A Site Location Plan

NORTH



0m 25m 50m



Catesby Estates plc
part of Urban&Civic

Project Name:

LAND NORTH OF MOAT ROAD
HEADCORN, KENT

Drawing Title:

RED LINE PLAN

O:\Current Sites\All Viability Sites Only\Headcorn, Kent\Technical Drawings\LC_004 Red Line Plan

Scale: 1:1250 Media/Orientation: A2L Drawn: LA Checked: - Day/Month/Year: 20/05/19

Project No.: Drawing No.: LC/004

Suffix:	Date:	Description:	Drawn:	Checked:

Revisions:

Appendix B
Amended proposals submission (including masterplan)
(March 2021)



Draft Allocation of Land at Moat Road (Policy SA310)

Headcorn, Kent

February 2021

AMENDED ILLUSTRATIVE MASTERPLAN RESPONDING TO OFFICER FEEDBACK DATED 16TH FEBRUARY 2021.



Dwellings reduced to 130 reflecting requested reduction in development extents to the west of the site, and increased open space and landscape buffer provision.

3.26ha of landscape/ open space provision (incl. SuDS).

Design and Layout

- 1 The existing Public Right of Way (PRoW) passing through the site can be incorporated into new and attractive public open spaces.
- 2 A series of new footways can also be created linking with the existing PRoW network and north to Millbank.
- 3 The western development edge will have a more spacious, lower density appearance to provide a transition towards the semi-rural setting to the west (see following page for suggested design principles).
- 4 Dwellings will back on to the eastern boundary to complete the perimeter block and to respect the amenities and setting of adjacent residential properties.
- 5 A landscape and open space buffer (minimum 50m deep) will be provided to the west of the site to reflect the site's adjacency to the open countryside.
- 6 A landscape buffer and SuDS system will be provided to the south west corner of the site around the electricity substation and to protect the amenity of the future residents of the site and support surface water drainage.

Landscape / Ecology

- 7 The TPO trees will be retained within new public open spaces and will be supplemented by new tree planting and landscape.
- 8 The existing hedgerow fronting Moat Road will be retained and enhanced by new open space areas. The impacts of any access junction will be minimised.
- 9 The streets can incorporate tree planting and open spaces to create attractive streets and amenity for residents throughout the site.
- 10 The proposed open spaces will be multi-functional and comprise areas of landscape, ecology enhancements, surface water drainage ponds, children's play and informal open space areas.

Access, Highways and Transportation

- 11 A pavement will be provided from the south east corner of the site along Moat Road connecting east to provide access to the services and facilities of Headcorn village.
- 12 Pedestrian connections will also be available to the north of the site out on to Millbank, and also on to existing public right of way routes to the west facilitating access to services, facilities and the wider countryside.
- 13 The primary access will be from Moat Road. An emergency access and pedestrian/cycle link will be provided to the north accessing onto Millbank.

Open Space

- 14 Areas of attractive formal and informal open space can be accommodated on site, incorporating children's play features. Additional areas of landscaping, ecology, biodiversity, and drainage can be positively incorporated providing a green environment for future residents and a transition from edge of settlement to the wider countryside.

KEY CHARACTER ZONES DESIGN PRINCIPLES

Transitional Frontage



- 1 to 2 storey dwellings appropriate
- Dwellings set within larger plots to support enhanced landscape planting.
- Predominantly detached dwellings with opportunities for occasional bungalows/ chalet bungalows to further enhance the transition between development and the wider landscape to the west.
- Dwellings serviced from either rear gated mews style lanes or from private drives / lanes to the front. In both options parking is to be discreetly located, and lanes to be well landscaped.
- Cleft timber post and rail fencing could be used alongside hedgerow and tree planting to clearly delineate the development edge from the public open space.
- Public realm lighting to be sensitively located and low level to avoid light spill into the wider landscape

Central Greens Frontages



- Predominantly 2 storey with occasional opportunities for 2.5 storeys in key locations and particularly overlooking larger open spaces or around key spaces.
- Predominantly semi-detached, terraced dwellings and apartments to form a more continuous frontage to the street. Where possible / appropriate linked semi-detached will also be encouraged.
- Medium density development will be encouraged within these zones.
- A mix of dwelling types, sizes and in places roof orientations will add further variety and interest to the street scene.
- New tree planting within the open spaces and particularly along the street edge will further enhance the public realm experience.
- Servicing to occur to the front of dwellings from lanes or streets. Parking to be generally recessed behind the building line.

Key/ Focal Buildings



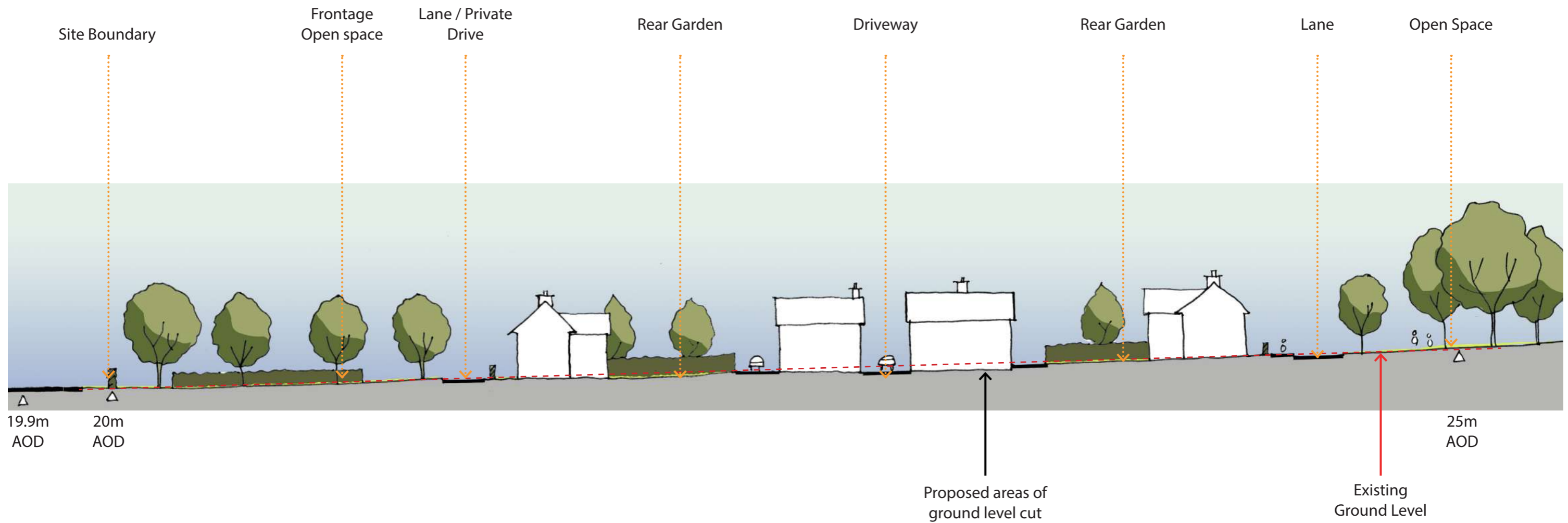
- Turning a corner, marking a gateway, or terminating an end of a street view; key focal buildings will add subtle variation through changes in either height, mass, architectural details and/ or materials.



TYPICAL CROSS SECTION A-A SHOWING DWELLINGS 'CUT-IN' TO SITE CONTOURS



Cross Section A-A Location



Appendix C

Preliminary Flood Risk Assessment (March 2021)



Our Ref: 133448-R3(1)-Preliminary Flood Risk Assessment

4th March 2021

Catesby Estates plc
Catesby House,
5B Tournament Court,
Edgehill Drive,
Warwick,
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18 Frogmore Road
Hemel Hempstead
Hertfordshire
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Dear Sirs,

**RE: PRELIMINARY FLOOD RISK ASSESSMENT
LAND NORTH OF MOAT ROAD, HEADCORN, KENT**

1 INTRODUCTION

RSK Land & Development Engineering Ltd were commissioned by Catesby Estates plc (the client), to provide a preliminary flood risk and surface water drainage assessment with respect to the proposed redevelopment of the above site located at land north of Moat Road in Headcorn, Kent. The report assesses the sites suitability for development in terms of the proposed residential development.

The comments given in this report and opinions expressed are subject to RSK Group Service Constraints provided in **Appendix A**.

2 SITE DETAILS AND PROPOSALS

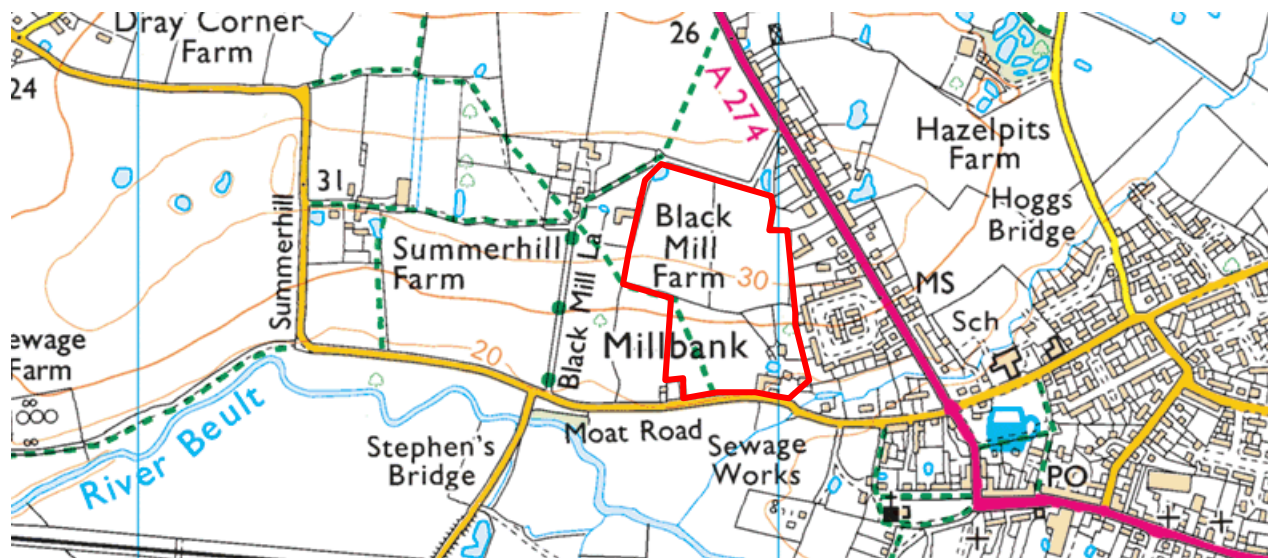
The site is located in open ground directly to the north of Moat Road. The site that extends to approximately 7.39ha in size currently comprises pasture in two large fields with the derelict buildings of Moat Farm located in the southeast corner of the site and a hedgerow running west to east across the center of the site separating the two fields. The site can be located at National Grid Reference 582916, 144563 as shown in **Figure 1** overleaf.

The site lies directly to the west of the current urban extent of the town of Headcorn, with several residential properties located adjacent to the eastern boundary and some isolated residential properties located to the northwest. A new housing development is located on land to the north of the site and a large electricity sub-station is located adjacent to the southwestern corner of the site.

The planned application seeks planning consent for approximately 130 residential dwellings with associated infrastructure and access roads. An illustrated site masterplan is provided in **Appendix B**. The maximum extent of the site is as per the red line in **Figure 1** overleaf.



Figure 1: Site Location Plan



3 SITE CHARACTERISTICS

3.1 Topography

A full site topographical survey has not yet been undertaken for the main site area. However, OS mapping shows that the site falls from a high point in excess of 30m AOD in the northern field to a level of approximately 20m AOD along Moat Road. The northern field appears to plateau with the northern most section sloping slightly down toward the north. Levels fall consistently across the southern section of the northern field and the southern field itself towards Moat Road.

Since the southern edge of the site lies partially within and adjacent to Flood Zone 3 a site specific topographical survey was undertaken by Interlocks Surveys in August 2019 for Moat Road along the southern boundary (see **Appendix C**). This survey confirms the southern site boundary levels which range from 20m AOD at the southwestern site corner to approximately 19.25m AOD at the south-eastern site corner.

The comparison between the southern elevations and the EA modelled flood levels and extents is detailed in Section 4.1.

3.2 Geology

British Geological Survey (BGS) records indicate that the site is underlain by Weald Clay Formation (Mudstone) although its northern edge may be underlain by Limestones of the Weald Clay Formation. No superficial deposits are noted at the site.

3.3 Hydrogeology

Reference to the Environment Agency's (EA's) online maps indicates that the site is not close to any groundwater abstraction zones. Nearby BGS borehole records from Water Lane 900m to the southwest (BGS ID TQ84SW4) has no water table depth referenced; however, given the proximity of the River Beult



the local water table is likely to be higher in the south of the site. According to EA's online map, the site is does not lie within any groundwater protection zones as designated by the EA.

3.4 Existing Sewer Drainage

The site lies within the jurisdiction of Southern Water (SW). Existing public records (see **Appendix D**) have shown that there are no existing public surface or foul water mains within the site's boundary. The closest foul drainage sewers to the site is a 150mm foul sewer under Bankfields to the east. Another 200mm rising main runs south of the site running west along Moat Road away from the Moat Road Sewage Treatment works to the south-east.

It was noted during the initial site walkover (undertaken on 23rd January 2019) that Southern Water were upgrading the foul sewer running east along Moat Road from Moat Road Sewage Treatment Works.

3.5 Internal Drainage Board

The site itself does not lie within the jurisdiction of any Internal Drainage Boards (IDBs), however, the courses of both the unnamed watercourse and the River Beult fall under the jurisdiction of the Upper Medway IDB.

3.6 Highway Drainage

Highways ditches serve Moat Road to the south of the site, which discharge into the unnamed tributary of the River Beult to the east of the site. An existing surface water connection from the farm buildings located in the southeast corner of the site outfalls into the adjacent highway drain.

4. SITE CHARACTERISTICS

4.1 Fluvial/Tidal Flood Risk

The site lies to the north-west of an EA Main River which outfalls into the River Beult (located approximately 200m from the southern site boundary). The latest EA published flood zone map (**Figure 1**) shows that the sites extreme south-eastern corner lies within Flood Zone 3, representing a greater than 1 in 100 year probability of flooding from fluvial sources. And Flood Zone 2, representing a greater than 1 in 1000 year probability of flooding from fluvial sources. The majority of the site itself lies on higher ground and is classified as Flood Zone 1.

The overall risk of fluvial flooding is therefore considered **low** provided development is appropriately positioned within Flood Zone 1.

The sites southeastern corner and parts of Moat Road frontage to the southwest, south and southeast of the site are classified as Flood Zones 2 and 3, representing a **medium** and **high** risk to these areas, therefore further consideration is required with respect to the offsite impacts of fluvial flood risk, specifically with regard to access and egress.

A Product 4 flood data was previously requested from the EA to determine modelled flood levels that may affect the site (see **Appendix E**). Nodes of the Defended 2D model cover a small area in the sites south-east corner as reproduced in **Figure 2**.

Figure 1: Environment Agency ‘Flood map for planning’

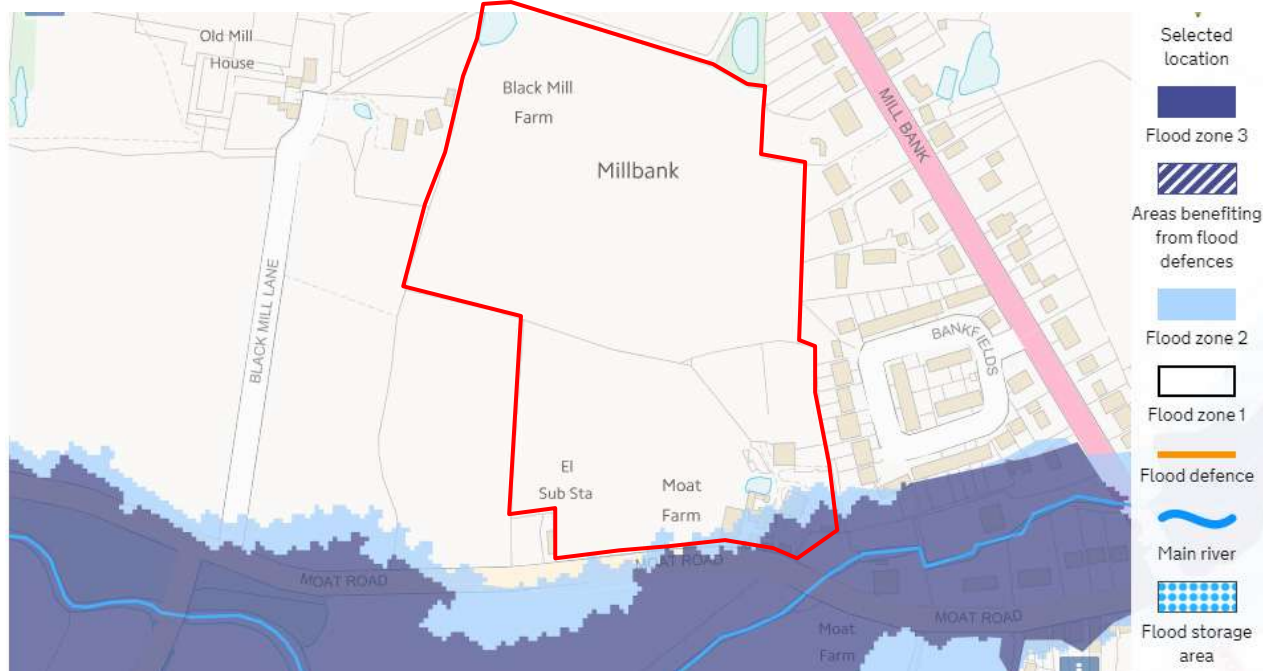
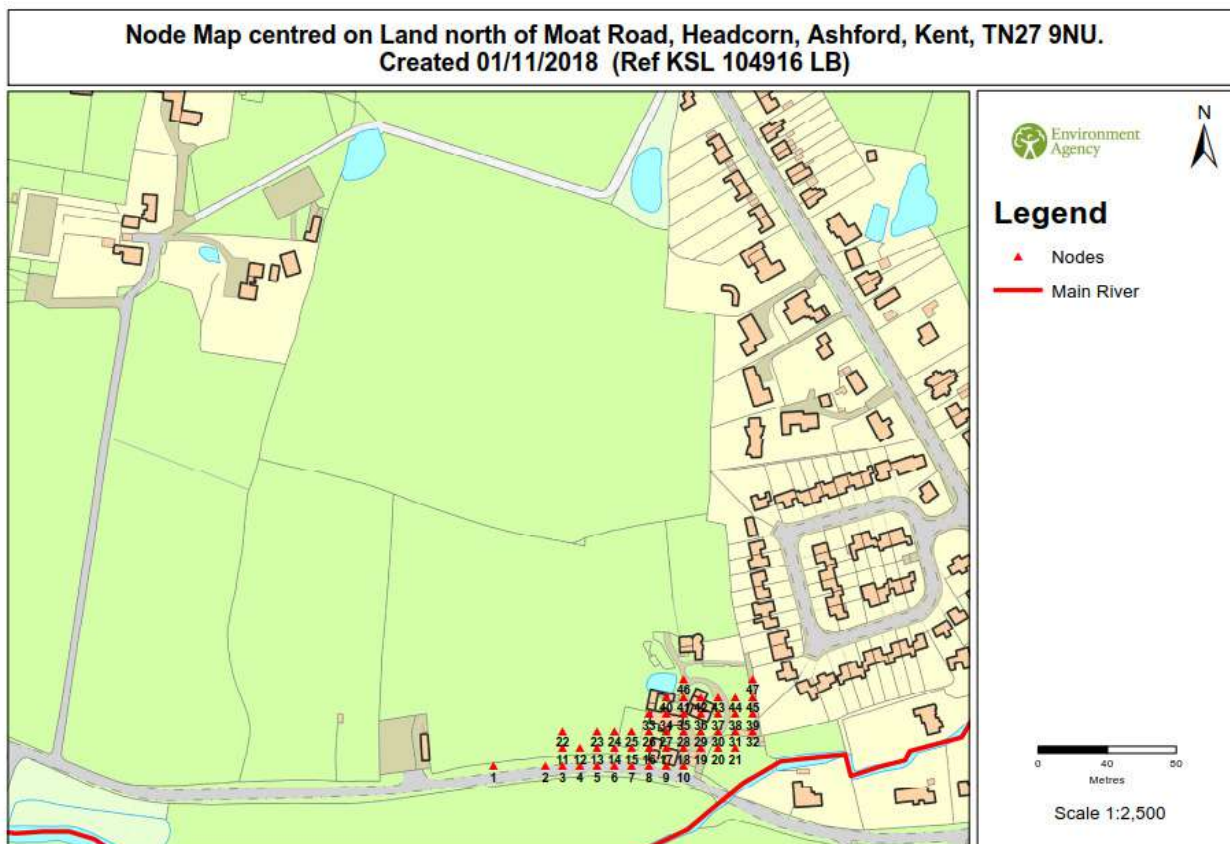


Figure 2: EA 2D Flood Nodes





The maximum expected water levels from the 2D nodes are included in **Table 1** overleaf and are summarised below: -

- The maximum modelled flood level for the 1 in 100-year flood event within this area is **19.65m AOD**.
- The maximum modelled flood level for the 1 in 100-year flood event (with a 35% increase in flows due to climate change) within this area is **19.94m AOD**. This level will form the critical design level for any development specific FRA.
- The maximum modelled flood level for the 1 in 100-year flood event (with a 70% increase in flows due to climate change) within this area is **20.11m AOD**. This level should also be considered as part of any development specific FRA, but currently, there is no requirement to design to this level.

Table 1: EA Flood Levels

Modelled Node Id	National Grid Reference		Defended Scenario				
	Easting	Northing	5% AEP (1 in 20yr)	1% AEP (1 in 100yr)	1% AEP (+35%cc)	1% AEP (+70%cc)	0.1% AEP (1 in 1000)
various	various	various	19.45	19.65	19.94	20.11	20.04

At the planning stage, additional modelled flood data will be required to accurately quantify the risk to the offsite southern access along Moat Road itself, but at this stage, the flood data points as reproduced in Table 1 above at the sites south-eastern corner have been used in addition to the offsite topographic survey (contained in **Appendix C**). The topographic survey shows that levels on Moat Road range from c.20m AOD at the southwestern site corner, c.19.25m AOD at the south-eastern site corner adjacent to the existing agricultural access, a low point of c.18.86m AOD to the east of the watercourse bridge and c.20m AOD at the crossroads with the A274 further to the east.

Flood depths in the 1 in 100 year (35%) climate change event (19.94m AOD) would therefore be expected to be around 1.08m at its deepest in the vicinity of the watercourse crossing and around 0.59m at the existing agricultural access point in the south-eastern corner of the site.

It is therefore considered that during the 1 in 100 year 35% flood event, it will be difficult to demonstrate safe access along Moat Road (to the east towards Headcorn). Generally, even assuming a negligible velocity, flood depths in excess of 250mm – 300mm are difficult to demonstrate as being safe to pass through, therefore a secondary access to the site that people can use will be critical when assessing the overall flood risk at the planning stage. The options available are discussed further in Section 7.

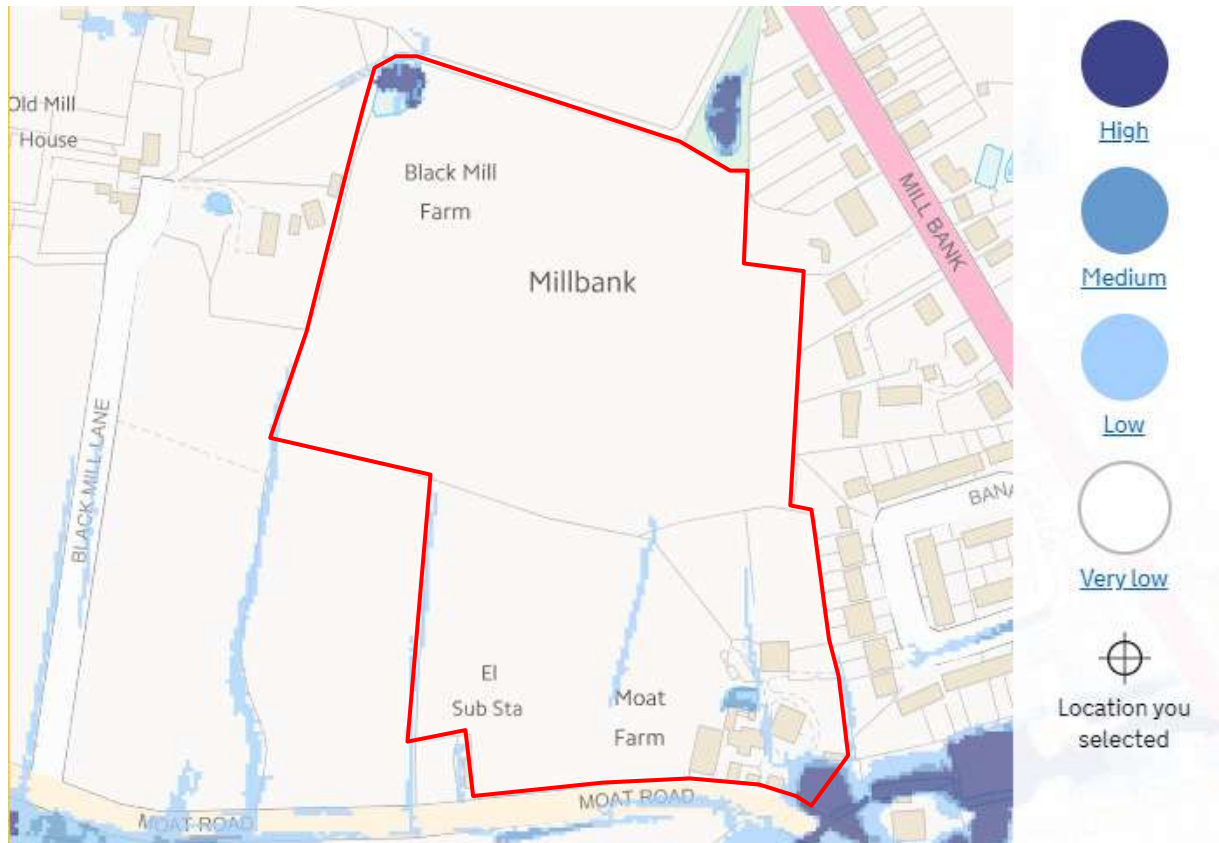
4.2 Surface Water Flooding

Generally, where there is impermeable surfacing or where the ground infiltration capacity is exceeded, surface water runoff can occur. Excess surface water flows from the site are believed to drain naturally to the local water features, either by overland flow or through limited infiltration.

The EA's surface water flood map (see **Figure 4** overleaf) shows the majority of the site is not at risk of surface water flooding. However, there are low risk flow paths created along the hedgerows running down the boundaries of the site's southern half. Moat Farm in the south-east corner has an existing pond/low point creating a medium risk zone in its centre; while the north-east corner has a pre-existing pond, which creates a high risk surface water area. A small region of medium to high risk lies in the south-eastern corner closest to the watercourse.

As such the overall risk of pluvial flooding to the site can be considered low, and this will be taken into account within the detailed surface water design and layout of the site.

Figure 4: Environment Agency ‘Flood risk from surface water’ map



4.3 Groundwater flood risk

Groundwater flooding occurs when the water held underground rises to a level where it breaks the surface in areas away from usual channels and drainage pathways. Groundwater flooding typically occurs following long periods of sustained intense rainfall and is typically associated with low-lying areas underlain by permeable aquifers.

Available geological mapping indicates that the site is underlain by the Weald Clay Formation (Mudstone Limestone). An alluvial tract is located close to the southern site boundary associated with the valley bottom and nearby watercourses. No site-specific ground investigation data is available to confirm the geology and groundwater levels at the site but given the desk study information available the resultant groundwater flood risk is considered to be **low** at the site, however, shallow groundwater may be present in the lower areas of the site to the south.

Climate change could increase the risk of groundwater flooding as a result of increased precipitation filtering into the groundwater body. If winter rainfall becomes more frequent and heavier, groundwater levels may increase. Higher winter recharge may however be balanced by lower recharge during the predicted hotter and drier summers. This is less likely to cause a significant change to flood risk than from other sources, since groundwater flow is not as confined. It is probable that any locally perched aquifers may be more affected, but these are likely to be isolated. The change in flood risk is likely to be low.

4.4 Sewer flood risk

Flood events occur when the capacity of a sewer is exceeded either due to a blockage in the sewer system or excess surface water runoff entering the system. Most adopted surface water drainage networks are designed to the criteria set out in Sewers for Adoption. One of the design parameters is that sewer systems be designed such that no flooding of any part of the site occurs in a 1 in 30 year rainfall event. By definition, a 1 in 100 year event could exceed the capacity of the surrounding sewer network as well as any proposed drainage system.

When exceeded, the surcharged pipe work could lead to flooding from backed up manholes and gully connections. As there are no sewers present within the site boundary, the risk of sewer flooding is considered to be **low** for the site.

Development has the potential to cause an increase in impermeable area, an associated increase in surface water runoff rates and volumes, and a consequent potential increase in downstream flood risk due to overloading of sewers, watercourses, culverts and other drainage infrastructure.

The impact of climate change is likely to be negative regarding flooding from sewers. Increased rainfall and more frequent flooding put existing sewer and drainage systems under additional pressure resulting in the potential for more frequent surcharging and potential flooding. This would increase the frequency of local sewer flooding but is not significant in terms of the proposed development.

4.5 Reservoirs

The EA's online reservoir flood risk map (**Figure 5**) provides a worst-case scenario of the maximum extent that would occur in the event that a reservoir was to fail and release the water it holds. The map indicates that the site is not within a reservoir breach zone and therefore flood risk from this source is considered to be **low**.

Figure 5: Flood risk from Reservoirs



Reservoir flooding is also extremely unlikely. There has been no loss of life in the UK from reservoir flooding since 1925. Since then reservoir safety legislation has been introduced to ensure reservoirs are maintained.



Reservoirs can be managed over time, controlling inflow/outflow of water and therefore there is the capacity to control the effects of climate change. Increased rainfall has the potential to increase base flow, but this should be minimal. It is unlikely that there will be a substantial change to the risk of flooding for this site.

4.6 Canals

There are no Canal & River Trust owned canals within the vicinity of the site.

4.7 Blockages of artificial drainage systems

There is a possibility that flooding may result due to culverts and/or sewers being blocked by debris or structural failure. This can cause water to backup and result in localised flooding, as well as placing areas with lower ground levels at risk. A review of multiple records has confirmed that: -

- There are no known culverts or drainage within the site boundaries.
- Limited highway gullies were observed on Moat Road which discharge via a culvert to the unnamed watercourse to the southeast of the site.
- No internal drainage board assets lie within proximity of the site.

Climate change is unlikely to affect the flooding risk to the site from such blockages. The risk of flooding from artificial sources is considered to be **low**.

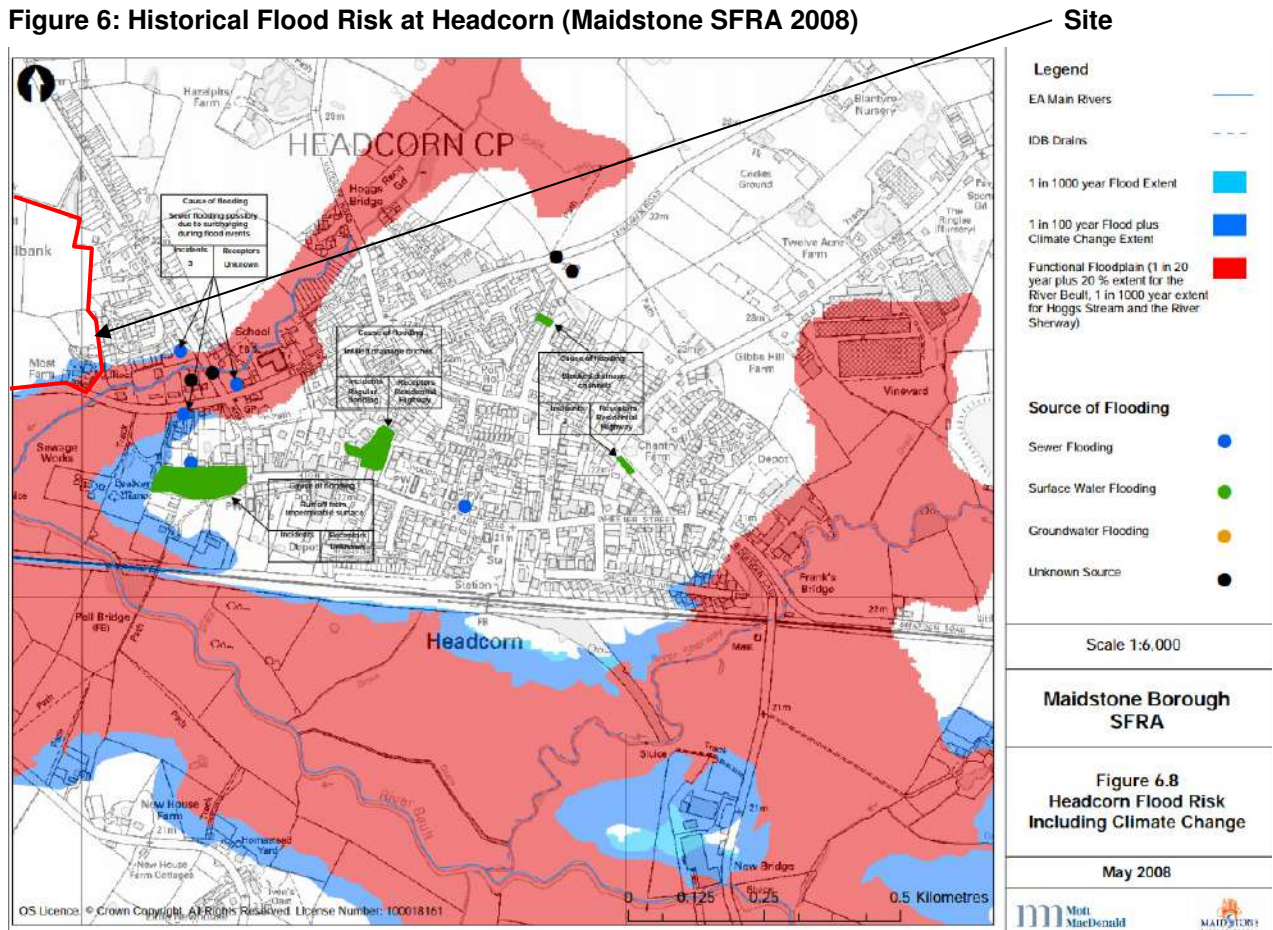
4.8 Historic Flooding

According to the Maidstone Strategic FRA the River Medway catchment (which includes the site) has been subject to multiple historic flood events: -

- In December 1947 flooding was experienced in a small area downstream of Allington Lock.
- November 1960 had the most extensive flooding with overtopping of the River Medway, River Len, River Beult and River Teise, causing catchment wide flooding throughout the Borough.
- The September 1968 flood event caused inundation along the River Medway through Maidstone Town and upstream of Teston.

The floods of Autumn 2000 were the largest in recent history. For England as a whole, Autumn 2000 was the wettest since meteorological records began especially for the Kent area. The SFRA also identifies that least 3 sewer flood events have occurred in proximity to the site (believed to be a result of surcharging from the unnamed brook course) along with two other events whose source is unknown (see **Figure 6**).

Figure 6: Historical Flood Risk at Headcorn (Maidstone SFRA 2008)



5. DRAINAGE STRATEGY CONSIDERATIONS

The NPPF states that Sustainable Drainage Systems (SuDS) should be considered wherever practical. The use of SuDS is also encouraged by local policy. The surface water drainage strategy should seek to implement a SuDS hierarchy that aspires to achieve reductions in surface water runoff rates.

5.1 Pre-development situation

The site is an open agricultural field, and no hard-paved area are currently visible save around Moat Farm buildings in the south-east corner. This area discharges surface water to the adjacent highway ditch, that then links into the watercourse to the east of the site.

5.2 Post-development situation

The proposed developable area on the current masterplan (**Appendix B**) is approximately 3.96ha with approximately 2.38ha of impermeable surfaces (based on 60% of the total developable area), which will potentially result in an increase in surface water runoff across the site.

The pro loH 24 method has been used to estimate the Greenfield surface water runoff for the proposed development area to simulate what it would have been if not already developed. Calculations are contained in **Appendix F** and summarised below.



Table 2: IOH 124 Surface water runoff, Greenfield area (3.96ha)

Return Period	Peak flow (l/s)
QBAR	17.85
1 in 1 year storm	15.17
1 in 30 year storm	41.05
1 in 100 year storm	56.93

Given the current greenfield conditions (summarised in Table 2) Q_{BAR} rate for the proposed developable area is 17.8 l/s.

5.3 Off-site Discharge Options

5.3.1 Infiltration

Infiltration should be considered as the primary option to discharge surface water from the developed site. The effectiveness of infiltration is completely dependent on the physical conditions at the site. As discussed above, the site is not located within any Groundwater Source Protection zones.

No infiltration testing has been undertaken at the site at present but the predominance of Clay and Mudstone/Limestone bedrock geology, combined with the proximity of a major river (and therefore the possibility of a high-water table in the south) implies that the area is not suitable for infiltration design.

5.3.2 Discharge to Sewer

Given the lack of public surface water sewers within the area discharge to sewer is not considered a viable option.

5.3.3 Discharge to Watercourse

The farm buildings in the southeast site area currently discharge surface water to the adjacent highway ditch, which then links into the Main River watercourse to the east of the site. Re-utilising this existing gravity connection is considered the most feasible option.

The exact invert level of this outfall should be confirmed at the planning stage, however, the topography of the site lends itself to a sustainable gravity drainage solution, and it is considered this would be feasible, even in the event of the outfall being very shallow.

Mapping on the Upper Medway Internal Drainage Board website confirms that the watercourse south-east of the site is within its jurisdiction. This watercourse ultimately outfalls into the River Beult.

5.4 Storage Estimates

To determine the approximate volume of attenuation storage that would be required on the site, the WinDes 'Quick Storage' calculation has been used. WinDes 'Quick Storage' calculations provide a range of volumes as an approximation of the total sites' storage requirement. Calculations have been run using a final discharge rate of 17.85 l/s and an assumed impermeable area of 2.38ha.



No allowance is included in the calculations for infiltration and therefore the results illustrate a worst-case scenario. A 40% allowance for climate change has been included, based on a development design life of 100 years.

Table 3: Quick Storage estimates

Return period	Quick Storage volume (m ³)	
	Minimum	Maximum
1 in 30 year	633	896
1 in 100 year	893	1226
1 in 100 year +40% CC	1370	1865

The maximum storage required on-site to accommodate the 1 in 100 year plus 40% climate change rainfall event is approximately **1865m³**. Supporting calculations can be found in **Appendix G**.

These volumes will need to be revised at the detailed design stage by the introduction of specific flow control methods and more detailed impermeable layout. It is also recommended given the size and topography of the site is divided into several attenuation catchments (north and south), the exact sizing and outfall rates for each proposed basin will be determined by the final division of impermeable areas between the catchments.

5.5 Proposed Drainage Strategy

The proposed attenuation for the site will be provided by an on-site attenuation basin, likely to be fed by a treatment train of sustainable based systems (including swales, and permeable paving). It is also recommended to install permeable paving in parking areas to provide additional surface interception. The basin will ultimately outfall into the adjacent highway ditch as existing.

The proposed features should be designed to provide approximately **2051m³** of cumulative storage through a combination of SuDS features. This storage volume is indicatively designed to be 10% in excess of the required maximum storage volume to retain the 1 in 100 plus 40% climate change event, which allows for urban creep during the lifetime of the development.

The dimensions, volumes and locations of the SuDS features will need to be revised as the masterplan develops and during the planning stage, although the current masterplan includes ample areas for SuDS throughout the development and critically, sufficient area for attenuation to the south of the development area that is outside the floodplain.

6. PLANNING CONTEXT

The NPPF and PPG set out the criteria for development and flood risk by stating that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increase flood risk elsewhere.

PPG includes a list of appropriate land uses in each flood zone dependent on vulnerability to flooding. Reference is made to **Table 4**, reproduced from Table 3 of PPG. With reference to Table 2 of the PPG, the proposed development falls under residential and is included within the ‘more vulnerable’ class.



The site's south-eastern corner lies within Flood Zone 3, however there is sufficient space for all proposed building to take place on higher ground outside the zones in question. Since development can be internally classified within Flood Zone 1 the development is classified as 'appropriate' and therefore the application of either the Sequential Test or the Exception Test is not required.

Table 4: Flood risk vulnerability and flood zone 'compatibility'

Flood Risk Vulnerability Classification		Essential Infrastructure	Water Compatible	Highly Vulnerable	More Vulnerable	Less Vulnerable
Flood Zone	Zone 1	Appropriate	Appropriate	Appropriate	Appropriate	Appropriate
	Zone 2	Appropriate	Appropriate	Exception Test Required	Appropriate	Appropriate
	Zone 3a	Exception Test Required	Appropriate	Should not be permitted	Exception Test Required	Appropriate
	Zone 3b functional floodplain	Exception Test Required	Appropriate	Should not be permitted	Should not be permitted	Should not be permitted

7. FLOOD MITIGATION MEASURES

7.1 Overland Flow

The EA mapping and SFRA indicate some medium to high risk surface water flooding on the site and some low risk surface water flow paths along some other site's boundaries. Given the sites overall slope to the south it is considered that these surface water flow pathways can be mitigated by careful design of the onsite drainage network.

7.2 Watercourse Easements and Consenting

Under the Water Resources Act 1991 and associated byelaws, works in, over, under or adjacent to main rivers require the consent of the EA and works in, over, under or adjacent to ordinary watercourses will require IDB, Local Authority or LLFA consent. This is to ensure that they neither interfere with the IDB/EA/LPA/LLFA's work nor adversely affect the local environment, fisheries, wildlife and flood defence.

Due to the presence of a Main River to the south and south-east of the site, it is likely that the EA will require consent for any works within the proximity of the watercourse and may also require specific easements for these watercourses. Standard EA advice indicates permission will required for any activity within 8m of the bank of a main river, or 16m if it is a tidal main river.

7.3 Floodplain Compensation

The proposed development for the site does not include any buildings or land level raising within Flood Zone 3 and therefore floodplain compensatory measures are not considered necessary.



7.4 Safe Access / Egress

Analysis of the site layout and surrounding area has demonstrated that additional emergency access points are available. Given the flood depths that will potentially be encountered on Moat Road in extreme flood events, as detailed in Section 4, the following secondary access/egress options will be fully evaluated prior to progressing a planning application.

1. Secondary access available onto the existing access road/track that serves the properties to the northwest of the site. This route runs along the entire northern site boundary and links directly onto the A274 'Mill Bank' road to the northeast. This option would provide safe pedestrian and vehicular access into Flood Zone 1 and provide a viable access/egress from the site in event of an emergency.
2. Secondary access onto public rights of way (West and Northwest): Maintain a proposed pedestrian access linking into the fields to the west and northwest. This option would provide safe pedestrian only access into Flood Zone 1 and provide a viable pedestrian access/egress from the site in event of an emergency.

Option 1 is potentially the most beneficial option with regard to providing an emergency pedestrian and vehicular access into Flood Zone 1, in the event that the Moat Road access is inaccessible due to floodwater. However, as the existing public rights of way will need maintaining, in reality, both options will be feasible.

8. CONCLUSIONS AND RECOMMENDATIONS

Based on the available information, the majority of the site and the entire proposed development area lies within Flood Zone 1, and is therefore at **low** risk of fluvial flooding. A small area in the far south east of the site is within the floodplain, but it is not proposed to develop within this area.

The flood risk to the site from other sources, including groundwater, reservoir, surface water and artificial sources is assessed as **low**.

The proposals will involve the redevelopment of the site with residential dwellings, meaning the vulnerability rating will become 'more vulnerable' in planning policy terms. Given the proposed development is limited to Flood Zone 1, the development is considered appropriate for the site in planning terms and the Sequential Test and Exception Test are not required.

The proposed main vehicular access onto Moat Road may become impassable due to floodwater in the most extreme flood events, however, alternative secondary access options are available that will provide a viable dry secondary site access wholly within Flood Zone 1. This approach will likely be acceptable to the relevant statutory consultees, namely the Environment Agency and Lead Local Flood Authority.

The surface water drainage design will be designed to ensure that offsite discharges are restricted to at least greenfield rates with appropriate allowances for climate change and future urban creep. Where possible, open SuDS will be utilised to provide water quality benefits as well as controlling runoff rates and providing attenuation storage. Existing surface water drainage connections will be re-utilised.

This assessment concludes that with respect to flood risk (from all sources) and surface water drainage, there is no reason why the development site should be precluded.

We trust the above is useful, but should you require any additional information, please do not hesitate to contact the undersigned.



For RSK LDE Limited,

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Ben Donoghue'.

Ben Donoghue
Flood Risk Consultant, RSK LDE Ltd
Author

A handwritten signature in blue ink, appearing to read 'Matthew Cheeseman'.

Matthew Cheeseman
Associate Director, RSK LDE Ltd
Technical Reviewer

APPENDICES

- Appendix A: RSK Service Constraints
- Appendix B: Illustrative Masterplan
- Appendix C: Topographical Survey
- Appendix D: Southern Water Sewer Layout
- Appendix E: Environment Agency Correspondence
- Appendix F: Greenfield Runoff Calculations
- Appendix G: Quick Storage Estimates

APPENDIX A

Service Constraints

1. This report and the Drainage design carried out in connection with the report (together the "Services") were compiled and carried out by RSK LDE Ltd (RSK) for Catesby Estates (the "client") in accordance with the terms of a contract between RSK and the "client" dated February 2021. The Services were performed by RSK with the skill and care ordinarily exercised by a reasonable Civil Engineer at the time the Services were performed. Further, and in particular, the Services were performed by RSK taking into account the limits of the scope of works required by the client, the time scale involved and the resources, including financial and manpower resources, agreed between RSK and the client.
2. Other than that expressly contained in paragraph 1 above, RSK provides no other representation or warranty whether express or implied, in relation to the Services.
3. Unless otherwise agreed the Services were performed by RSK exclusively for the purposes of the client. RSK is not aware of any interest of or reliance by any party other than the client in or on the Services. Unless expressly provided in writing, RSK does not authorise, consent or condone any party other than the client relying upon the Services. Should this report or any part of this report, or otherwise details of the Services or any part of the Services be made known to any such party, and such party relies thereon that party does so wholly at its own and sole risk and RSK disclaims any liability to such parties. Any such party would be well advised to seek independent advice from a competent environmental consultant and/or lawyer.
4. It is RSK's understanding that this report is to be used for the purpose described in the introduction to the report. That purpose was a significant factor in determining the scope and level of the Services. Should the purpose for which the report is used, or the proposed use of the site change, this report may no longer be valid and any further use of or reliance upon the report in those circumstances by the client without RSK's review and advice shall be at the client's sole and own risk. Should RSK be requested to review the report after the date hereof, RSK shall be entitled to additional payment at the then existing rates or such other terms as agreed between RSK and the client.
5. The passage of time may result in changes in site conditions, regulatory or other legal provisions, technology or economic conditions which could render the report inaccurate or unreliable. The information and conclusions contained in this report should not be relied upon in the future without the written advice of RSK. In the absence of such written advice of RSK, reliance on the report in the future shall be at the client's own and sole risk. Should RSK be requested to review the report in the future, RSK shall be entitled to additional payment at the then existing rate or such other terms as may be agreed between RSK and the client.
6. The observations and conclusions described in this report are based solely upon the Services, which were provided pursuant to the agreement between the client and RSK. RSK has not performed any observations, investigations, studies or testing not specifically set out or required by the contract between

the client and RSK. RSK is not liable for the existence of any condition, the discovery of which would require performance of services not otherwise contained in the Services. For the avoidance of doubt, unless otherwise expressly referred to in the introduction to this report, RSK did not seek to evaluate the presence on or off the site of asbestos, electromagnetic fields, lead paint, heavy metals, radon gas or other radioactive or hazardous materials.

7. The Services are based upon RSK's observations of existing physical conditions at the site gained from a walk-over survey of the site together with RSK's interpretation of information including documentation, obtained from third parties and from the client on the history and usage of the site. The Services are also based on information and/or analysis provided by independent testing and information services or laboratories upon which RSK was reasonably entitled to rely. The Services clearly are limited by the accuracy of the information, including documentation, reviewed by RSK and the observations possible at the time of the walk-over survey. Further RSK was not authorised and did not attempt to independently verify the accuracy or completeness of information, documentation or materials received from the client or third parties, including laboratories and information services, during the performance of the Services. RSK is not liable for any inaccurate information or conclusions, the discovery of which inaccuracies required the doing of any act including the gathering of any information which was not reasonably available to RSK and including the doing of any independent investigation of the information provided to RSK save as otherwise provided in the terms of the contract between the client and RSK.

8. The phase II or intrusive environmental site investigation aspects of the Services is a limited sampling of the site at pre-determined borehole and soil vapour locations based on the operational configuration of the site. The conclusions given in this report are based on information gathered at the specific test locations and can only be extrapolated to an undefined limited area around those locations. The extent of the limited area depends on the soil and groundwater conditions, together with the position of any current structures and underground facilities and natural and other activities on site. In addition, chemical analysis was carried out for a limited number of parameters [as stipulated in the contract between the client and RSK] [based on an understanding of the available operational and historical information,] and it should not be inferred that other chemical species are not present.

9. Any site drawing(s) provided in this report is (are) not meant to be an accurate base plan but is (are) used to present the general relative locations of features on, and surrounding, the site.

APPENDIX B

Illustrative Masterplan



Rev:	23/02/2021	Amendment to development extents	-
Date:		Description:	Initial:

Project:
**Land North of Moat Road,
 Headcorn, Kent**

Drawing:
05a - Illustrative Masterplan

Scale:	1:1000@A1	Drawn:	AKP
Date:	10/12/2020	Checked:	AKP

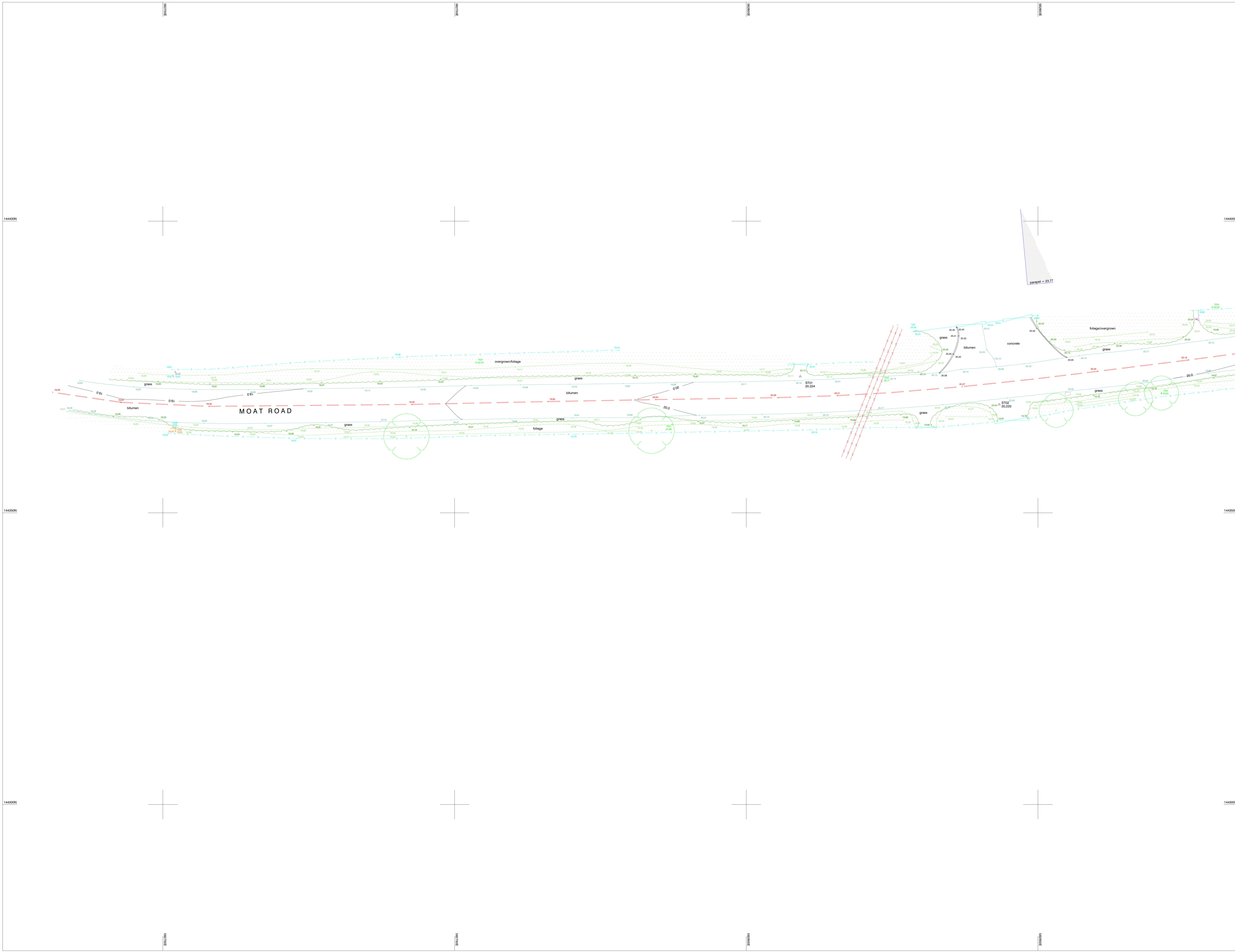
Reproduced from the Ordnance Survey Map with the permission of the Controller of H.M. Stationery Office Crown copyright license number 100022432 Catesby Estates Plc. Published for the purposes of identification only and although believed to be correct accuracy is not guaranteed. Catesby Estates Plc does not act as Principal Designer and this drawing is not intended to inform Construction Design Management procedures.

Copyright Catesby Estates Plc. No dimensions are to be scaled from this drawing. All dimensions to be checked on site. Area measurements for indicative purposes only.



APPENDIX C

Topographical Survey



Symbol & Abbreviation Key

(Symbol)	BARBED WIRE FENCE	(Symbol)	KD KERB OFFLET
(Symbol)	POST & RAIL FENCE	(Symbol)	LC LIGHTING COLUMN
(Symbol)	CLOSE BOARD FENCE	(Symbol)	LP LAMP POST
(Symbol)	RAILINGS	(Symbol)	NP NAME PLATE
(Symbol)	CHAIN LINK FENCE	(Symbol)	NB NOTICE BOARD
(Symbol)	OTHER FENCE	(Symbol)	FR PIPE RISER
(Symbol)	KERB	(Symbol)	RP RIDDING POINT
(Symbol)	DROPPED KERB	(Symbol)	RS ROAD SIGN
(Symbol)	GULLY CHANNEL	(Symbol)	SP SINKHOLE
(Symbol)	TOP / BOTTOM OF BANK	(Symbol)	SV STOP VALVE
(Symbol)	FOLIAGE	(Symbol)	TL TRAFFIC LIGHT
(Symbol)	DITCH	(Symbol)	TP TELEGRAPH POLE
(Symbol)	VERGE	(Symbol)	TOF TOP OF FENCE
(Symbol)	OVERHEAD CABLES	(Symbol)	TDH TOP OF DITCH
(Symbol)	GATE	(Symbol)	TDI TOP OF DRAIN
(Symbol)	HEDGE	(Symbol)	TDS SERVICE LEVEL
(Symbol)	TREE - BROAD LEAVED	(Symbol)	UTL UNABLE TO LIFT
(Symbol)	TREE - CONIFEROUS	(Symbol)	VM VALVE MARKER
(Symbol)	BUSH	(Symbol)	VP VENT PIPE
(Symbol)	BUILDING	(Symbol)	WM WATER MARKER
(Symbol)	SINKHOLE	(Symbol)	WO WASH-OUT
(Symbol)	SURVEY STATION	(Symbol)	
(Symbol)	ORDNANCE SURVEY BENCH MARK	(Symbol)	
(Symbol)	A/C AIR CONDITIONING UNIT	(Symbol)	
(Symbol)	AV AIR VALVE	(Symbol)	
(Symbol)	BOL BALLIARD	(Symbol)	
(Symbol)	BH BOREHOLE	(Symbol)	
(Symbol)	BL BED LEVEL	(Symbol)	
(Symbol)	BM BENCH MARK	(Symbol)	
(Symbol)	BT BRITISH TELECOM	(Symbol)	
(Symbol)	CTV CABLE TV	(Symbol)	
(Symbol)	CL COVER LEVEL	(Symbol)	
(Symbol)	CR CABLE RISER	(Symbol)	
(Symbol)	DP DOWN PIPE	(Symbol)	
(Symbol)	ER EARTH ROD	(Symbol)	
(Symbol)	EP ELECTRICITY POLE	(Symbol)	
(Symbol)	EM ELECTRICITY MARKER	(Symbol)	
(Symbol)	FB FUSE BOX	(Symbol)	
(Symbol)	FM FIRE HYDRANT	(Symbol)	
(Symbol)	FP FENCE POST	(Symbol)	
(Symbol)	FL FLOOR LEVEL	(Symbol)	
(Symbol)	GV GAS VALVE	(Symbol)	
(Symbol)	GM GAS MARKER	(Symbol)	
(Symbol)	GU GULLY	(Symbol)	
(Symbol)	HM HYDRANT MARKER	(Symbol)	
(Symbol)	L INVERT LEVEL	(Symbol)	

General.
 This survey has been prepared with a scaling accuracy for a plot at a scale of 1:200.
 All tree heights and spreads are approximate. We have tried to identify tree types, however if tree species are critical specialist advice should be gained.
 Drainage pipe sizes have been measured from the surface. Chamber access has not been gained for safety reasons, therefore sizes should be regarded as approximate.
 Some detail may have been omitted due to parked vehicles.

Notes.
 Coordinates related to OS National Grid from ST02 by GPS (No scale factor added).
 Levels related to OS.



Rev	Details of Revision			Drawn	Date

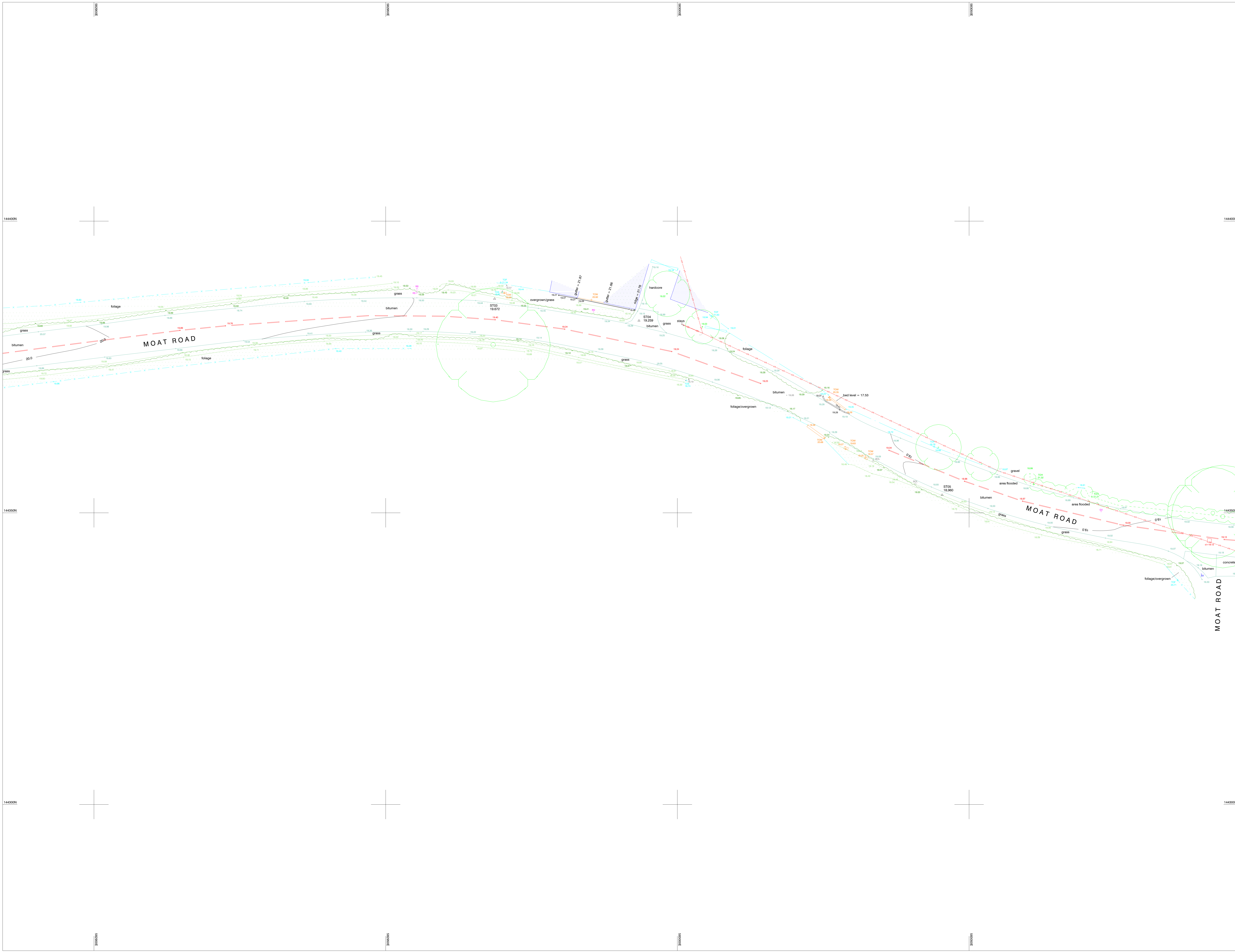
Surveyed	Drawn	Date	Checked	Date	Approved	Date
JSA	J.S.	22/08/19	GD	23/08/19	GD	23/08/19

Interlocks Surveys Limited
 St. Andrews House
 Radford Semele
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 F: 01926 330120
 E: info@interlocksurveys.co.uk

Client.
 CATESBY ESTATES PLC
 CATESBY HOUSE
 5B TOURNAMENT COURT, EDGEHILL DRIVE
 WARWICK, WARWICKSHIRE
 CV34 6LG

Title.
TOPOGRAPHICAL SURVEY
 MOAT FARM
 HEADCORN
 KENT

Dwg No. **190644** Sheet **1 of 3**
 Scale 1:200 A0 Sheet Rev. -

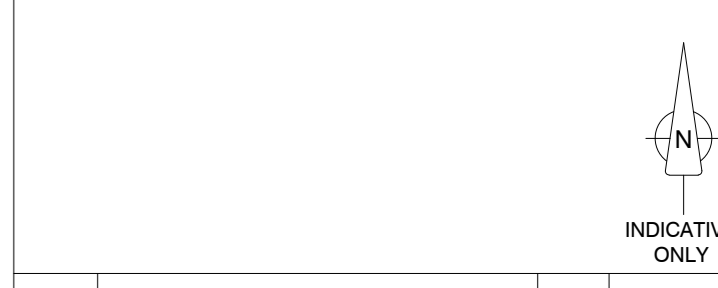


Symbol & Abbreviation Key.

	BARBED WIRE FENCE
	POST & RAIL FENCE
	CLOSE BOARD FENCE
	RAILINGS
	CHAIN LINK FENCE
	OTHER FENCE
	KERB
	DROPPED KERB
	GULLY CHANNEL
	TOP / BOTTOM OF BANK
	FOLIAGE
	DITCH
	VERGE
	OVERHEAD CABLES
	GATE
	HEDGE
	TREE - BROAD LEAVED
	TREE - CONIFEROUS
	BUSH
	BUILDING
	BOREHOLE
	SURVEY STATION
	ORDNANCE SURVEY BENCH MARK
	A/C AIR CONDITIONING UNIT
	AV AIR VALVE
	BOL BELLIED BOREHOLE
	BL BED LEVEL
	BM BENCH MARK
	BT BRITISH TELECOM
	CTV CABLE TV
	CL COVER LEVEL
	CR CABLE RISER
	DP DOWN PIPE
	ER EARTH ROD
	EP ELECTRICITY POLE
	EM ELECTRICITY MARKER
	FH FIRE HYDRANT
	FP FENCE POST
	FL FLOOR LEVEL
	GV GAS VALVE
	GM GAS MARKER
	GU GULLY
	HM HYDRANT MARKER
	L INVERT LEVEL
	KO KERB OFFSET
	LC LIGHTING COLUMN
	LP LAMP POST
	NP NAME PLATE
	NB NOTICE BOARD
	PR PIPE RISER
	RP ROOFTOP POINT
	RS ROAD SIGN
	SP SEWER POST
	SV STOP VALVE
	TL TRAFFIC LIGHT
	TP TELEGRAPH POLE
	TOF TOP OF FENCE
	TOH TOP OF HEDGE
	TOR TOP OF RAILINGS
	TOS SERVICE LEVEL
	TOW TOP OF WALL
	UTL UNABLE TO LIFT
	VM VALVE MARKER
	VP VENT PIPE
	WL WATER LEVEL
	WM WATER MARKER
	WO WASH-OUT

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Notes.
 Coordinates related to OS National Grid from ST02 by GPS (no scale factor added). Levels related to OS.



Rev	Details of Revision			Drawn	Date

Surveyor	Drawn	Date	Checked	Date	Approved	Date
JSA	JS	22/06/19	GD	23/06/19	GD	23/06/19



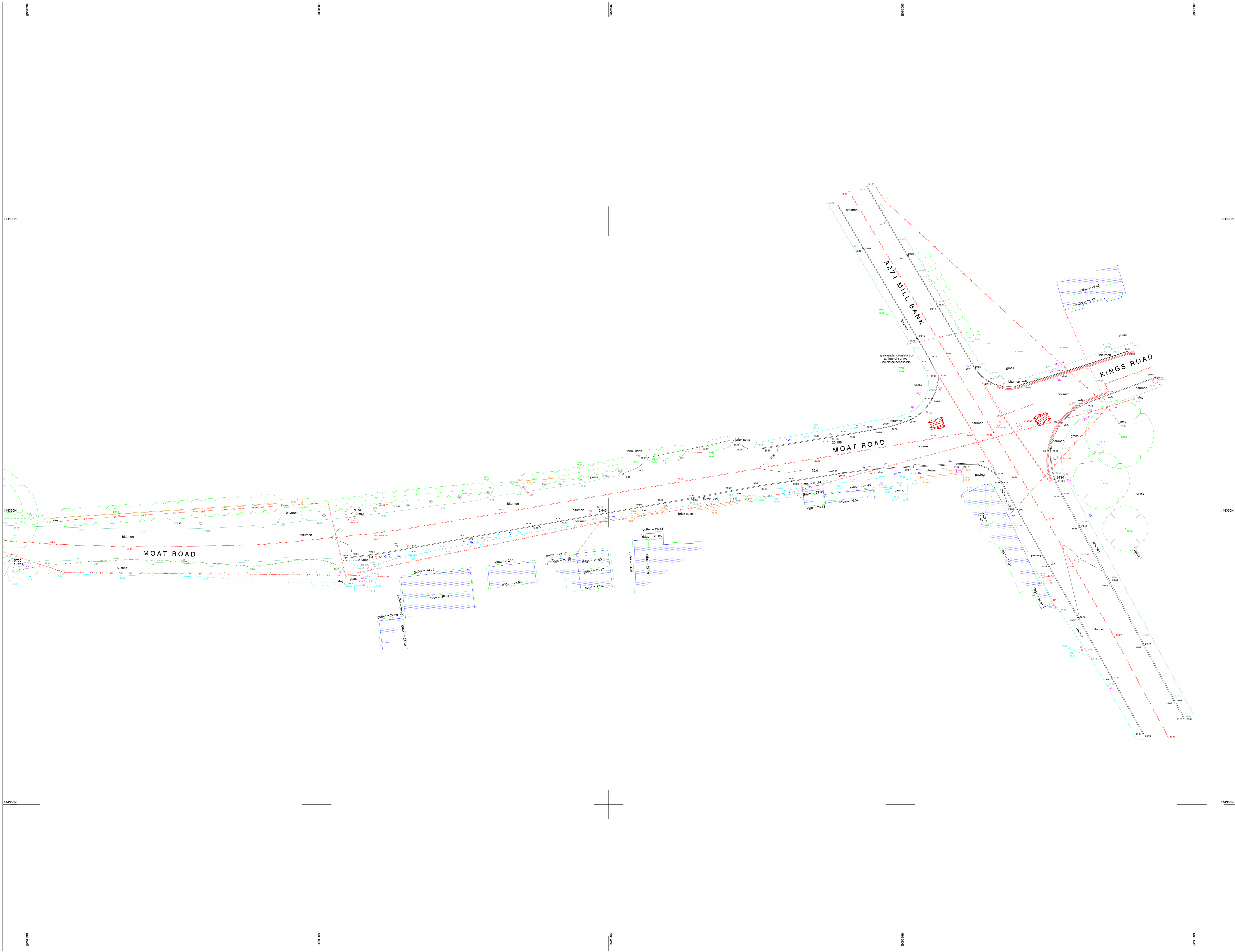
Interlocks Surveys Limited
 St. Andrews House
 Radford Semele
 Leamington Spa
 Warwickshire
 CV31 1TF

T: 01926 330123
 F: 01926 330120
 E: info@interlocksurveys.co.uk

Client.
 CATESBY ESTATES PLC
 CATESBY HOUSE
 5B TOURNAMENT COURT, EDGEHILL DRIVE
 WARWICK, WARWICKSHIRE
 CV34 6LG

Title.
TOPOGRAPHICAL SURVEY
 MOAT FARM
 HEADCORN
 KENT

Dwg No. **190644** Sheet **2 of 3**
 Scale 1:200 A0 Sheet Rev. -



Symbol & Abbreviation Key

	BARBED WIRE FENCE
	POST & RAIL FENCE
	CLOSE BOARD FENCE
	RAILINGS
	CHAIN LINK FENCE
	OTHER FENCE
	KERB
	DROPPED KERB
	GULLY CHANNEL
	TOP / BOTTOM OF BANK
	FOLIAGE
	DITCH
	VERGE
	OVERHEAD CABLES
	GATE
	TREE - BROAD LEAVED
	TREE - CONIFEROUS
	BUSH
	BUILDING
	BOREHOLE
	SURVEY STATION
	ORDNANCE SURVEY BENCH MARK
	A/C AIR CONDITIONING UNIT
	AV AIR VALVE
	B/L BELLAND
	B/H BOREHOLE
	BL BED LEVEL
	BM BENCH MARK
	BT BRITISH TELECOM
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	GM GAS MARKER
	GU GULLY
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	L INVERT LEVEL
	KO KERB OFFSET
	LC LIGHTING COLUMN
	LP LAMP POST
	NP NAME PLATE
	NB NOTICE BOARD
	PR PIPE RISER
	RP ROOFTOP POINT
	RS ROAD SIGN
	RP ROAD POST
	SV STOP VALVE
	TL TRAFFIC LIGHT
	TP TELEGRAPH POLE
	TOF TOP OF FENCE
	TOH TOP OF HEDGE
	TOR TOP OF RAILINGS
	TOS SERVICE LEVEL
	TOW TOP OF WALL
	UTL UNABLE TO LIFT
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	VP VENT PIPE
	WM WATER MARKER
	WO WASH-OUT


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Rev	Details of Revision	Drawn	Date

Surveyed	Drawn	Date	Checked	Date	Approved	Date
JSA	J	22/08/19	GD	23/08/19	GD	23/08/19


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 WARWICK, WARWICKSHIRE
 CV34 6LG

Title:
TOPOGRAPHICAL SURVEY
 MOAT FARM
 HEADCORN
 KENT

Dwg No. **190644** Sheet **3 of 3**
 Scale 1:200 A0 Sheet Rev. -

APPENDIX D

Southern Water Correspondence



Catesby Estates plc
Catesby House, 5B
Tournament Court
Warwick
CV34 6LG

Your ref Headcorn
Our ref 313608
Date 24 October 2018
Contact searches@southernwater.co.uk
 Tel 0845 272 0845
 0330 303 0276
 Fax 01634 844514

Attention: James Findlay

Dear Customer

Re: Provision of public sewer record extract

Location: Land at Headcorn Moat Road TN27 9NU

Thank you for your order regarding the provision of extracts of our sewer and/or water main records. Please find enclosed the extracts from Southern Water's records for the above location.

We confirm payment of your fee in the sum of £49.92 and enclose a VAT receipt for your records.

Customers should be aware that there are areas within our region in which there are neither sewers nor water mains. Similarly, whilst the enclosed extract may indicate the approximate location of our apparatus in the area of interest, it should not be relied upon as showing that further infrastructure does not exist and may subsequently be found following site investigation. Actual positions of the disclosed (and any undisclosed) infrastructure should therefore be determined on site, because Southern Water does not accept any responsibility for inaccuracy or omission regarding the enclosed plan. Accordingly it should not be considered to be a definitive document.

Should you require any further assistance regarding this matter, please contact the LandSearch team.

Yours faithfully

LandSearch

VAT receipt

Ordered by:

Catesby Estates plc
Tournament Court
Warwick
CV34 6LG

VAT registration number: 813 0378 56

Order reference: 313608

Your reference: Headcorn

Receipt for provision of an extract from the public sewer and/or water main records.

Location	Costs
Land at Headcorn Moat Road TN27 9NU	£41.60
Net total	£41.60
VAT	£8.32
Total	£49.92
Paid	Paid in full

Thank you for your payment:

Received on: 16 October 2018

For enquiries regarding the information provided in this receipt, please contact the LandSearch team:

Tel: 0845 270 0212
0330 303 0276 (individual consumers)

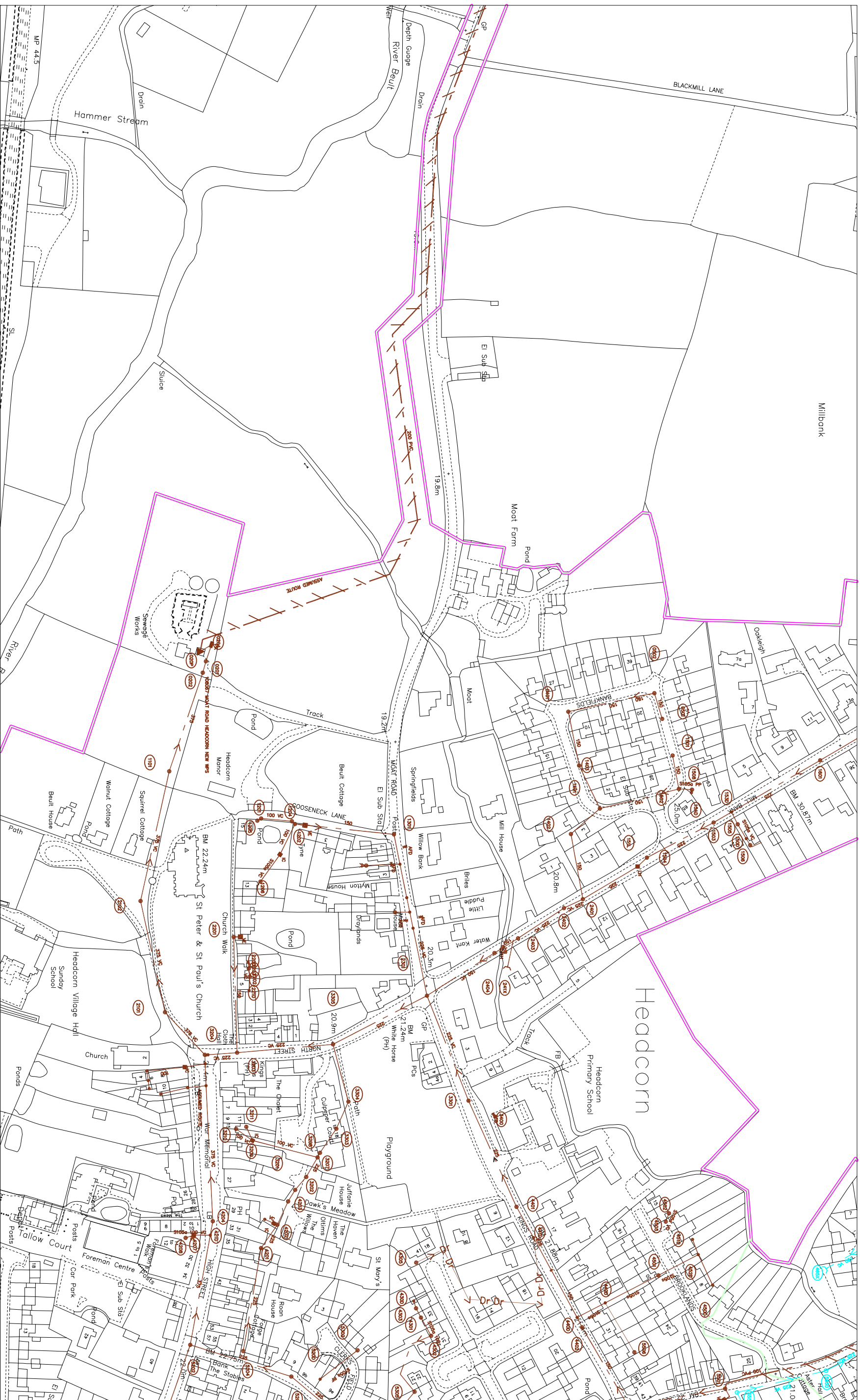
Email: searches@southernwater.co.uk

Web: www.southernwater.co.uk

LandSearch
Southern Water Services
Southern House
Capstone Road
Chatham
Kent
ME5 7QA



144657



144079

O.S. REF.
TQ8344SW

Title: 313608_Land at Headcorn

Drawn by: okuneyf

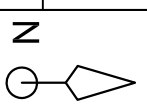
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Date: 24/10/2018

The positions of pipes shown on this plan are believed to be correct, but Southern Water Services Ltd accept no responsibility in the event of inaccuracy.
The actual positions should be determined on site.

WARNING: BAC pipes are constructed of Bonded Asbestos Cement
WARNING: Unknown (UK) materials may include Bonded Asbestos Cement

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Licence No. WU 298530.



582599

583543

SEWER RECORDS PAGE 2 OF 2

Node	Cover	Invert	Size	Material	Shape	Node	Cover	Invert	Size	Material	Shape
0201X	20.433	15.993	375	UNK	CIRC	3304X	20.91	19.74	225	UNK	CIRC
0202X	20.48		375	UNK	CIRC	3305X	20.951	17.981	225	VC	CIRC
0204X	21.602	20.542	UNK	UNK	CIRC	4201X	21.767	20.417	225	UNK	CIRC
0401X	26.895	25.525	150	UNK	CIRC	4202X	21.6	20.21	225	UNK	CIRC
0501X	26.296	24.606	150	UNK	CIRC	4203X	21.991	17.181	225	UNK	CIRC
0502X	26.296	24.606	150	UNK	CIRC	4204X			375	VC	CIRC
1101X	20.487		375	UNK	CIRC	4206X			UNK	UNK	CIRC
1201X	20.491		100	UNK	CIRC	4207X			100	VC	VC
1202X	20.146		150	UNK	CIRC	4208X			100	VC	VC
1203X			100	UNK	CIRC	4208X			100	VC	VC
1204X			100	UNK	CIRC	4210X			375	UNK	CIRC
1205X			100	UNK	CIRC	4301X			100	UNK	CIRC
1301X	19.571	19.561	225	VC	CIRC	4302X			100	UNK	CIRC
1305X			150	VC	CIRC	4303X			100	UNK	CIRC
1306X			100	VC	CIRC	4305X			UNK	UNK	CIRC
130DX			225	VC	CIRC	430DX			100	UNK	CIRC
1401X	21.364	20.012	150	UNK	CIRC	4401X	21.143	18.913	225	UNK	CIRC
1402X	20.602		150	UNK	CIRC	4402X	21.506		150	UNK	CIRC
1403X			150	UNK	CIRC	4402X			150	UNK	CIRC
1501X	26.801	25.371	150	UNK	CIRC	442DX			UNK	UNK	CIRC
1502X	26.133	24.953	150	UNK	CIRC	4501X			UNK	UNK	CIRC
1503X	26.362	24.282	150	UNK	CIRC	4502X			VC	VC	CIRC
1504X	23.358	21.838	225	UNK	CIRC	450DX			UNK	UNK	CIRC
1505X			UNK	VC	CIRC	451DX			UNK	UNK	CIRC
1506X			UNK	VC	CIRC	452DX			UNK	UNK	CIRC
1508X			UNK	VC	CIRC	452DX			375	UNK	CIRC
150DX			UNK	VC	CIRC	5202X	22.033	19.88	225	UNK	CIRC
1511X			225	VC	CIRC	5203X	22.14	21.43	225	UNK	CIRC
153DX			225	UNK	CIRC	5204X	22.25		UNK	UNK	CIRC
15ADX			UNK	PP	CIRC	5302X			UNK	PF	CIRC
1601X	31.554	24.554	225	UNK	CIRC	5305X	21.605		UNK	VC	CIRC
2101X	21.038	16.608	375	VC	CIRC	5501X			150	UNK	CIRC
2102X	20.962	19.712	150	UNK	CIRC	5506X			225	UNK	CIRC
2201X			UNK	UNK	CIRC	550X			225	VC	CIRC
2202X			UNK	VC	CIRC						
2203X			UNK	VC	CIRC						
220DX			UNK	VC	CIRC						
2301X	20.244		225	UNK	CIRC						
2306X			150	UNK	CIRC						
232DX			225	VC	CIRC						
233DX			225	VC	CIRC						
234DX			225	VC	CIRC						
2401X	21.345	19.515	225	VC	CIRC						
2402X	20.851	18.831	225	VC	CIRC						
2403X	20.287	18.499	150	UNK	CIRC						
2404X	20.265	18.295	150	VC	CIRC						
310DX			100	UNK	CIRC						
311DX			100	UNK	CIRC						
312DX			100	UNK	CIRC						
313DX			UNK	VC	CIRC						
3201X	21.573	20.024	225	UNK	CIRC						
3202X	21.464	21.024	225	UNK	CIRC						
3203X	21.038	16.758	225	VC	CIRC						
3204X	21.328	19.929	100	UNK	CIRC						
3205X			100	UNK	CIRC						
3207X	21.349		225	UNK	CIRC						
3208X			225	UNK	CIRC						
3209X			100	VC	CIRC						
320DX			375	VC	CIRC						
3210X			100	VC	CIRC						
3211X			100	VC	CIRC						
321DX			UNK	VC	CIRC						
322DX			UNK	VC	CIRC						
3301X	20.39	18.57	225	VC	CIRC						
3301X	21.163	19.823	225	UNK	CIRC						
3303X			225	UNK	CIRC						

LINE STYLES / COLOURS

- Brown: --- Field
- Black: --- Sewer
- BRC: --- Sewer
- Red: --- Sewer
- Light Blue: --- Sewer
- Dark Blue: --- Sewer
- Purple: --- Sewer

MATERIALS

- AK: Aluminium
- BRC: Black (Common)
- CC: Concrete Box Culvert
- CI: Cast Iron
- CO: Concrete (R-SU)
- CS: Concrete Segment (lock)
- CSU: Concrete Segment (unlocked)
- DI: Ductile Iron
- LD: Lead
- MAC: Masonry
- PP: Polypropylene
- PC: Polystyrene
- SI: Spun Iron
- ST: Steel
- XX: Other
- ZZ: Unknown

LEGEND - SEWERS

- Other (S): --- Sewer
- Change to sewer (S): --- Sewer
- Relief valve: --- Sewer
- Flap valve: --- Sewer
- Check valve: --- Sewer
- Gate valve: --- Sewer
- Air Valve: --- Sewer
- Hitch box (S): --- Sewer
- Check: --- Sewer
- Slackway: --- Sewer
- Relieving Pond: --- Sewer

WATERWORKS TREATMENT WORKS


- Outfall headworks: --- Sewer
- Vertical column: --- Sewer
- Vertical storage tank: --- Sewer
- Head of Public Sewer: --- Sewer
- Head of Public Sewer: --- Sewer
- Micro Pumping Station: --- Sewer

SHAPE (S)

- A: Arch
- C: Circular
- H: Elliptical
- T: Trapezoidal
- U: U-Shape
- S: Slope

NODE REFERENCING SYSTEM

- 1st digit: hundred meter easting identifier
- 2nd digit: hundred meter northing identifier
- 3rd digit: sewer type identifier
- 4th digit: next sequential node

Drawn by: okuneyf	
Title: 313608_Land at Headcorn	
Date: 24/10/2018	

Land Searches Map Legend

Sewer

Pipe Line Styles/Colours

	Foul Sewer
	Foul Rising Main
	Foul Syphon Sewer
	Foul Vacuum Sewer
	Foul Trunk Sewer
	Foul Tank Sewer
	Surface Water Sewer
	Surface Water Rising Main
	Surface Water Syphon Sewer
	Surface Water Trunk Sewer
	Surface Water Tank Sewer
	Culverted Watercourse
	Combined Sewer
	Combined Rising Main
	Combined Syphon Sewer
	Combined Trunk Sewer
	Combined Tank Sewer
	Treated Effluent
	Treated Effluent Rising Main
	Sludge Rising Main
	Flow Direction Arrows (All Styles)
	As above line styles but decommissioned
	(Yellow) As above line styles but private
	Access Shaft – Personnel Only

Boundary Line Styles/Colours

	Catchment Boundary
	Sub-Catchment Boundary
	Section 104 Agreement Area
	Building Over Agreement Area

Materials

AK Alkathene	GRP Glass Reinforced Plastic
BAC Bonded Asbestos Cement *	MAC Masonry in regular courses
BRE Brick (Engineering)	MAR Masonry in random courses
BRC Brick (Common)	PE Polyethylene
CC Concrete Box Culvert	PF Pitch Fibre
CI Cast Iron	PP Polypropylene
CO Concrete (In-Situ)	PVC Polyvinyl Chloride
CP Concrete (Pre-Cast)	RPM Reinforced Plastic Matrix
CSB Concrete Segments (Bolted)	SI Spun Iron
CSU Concrete Segments (Un-Bolted)	ST Steel
DI Ductile Iron	VC Vitrified Clay
GRC Glass Reinforced Concrete	UNK Unknown*

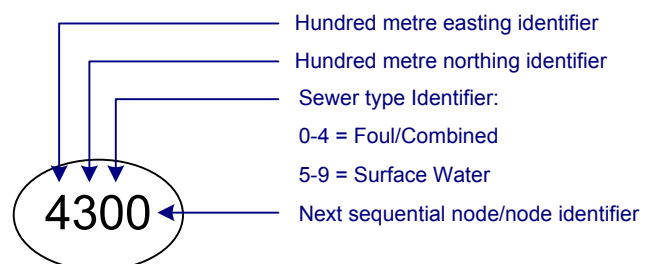
*Warning
BAC Pipes are constructed of Bonded Asbestos Cement
UNK Pipes are may be constructed of Bonded Asbestos Cement

Symbols

Surface	Foul	Combined	
			Label Ellipse
			Manhole
			Dummy/S.24 Manhole
			Manhole Backdrop
	n/a	n/a	Catchpit
	n/a	n/a	Soakaway
	n/a	n/a	Balancing Pond
			Rodding Eye
			Washout
			Flushing Chamber Mn-E
			Flushing Chamber No-E
			Hatch Box
			Lamphole
			Interceptor Chamber
			Blind Shaft
			Storm Tank
			Vortex Chamber
			Vent
			Vent Column
			Other/Unknown
			Penstock
	n/a		Cascade
			Change Node
			Pumping Station
n/a			Micro Pumping Station
			Air Valve
			Valve
n/a			Reflux Valve
n/a			Anti-Flood Device
			Blank End
			Head of Public Sewer
	n/a	n/a	Inlet
			Outfall
n/a			Storm Overflow
n/a			Treatment Works

Other symbols or text may be visible which are not shown here.
These are used for Southern Water operational guidance only.

Node Referencing System



APPENDIX E

Environment Agency Correspondence

Product 4 (Detailed Flood Risk) for: Land north of Moat Road, Headcorn, Ashford, Kent, TN27 9NU
Requested by: Matthew Cheeseman - RSK
Reference: KSL 104916 LB
Date: 1st November 2018

Contents

- Flood Map Confirmation
- Flood Map Extract
- Model Output Data
- Data Point Location Map
- Modelled Flood Outlines Map
- Defence Details
- Historic Flood Data
- Historic Flood Event Map
- Additional Data
- Use of information for Flood Risk Assessment and Updated Climate Change Allowances (2016)

The information provided is based on the best data available as of the date of this letter.

You may feel it is appropriate to contact our office at regular intervals, to check whether any amendments/ improvements have been made to the data for this location. Should you re-contact us after a period of time, please quote the above reference in order to help us deal with your query.

Please refer to the [Open Government Licence](#) which explains the permitted use of this information.

Flood Map Confirmation

The Flood Map:

Our Flood Map shows the natural floodplain for areas at risk from river and tidal flooding. The floodplain is specifically mapped ignoring the presence and effect of defences. Although flood defences reduce the risk of flooding they cannot completely remove that risk as they may be over topped or breached during a flood event.

The Flood Map indicates areas with a 1% (0.5% in tidal areas), Annual Exceedance Probability (AEP) - the probability of a flood of a particular magnitude, or greater, occurring in any given year, and a 0.1% AEP of flooding from rivers and/or the sea in any given year. The map also shows the location of some flood defences and the areas that benefit from them.

The Flood Map is intended to act as a guide to indicate the potential risk of flooding. When producing it we use the best data available to us at the time, taking into account historic flooding and local knowledge. The Flood Map is updated on a quarterly basis to account for any amendments required. These amendments are then displayed on the internet at www.gov.uk/prepare-for-a-flood.

At this Site:

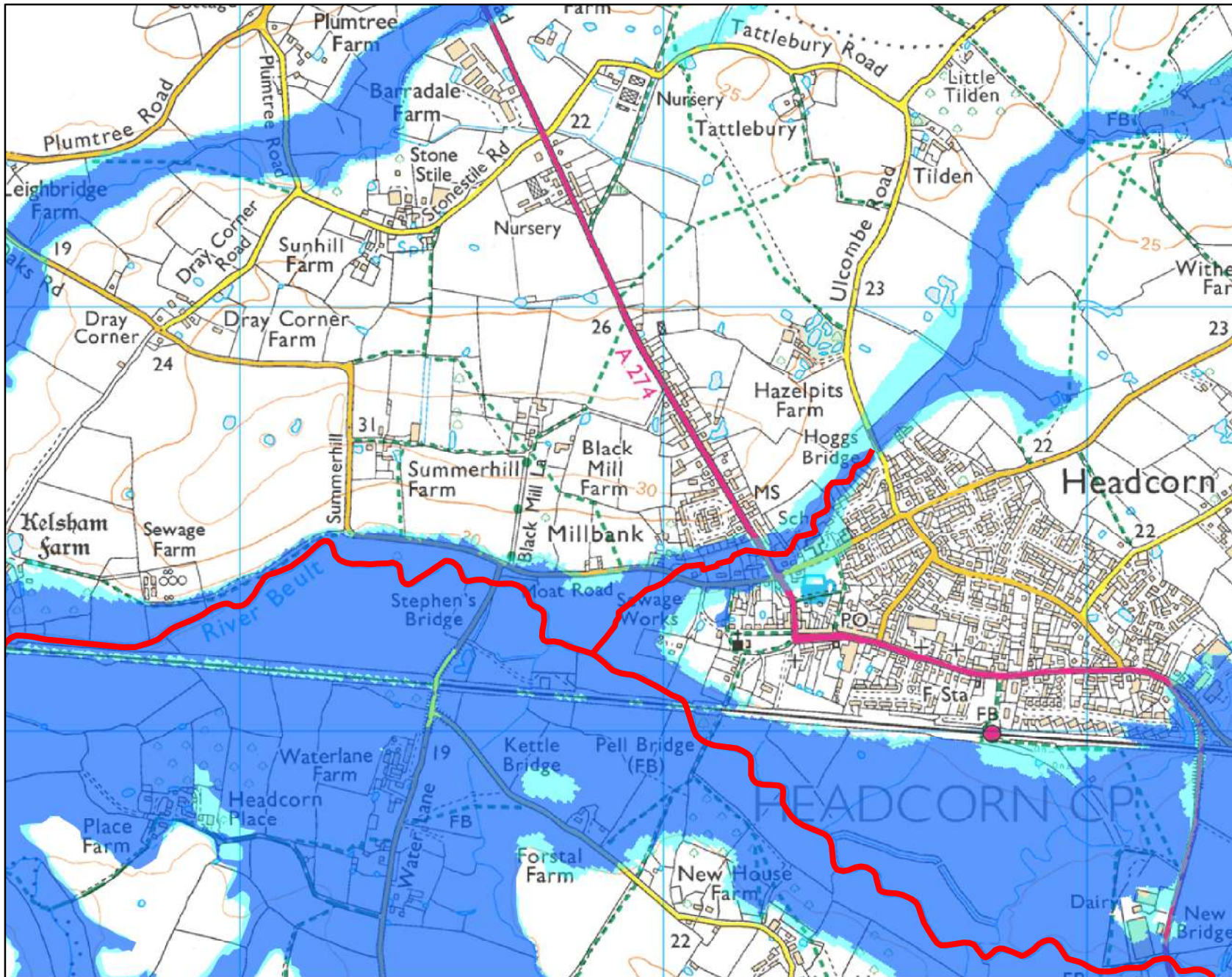
The Flood Map shows that parts of this site lie within the outline of the 1% (Flood Zone 3) chance of flooding from the river in any given year.

Enclosed is an extract of our Flood Map which shows this information for your area.


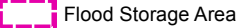

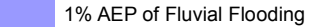

Method of production

The Flood Map at this location has been derived using detailed fluvial modelling of River Medway completed in 2015 by JBA.

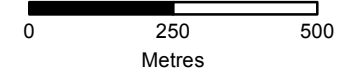
Flood Map centred on Land north of Moat Road, Headcorn, Ashford, Kent, TN27 9NU. Created 01/11/2018 (Ref KSL 104916 LB)



Legend

-  Main River
-  Flood Storage Area
-  Areas Benefiting From Flood Defence
-  1% AEP of Fluvial Flooding
-  0.1% AEP of Flooding

Annual Exceedance Probability (AEP) The probability of a flood of a particular magnitude, or greater occurring in any given year.



Scale 1:10,000

Model Output Data

You have requested flood levels for various return periods at this location.

The modelled flood levels for the closest most appropriate model grid cells, any additional information you may need to know about the modelling from which they are derived and/or any specific use or health warning for their use are set out below.

Using a 2D TuFLOW model the floodplain has been represented as a grid. The flood water levels have been calculated for each grid cell.

A map showing the location of the points from which the data is taken is enclosed. Please refer to the [Open Government Licence](#) which explains the permitted use of this information.

Table 1 : Defended Levels in mAOD

Modelled Node ID	National Grid Reference		Defended Scenario									
	Eastings	Northings	20% AEP	5% AEP	3.3% AEP	2% AEP	1.3% AEP	1% AEP	1% AEP +35%CC	1% AEP +70%CC	0.4% AEP	0.1% AEP
1	582889	144385	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	19.94	20.11	<Null>	20.04
2	582919	144385	<Null>	<Null>	<Null>	<Null>	19.71	19.65	19.94	20.11	19.85	20.04
3	582929	144385	<Null>	<Null>	<Null>	<Null>	19.71	19.65	19.94	20.11	19.85	20.04
4	582939	144385	<Null>	<Null>	<Null>	<Null>	19.71	<Null>	19.94	20.11	19.85	20.04
5	582949	144385	<Null>	<Null>	<Null>	<Null>	19.71	<Null>	19.94	20.11	19.85	20.04
6	582959	144385	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
7	582969	144385	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
8	582979	144385	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
9	582989	144385	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
10	582999	144385	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
11	582929	144395	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	20.11	<Null>	20.04
12	582939	144395	<Null>	<Null>	<Null>	<Null>	19.71	<Null>	<Null>	20.11	<Null>	20.04

13	582949	144395	<Null>	<Null>	<Null>	<Null>	19.71	<Null>	19.94	20.11	19.85	20.04
14	582959	144395	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	20.11	<Null>	20.04
15	582969	144395	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	19.94	20.11	19.85	20.04
16	582979	144395	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	19.94	20.11	19.85	20.04
17	582989	144395	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
18	582999	144395	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
19	583009	144395	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
20	583019	144395	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
21	583029	144395	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
22	582929	144405	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	20.11	<Null>	20.04
23	582949	144405	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	20.11	<Null>	20.04
24	582959	144405	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	20.11	<Null>	20.04
25	582969	144405	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	20.11	<Null>	20.04
26	582979	144405	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	19.94	20.11	19.85	20.04
27	582989	144405	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	20.11	<Null>	20.04
28	582999	144405	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
29	583009	144405	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
30	583019	144405	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
31	583029	144405	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
32	583039	144405	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
33	582979	144415	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	20.11	<Null>	20.04
34	582989	144415	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	20.11	<Null>	20.04
35	582999	144415	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	20.11	<Null>	20.04
36	583009	144415	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	19.94	20.11	19.85	20.04
37	583019	144415	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	19.94	20.11	19.85	20.04
38	583029	144415	19.28	19.45	19.50	19.54	19.71	19.65	19.94	20.11	19.85	20.04
39	583039	144415	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	19.94	20.11	<Null>	20.04
40	582989	144425	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	20.11	<Null>	20.04
41	582999	144425	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	20.11	<Null>	20.04
42	583009	144425	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	19.94	20.11	19.85	20.04

43	583019	144425	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	19.94	20.11	19.85	20.04
44	583029	144425	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>
45	583039	144425	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	19.94	20.11	<Null>	20.04
46	582999	144435	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	20.11	<Null>	20.04
47	583039	144435	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	19.94	20.11	<Null>	20.04

Table 2 : Undefended levels in mAOD

Modelled Node ID	National Grid Reference		Undefended Scenario				
	Eastings	Northings	5% AEP	1% AEP	1% AEP +35%CC	1% AEP +70%CC	0.1% AEP
1	582889	144385	<Null>	<Null>	19.94	20.11	<Null>
2	582919	144385	<Null>	<Null>	19.94	20.11	19.99
3	582929	144385	<Null>	19.59	19.94	20.11	19.99
4	582939	144385	<Null>	19.59	19.94	20.11	19.99
5	582949	144385	<Null>	19.59	19.94	20.11	19.99
6	582959	144385	19.45	19.59	19.94	20.11	19.99
7	582969	144385	19.45	19.59	19.94	20.11	19.99
8	582979	144385	<Null>	19.59	19.94	20.11	19.99
9	582989	144385	19.45	19.59	19.94	20.11	19.99
10	582999	144385	19.45	19.59	19.94	20.11	19.99
11	582929	144395	<Null>	<Null>	<Null>	20.11	<Null>
12	582939	144395	<Null>	<Null>	<Null>	20.11	<Null>
13	582949	144395	<Null>	<Null>	19.94	20.11	19.99
14	582959	144395	<Null>	<Null>	<Null>	20.11	19.99
15	582969	144395	<Null>	<Null>	19.94	20.11	19.99
16	582979	144395	<Null>	<Null>	19.94	20.11	19.99
17	582989	144395	19.45	19.59	19.94	20.11	19.99
18	582999	144395	19.45	19.59	19.94	20.11	19.99

19	583009	144395	19.45	19.59	19.94	20.11	19.99
20	583019	144395	19.45	19.59	19.94	20.11	19.99
21	583029	144395	19.45	19.59	19.94	20.11	19.99
22	582929	144405	<Null>	<Null>	<Null>	20.11	<Null>
23	582949	144405	<Null>	<Null>	<Null>	20.11	<Null>
24	582959	144405	<Null>	<Null>	<Null>	20.11	19.99
25	582969	144405	<Null>	<Null>	<Null>	20.11	<Null>
26	582979	144405	<Null>	<Null>	19.94	20.11	19.99
27	582989	144405	<Null>	<Null>	<Null>	20.11	19.99
28	582999	144405	19.45	19.59	19.94	20.11	19.99
29	583009	144405	19.45	19.59	19.94	20.11	19.99
30	583019	144405	19.45	19.59	19.94	20.11	19.99
31	583029	144405	19.45	19.59	19.94	20.11	19.99
32	583039	144405	19.45	19.59	19.94	20.11	19.99
33	582979	144415	<Null>	<Null>	<Null>	20.11	19.99
34	582989	144415	<Null>	<Null>	<Null>	20.11	19.97
35	582999	144415	<Null>	<Null>	<Null>	20.11	19.99
36	583009	144415	<Null>	<Null>	19.94	20.11	19.99
37	583019	144415	<Null>	<Null>	19.94	20.11	19.99
38	583029	144415	19.45	19.59	19.94	20.11	19.99
39	583039	144415	<Null>	<Null>	19.94	20.11	19.99
40	582989	144425	<Null>	<Null>	<Null>	20.11	<Null>
41	582999	144425	<Null>	<Null>	<Null>	20.11	<Null>
42	583009	144425	<Null>	<Null>	19.94	20.11	19.99
43	583019	144425	<Null>	<Null>	19.94	20.11	19.99
44	583029	144425	<Null>	<Null>	<Null>	<Null>	19.99
45	583039	144425	<Null>	<Null>	19.94	20.11	19.99
46	582999	144435	<Null>	<Null>	<Null>	20.11	<Null>
47	583039	144435	<Null>	<Null>	19.94	20.11	<Null>

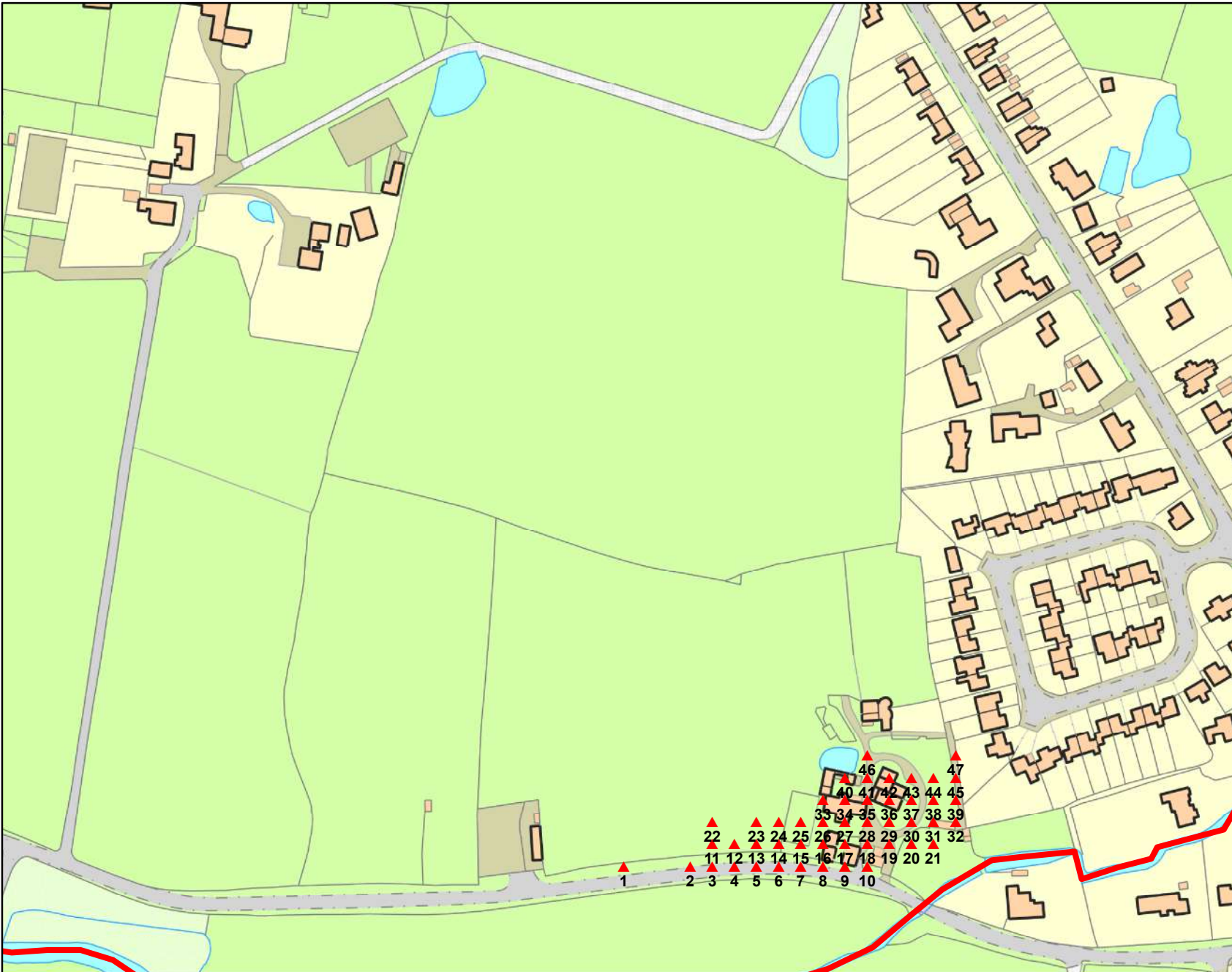
Values of <Null> indicate locations at which the selected points lie outside of a particular modelled flood extent.

Data taken from River Medway Mapping and Modelling Study, completed by JBA, in 2015

There are no health warnings or additional information for these levels, or the model from which they were produced.

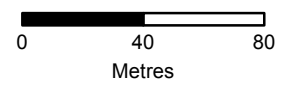
It should also be noted that climate change allowances have changed since 2004. In 2016 new allowances for climate change were published on gov.uk. The fluvial climate factors are now more complex and are based on a regional river basin district. You can view the new allowances at ['Flood risk assessments: climate change allowances'](#). The data provided in this product does incorporate the new allowances. We will incorporate the new allowances into future modelling studies.

**Node Map centred on Land north of Moat Road, Headcorn, Ashford, Kent, TN27 9NU.
Created 01/11/2018 (Ref KSL 104916 LB)**



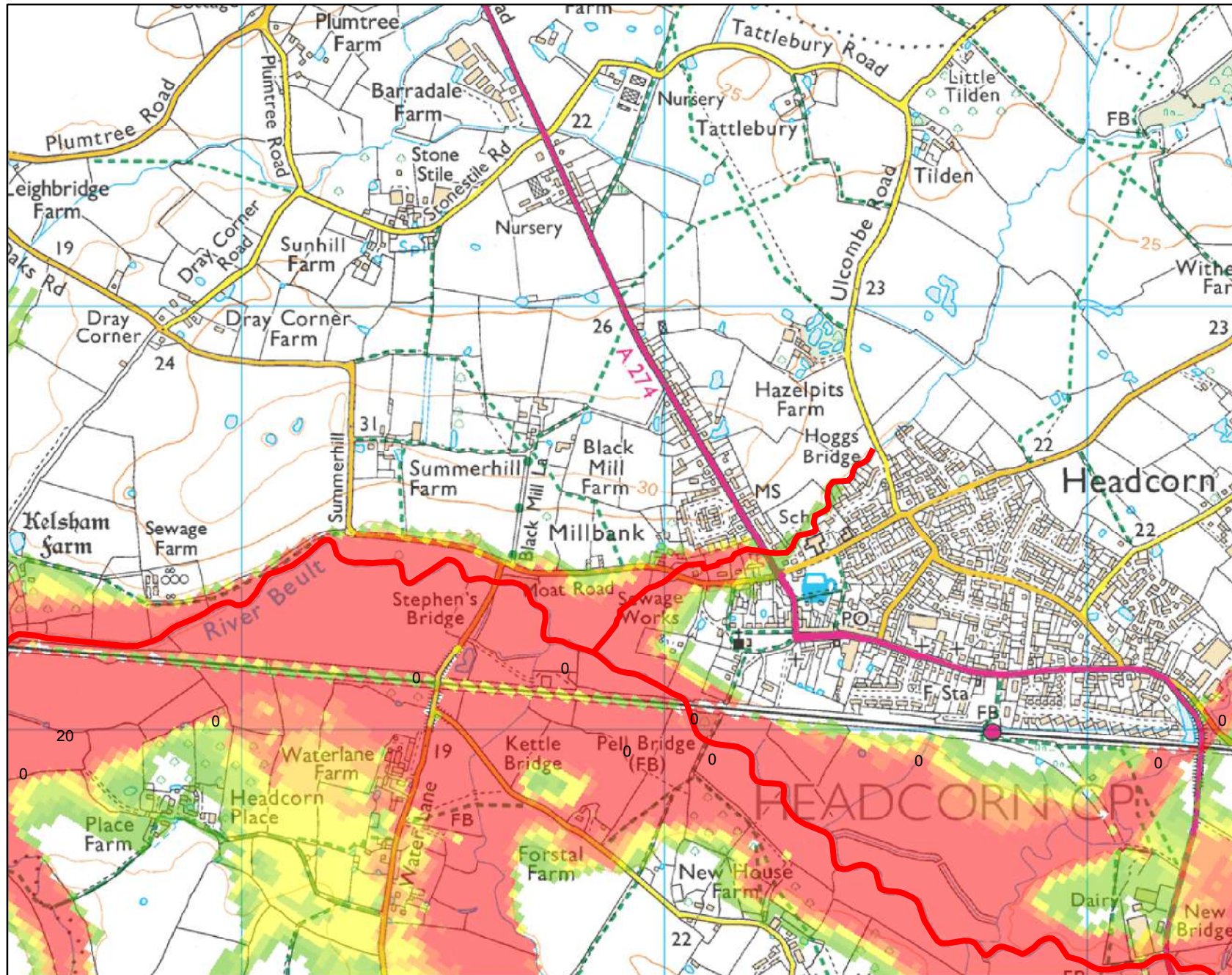
Legend

- ▲ Nodes
- Main River



Scale 1:2,500

Modelled Maximum Defended Flood Extent centred on Land north of Moat Road, Headcorn, Ashford, Kent, TN27 9NU. Created 01/11/2018 (Ref KSL 104916 LB)



Legend

— Main River

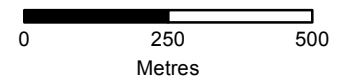
Maximum Defended Flood Extents

AEP (%)

- 20% AEP extent
- 10% AEP + CC extent
- 5% AEP extent
- 3.3% AEP extent
- 2% AEP extent
- 1.3% AEP extent
- 1% AEP extent
- 0.4% AEP extent
- 1% AEP + 35%CC extent
- 1% AEP + 70%CC extent
- 0.1% AEP extent

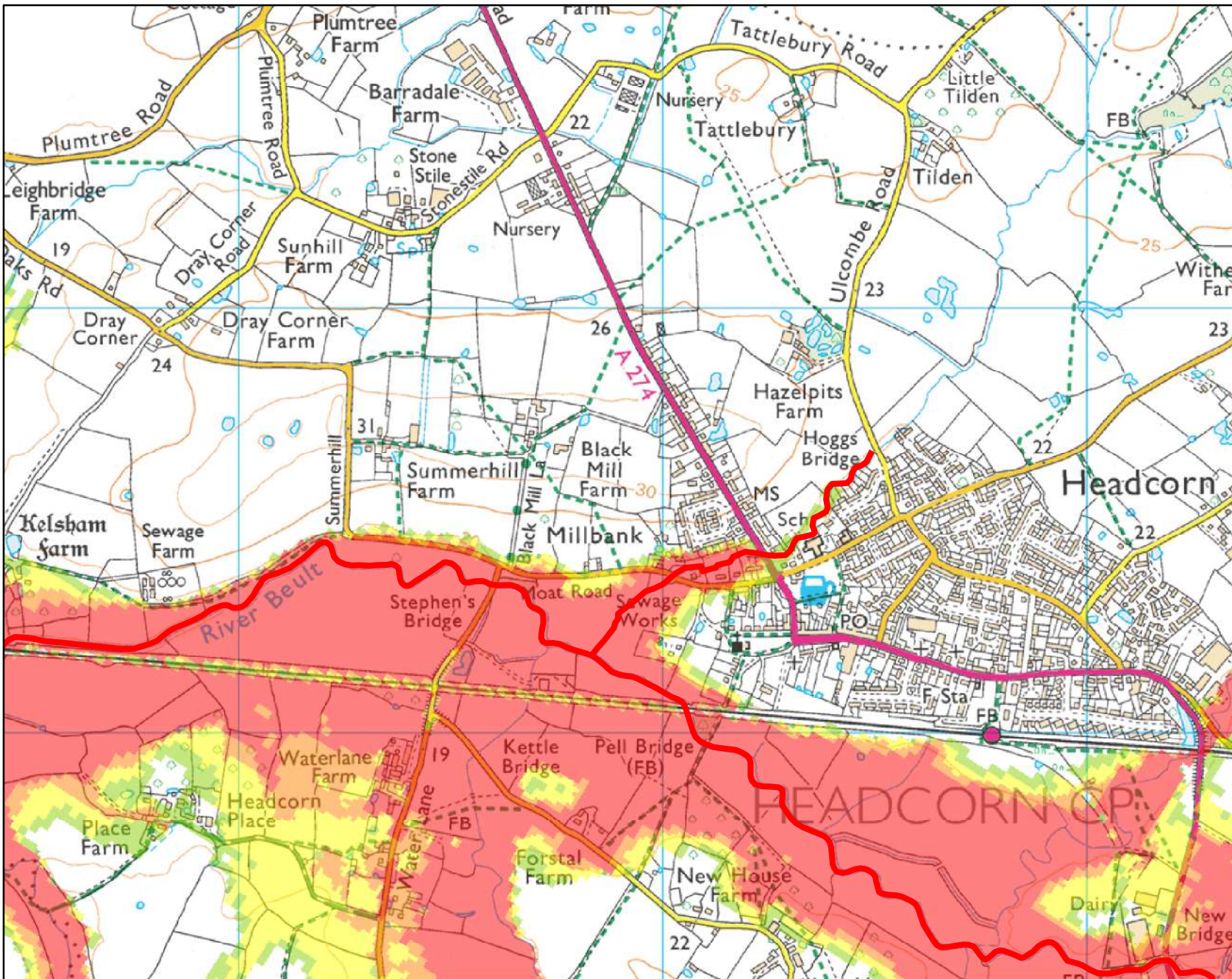
1%CC = 1% Climate Change extent
This is the 1% AEP event with an allowance for climate change (+20% on river flows).

Annual Exceedance Probability (AEP) The probability of a flood of a particular magnitude, or greater occurring in any given year.



Scale 1:10,000

Modelled Maximum Undefended Flood Extent centred on Land north of Moat Road, Headcorn, Ashford, Kent, TN27 9NU. Created 01/11/2018 (Ref KSL 104916 LB)



Legend

— Main River

Maximum Undefended Flood Extents

AEP (%)

0.1% AEP extent

1% AEP + 70% CC extent

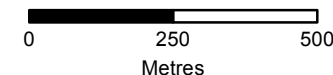
1% AEP + 35% CC extent

1% AEP extent

5% AEP extent

1%CC = 1% Climate Change extent
This is the 1% AEP event with an allowance for climate change (+20% on river flows).

Annual Exceedance Probability (AEP) The probability of a flood of a particular magnitude, or greater occurring in any given year.



Scale 1:10,000

Defence Details

There are no formal flood defences owned or maintained by the Environment Agency in the area of this site.

Historic Flood Data

We hold records of historic flood events from rivers and the sea. Information on the floods that may have affected the area local to your site are provided on the enclosed map (if relevant).

Flood Event Data

Dates of historic flood events in this area – December 2013 and November 1960

Please note that our records are not comprehensive. We would therefore advise that you make further enquiries locally with specific reference to flooding at this location. You should consider contacting the relevant Local Planning Authority and/or water/sewerage undertaker for the area.

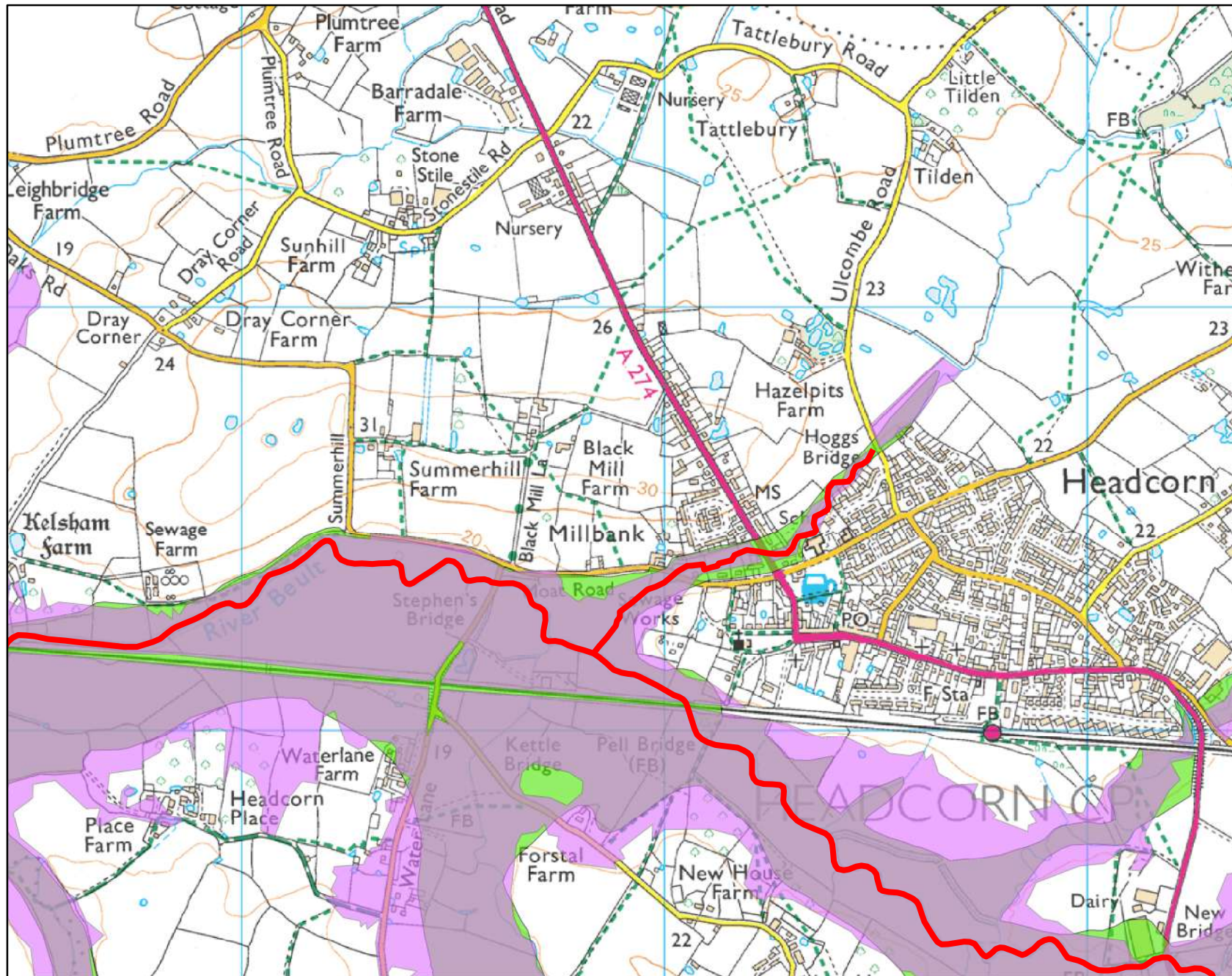
We map flooding to land, not individual properties. Our historic flood event record outlines are an indication of the geographical extent of an observed flood event. Our historic flood event outlines do not give any indication of flood levels for individual properties. They also do not imply that any property within the outline has flooded internally.

Please be aware that flooding can come from different sources. Examples of these are:




- from rivers or the sea;
- surface water (i.e. rainwater flowing over or accumulating on the ground before it is able to enter rivers or the drainage system);
- overflowing or backing up of sewer or drainage systems which have been overwhelmed,
- groundwater rising up from underground aquifers

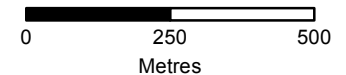
Currently the Environment Agency can only supply flood risk data relating to the chance of flooding from rivers or the sea. However you should be aware that in recent years, there has been an increase in flood damage caused by surface water flooding or drainage systems that have been overwhelmed.

**Historic Flood Extent centred on Land north of Moat Road, Headcorn, Ashford, Kent, TN27 9NU.
Created 01/11/2018 (Ref KSL 104916 LB)**



Legend

-  Main River
-  Dec 2013
-  Nov 1960



Scale 1:10,000

Additional Information

Information Warning - OS background mapping

The mapping of features provided as a background in this product is © Ordnance Survey. It is provided to give context to this product. The Open Government Licence does not apply to this background mapping. You are granted a non-exclusive, royalty free, revocable licence solely to view the Licensed Data for non-commercial purposes for the period during which the Environment Agency makes it available. You are not permitted to copy, sub-license, distribute, sell or otherwise make available the Licensed Data to third parties in any form. Third party rights to enforce the terms of this licence shall be reserved to OS.

Planning advice and guidance

The Environment Agency are keen to work with partners to enable development which is resilient to flooding for its lifetime and provides wider benefits to communities. If you have requested this information to help inform a development proposal, then we recommend engaging with us as early as possible by using the pre-application form available from our website:

<https://www.gov.uk/government/publications/pre-planning-application-enquiry-form-preliminary-opinion>

Complete the form in the link and email back to kslplanning@environment-agency.gov.uk

We recognise the value of early engagement in development planning decisions. This allows complex issues to be discussed, innovative solutions to be developed that both enables new development and protects existing communities. Such engagement can often avoid delays in the planning process following planning application submission, by reaching agreements up-front. We offer a charged pre-application advice service for applicants who wish to discuss a development proposal.

We can also provide a preliminary opinion for free which will identify environmental constraints related to our responsibilities including flooding, waste, land contamination, water quality, biodiversity, navigation, pollution, water resources, foul drainage or Environmental Impact Assessment.

Flood Risk Assessments guidance

Flood risk standing advice for applicants

In preparing your planning application submission, you should refer to the Environment Agency's Flood Risk Standing Advice and the Planning Practice Guidance for information about what flood risk assessment is needed for new development in the different Flood Zones. This information can be accessed via:

<https://www.gov.uk/flood-risk-assessment-standing-advice>

<http://planningguidance.planningportal.gov.uk/>

<https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>

<https://www.gov.uk/guidance/flood-risk-and-coastal-change>

You should also consult the Strategic Flood Risk Assessment and flood risk local plan policies produced by your local planning authority.

You should note that:

1. Information supplied by the Environment Agency may be used to assist in producing a Flood Risk Assessment where one is required, but does not constitute such an assessment on its own.
2. This information covers flood risk from main rivers and the sea, and you will need to consider other potential sources of flooding, such as groundwater or overland runoff. You should discuss surface water management with your Lead Local Flood Authority.
3. Where a planning application requires a FRA and this is not submitted or deficient, the Environment Agency may well raise an objection due to insufficient information

Surface Water

We have provided two national Surface Water maps, under our Strategic Overview for flooding, to your Lead Local Flood Authority who are responsible for local flood risk (i.e. surface runoff, ground water and ordinary watercourse), which alongside their existing local information will help them in determining what best represents surface water flood risk in your area.

Your Lead Local Flood Authority have reviewed these and determined what it believes best represents surface water flood risk. You should therefore contact this authority so they can provide you with the most up to date information about surface water flood risk in your area.

You may also wish to consider contacting the appropriate relevant Local Planning Authority and/or water/sewerage undertaker for the area. They may be able to provide some knowledge on the risk of flooding from other sources. We are working with these organisations to improve knowledge and understanding of surface water flooding.

Flood risk assessments: Climate change allowances

Its essential landuse planning decisions are based on the latest evidence and quality site specific Flood Risk Assessments. A key part of this is using the latest climate change allowances and using local evidence and data.

We encourage early pre applications discussions and you should complete this [form](#) and email back to kslplanning@environment-agency.gov.uk for sites in high risk flood zones. You should also discuss proposed developments with the local planning authority and refer to their local plan flood risk policies and Strategic Flood Risk Assessment. [Guidance on producing a Flood Risk Assessment.](#)

To obtain the latest flood map and data please email our customers and engagement team kslenquiries@environment-agency.gov.uk

1) The climate change allowances

The [National Planning Practice Guidance](#) refers planners, developers and advisors to the Environment Agency guidance on considering climate change in Flood Risk Assessments (FRAs). This guidance was updated in February 2016 and is available on [Gov.uk](#) and should be read in conjunction with this document. The guidance can be used for planning applications, local plans, neighbourhood plans and other projects. It provides climate change allowances for peak river flow, peak rainfall, sea level rise, wind speed and wave height. The guidance provides a range of allowances to assess fluvial flooding, rather than a single national allowance. It advises on what allowances to use for assessment based on vulnerability classification, flood zone and development lifetime. For proposed development in the tidal Thames flood zone you should continue to use the [Thames Estuary 2100 \(TE2100\) plan](#) and latest flood models.

2) Assessment of climate change impacts on fluvial flooding

Table A below [indicates](#) the level of technical assessment of climate change impacts on fluvial flooding appropriate for new developments depending on their scale and location. This should be used as **a guide only**. Ultimately, the agreed approach should be based on expert local knowledge of flood risk conditions, local sensitivities and other influences. **For these reasons we recommend that applicants and / or their consultants should contact the Environment Agency at the pre-planning application stage to confirm the assessment approach, on a case by case basis.** **Table A** defines three possible approaches to account for flood risk impacts due to climate change, in new development proposals:

- **Basic:** Developer can add an allowance to the 'design flood' (i.e. 1% annual probability) peak levels to account for potential climate change impacts.
- **Intermediate:** Developer can use existing modelled flood and flow data to construct a stage-discharge rating curve, which can be used to interpolate a flood level based on the required peak flow allowance to apply to the 'design flood' flow. See Appendix 1.
- **Detailed:** Perform detailed hydraulic modelling, through either re-running Environment Agency hydraulic models (if available) or construction of a new model by the developer.

Table A – Indicative guide to assessment approach

vulnerability classification	flood zone	development type		
		minor	small-major	large-major
essential infrastructure	Zone 2	Detailed		
	Zone 3a	Detailed		
	Zone 3b	Detailed		
highly vulnerable	Zone 2	Intermediate/ Basic	Intermediate/ Basic	Detailed
	Zone 3a	Not appropriate development		
	Zone 3b	Not appropriate development		
more vulnerable	Zone 2	Basic	Basic	Intermediate/ Basic
	Zone 3a	Basic	Detailed	Detailed
	Zone 3b	Not appropriate development		
less vulnerable	Zone 2	Basic	Basic	Intermediate/ Basic
	Zone 3a	Basic	Basic	Detailed
	Zone 3b	Not appropriate development		
water compatible	Zone 2	None		
	Zone 3a	Intermediate/ Basic		
	Zone 3b	Detailed		

Notes:

- Minor: 1-9 dwellings/ less than 0.5 ha | Office / light industrial under 1ha | General industrial under 1 ha | Retail under 1 ha | Gypsy/traveller site between 0 and 9 pitches
- Small-Major: 10 to 30 dwellings | Office / light industrial 1ha to 5ha | General industrial 1ha to 5ha | Retail over 1ha to 5ha | Gypsy/traveller site over 10 to 30 pitches
- Large-Major: 30+ dwellings | Office / light industrial 5ha+ | General industrial 5ha+ | Retail 5ha+ | Gypsy/traveller site over 30+ pitches | any other development that creates a non residential building or development over 1000 sq m.

The assessment approach should be agreed with the Environment Agency as part of pre-planning application discussions to avoid any wasted work.

3) Specific local considerations in Kent and South London

Where the Environment Agency and the applicant and / or their consultant has agreed that a 'basic' level of assessment is appropriate the figures in Table B below can be used as a precautionary allowance for potential climate change impacts on peak 'design' (i.e. 1% annual probability) fluvial flood level rather than undertaking detailed modelling.

Table B – Local precautionary allowances for potential climate change impacts

River basin	Central	Higher Central	Upper
Thames	500mm	700mm	1000mm
South East	700mm	850mm	1400mm

For proposed developments in the tidal Thames flood zone you should continue to use the Thames Estuary 2100 (TE2100) plan and latest flood models.

Environment Agency - Kent and South London area

4) Fluvial food risk mitigation

Read the guidance on Gov.uk to find out which allowances to use to **assess** the impact of climate change on flood risk.

For planning consultations where we are a statutory consultee and our [Flood risk standing advice](#) **does not** apply we use the following benchmarks to inform flood risk **mitigation** for different vulnerability classifications. **These are a guide only.**

We recommend you contact us at the pre-planning application stage to confirm this on a case by case basis. We can provide you with a free basic opinion and more detailed advice is subject to cost recovery.

For planning consultations where we are not a statutory consultee or our [Flood risk Standing advice](#) applies we recommend local planning authorities and developers use these benchmarks but we do not expect to be consulted.

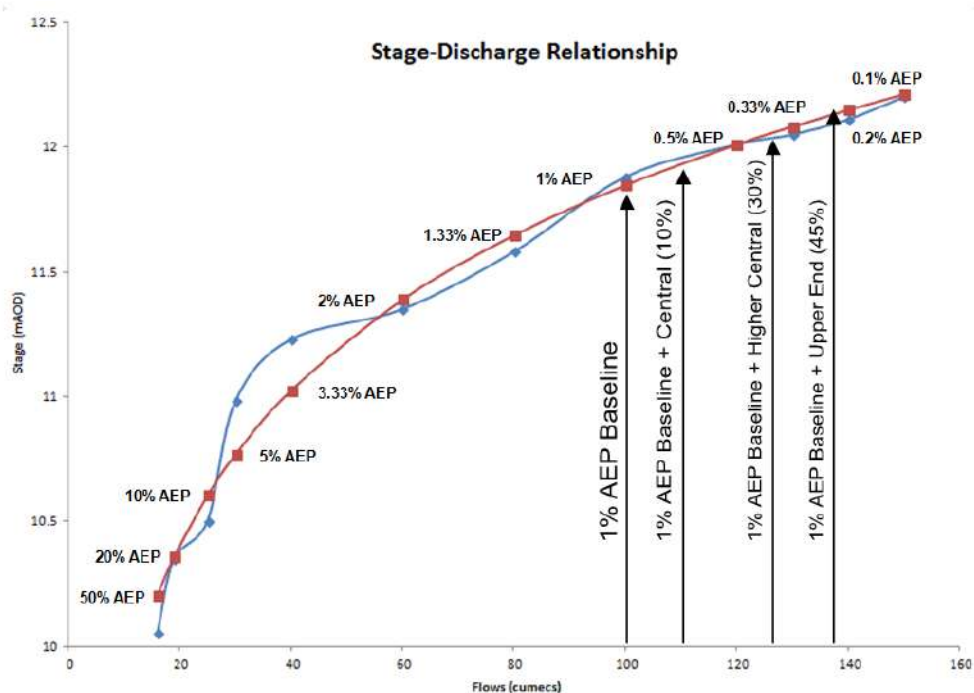
- For development classed as '**Essential Infrastructure**' our benchmark for flood risk mitigation is for it to be designed to the '**upper end**' climate change allowance for the epoch that most closely represents the lifetime of the development, including decommissioning.
- For **highly vulnerable** in flood zone 2, the '**higher central**' climate change allowance is our minimum benchmark for flood risk mitigation. In sensitive locations it may be necessary to use the **upper end** allowance.
- For **more vulnerable developments** in flood zone 2, the '**central**' climate change allowance is our minimum benchmark for flood risk mitigation, and in flood zone 3 the '**higher central**' climate change allowance is our minimum benchmark for flood risk mitigation. In sensitive locations it may be necessary to use the **higher central** (in flood zone 2) and the **upper end** allowance (in flood zone 3).
- For **water compatible** or **less vulnerable** development (e.g. commercial), the '**central**' climate change allowance for the epoch that most closely represents the lifetime of the development is our minimum benchmark for flood risk mitigation. In sensitive locations it may be necessary to use the **higher central** (particularly in flood zone 3) to inform built in resilience.

There may be circumstances where local evidence supports the use of other data or allowances. Where you think this is the case we may want to check this data and how you propose to use it.

Appendix 1 – Further information on the Intermediate approach

- 1) The methodology the chart is based on does not produce an accurate stage-discharge rating and is a simplified methodology for producing flood levels that can be applied in low risk small-scale development situations;
- 2) The method should not be applied where there is existing detailed modelled climate change outputs that use the new allowances. In such circumstances, the 'with climate change' modelled scenarios should be applied.

An example stage-discharge relationship is shown below:



APPENDIX F

Greenfield Runoff Rates

Calculated by:

Site name:

Site location:

Site Details

Latitude:

Longitude:

Reference:

Date:

This is an estimation of the greenfield runoff rates that are used to meet normal best practice criteria in line with Environment Agency guidance "Rainfall runoff management for developments", SC030219 (2013), the SuDS Manual C753 (Ciria, 2015) and the non-statutory standards for SuDS (Defra, 2015). This information on greenfield runoff rates may be the basis for setting consents for the drainage of surface water runoff from sites.

Runoff estimation approach

Site characteristics

Total site area (ha):

Methodology

Q_{BAR} estimation method:

SPR estimation method:

Soil characteristics

	Default	Edited
SOIL type:	4	4
HOST class:	N/A	N/A
SPR/SPRHOST:	0.47	0.47

Hydrological characteristics

	Default	Edited
SAAR (mm):	659	659
Hydrological region:	7	7
Growth curve factor 1 year:	0.85	0.85
Growth curve factor 30 years:	2.3	2.3
Growth curve factor 100 years:	3.19	3.19
Growth curve factor 200 years:	3.74	3.74

Notes

(1) Is $Q_{BAR} < 2.0$ l/s/ha?

When Q_{BAR} is < 2.0 l/s/ha then limiting discharge rates are set at 2.0 l/s/ha.

(2) Are flow rates < 5.0 l/s?

Where flow rates are less than 5.0 l/s consent for discharge is usually set at 5.0 l/s if blockage from vegetation and other materials is possible. Lower consent flow rates may be set where the blockage risk is addressed by using appropriate drainage elements.

(3) Is $SPR/SPRHOST \leq 0.3$?

Where groundwater levels are low enough the use of soakaways to avoid discharge offsite would normally be preferred for disposal of surface water runoff.

Greenfield runoff rates

	Default	Edited
Q_{BAR} (l/s):	17.85	17.85
1 in 1 year (l/s):	15.17	15.17
1 in 30 years (l/s):	41.05	41.05
1 in 100 year (l/s):	56.93	56.93
1 in 200 years (l/s):	66.75	66.75

This report was produced using the greenfield runoff tool developed by HR Wallingford and available at www.uksuds.com. The use of this tool is subject to the UK SuDS terms and conditions and licence agreement, which can both be found at www.uksuds.com/terms-and-conditions.htm. The outputs from this tool are estimates of greenfield runoff rates. The use of these results is the responsibility of the users of this tool. No liability will be accepted by HR Wallingford, the Environment Agency, CEH, Hydrosolutions or any other organisation for the use of this data in the design or operational characteristics of any drainage scheme.

APPENDIX G

Quick Storage Estimates

Quick Storage Estimates

1 in 30yr

The screenshot shows the 'Quick Storage Estimate' dialog box with the 'Variables' tab selected. The 'Micro Drainage' logo is in the top left. A vertical sidebar on the left contains buttons for 'Variables', 'Results', 'Design', 'Overview 2D', 'Overview 3D', and 'Vt'. The main area is titled 'Variables' and contains the following settings:

FSR Rainfall	Cv (Summer)	0.750
Return Period (years): 30	Cv (Winter)	0.840
Region: England and Wales	Impemeable Area (ha)	2.380
M5-60 (mm): 20.000	Maximum Allowable Discharge (l/s)	17.8
Ratio R: 0.400	Infiltration Coefficient (m/hr)	0.00000
	Safety Factor	2.0
	Climate Change (%)	0

Buttons at the bottom: Analyse, OK, Cancel, Help. A footer note reads: 'Enter Climate Change between -100 and 600'.

The screenshot shows the 'Quick Storage Estimate' dialog box with the 'Results' tab selected. The 'Micro Drainage' logo is in the top left. A vertical sidebar on the left contains buttons for 'Variables', 'Results', 'Design', 'Overview 2D', 'Overview 3D', and 'Vt'. The main area is titled 'Results' and contains the following text:

Global Variables require approximate storage of between 633 m³ and 896 m³.

These values are estimates only and should not be used for design purposes.

Buttons at the bottom: Analyse, OK, Cancel, Help. A footer note reads: 'Enter Climate Change between -100 and 600'.

1 in 100yr

The screenshot shows the 'Quick Storage Estimate' dialog box with the 'Variables' tab selected. The 'Return Period (years)' is set to 100. The 'Region' is 'England and Wales'. The 'M5-60 (mm)' is 20.000 and the 'Ratio R' is 0.400. The 'Cv (Summer)' is 0.750 and 'Cv (Winter)' is 0.840. The 'Impervious Area (ha)' is 2.380 and the 'Maximum Allowable Discharge (l/s)' is 17.8. The 'Infiltration Coefficient (m/hr)' is 0.00000, 'Safety Factor' is 2.0, and 'Climate Change (%)' is 0. The 'Analyse' button is highlighted. A footer note states 'Enter Return Period between 1 and 1000'.

Variable	Value
FSR Rainfall	FSR Rainfall
Return Period (years)	100
Region	England and Wales
M5-60 (mm)	20.000
Ratio R	0.400
Cv (Summer)	0.750
Cv (Winter)	0.840
Impervious Area (ha)	2.380
Maximum Allowable Discharge (l/s)	17.8
Infiltration Coefficient (m/hr)	0.00000
Safety Factor	2.0
Climate Change (%)	0

The screenshot shows the 'Quick Storage Estimate' dialog box with the 'Results' tab selected. The text reads: 'Global Variables require approximate storage of between 893 m³ and 1226 m³. These values are estimates only and should not be used for design purposes.' The 'Analyse' button is highlighted. A footer note states 'Enter Return Period between 1 and 1000'.

Global Variables require approximate storage of between 893 m³ and 1226 m³.

These values are estimates only and should not be used for design purposes.

1 in 100yr (+40% climate change)

The screenshot shows the 'Quick Storage Estimate' dialog box with the 'Variables' tab selected. The left sidebar contains buttons for 'Variables', 'Results', 'Design', 'Overview 2D', 'Overview 3D', and 'Vt'. The main area contains the following settings:

FSR Rainfall	Cv (Summer)	0.750	
Return Period (years)	Cv (Winter)	0.840	
100	Impemeable Area (ha)	2.380	
Region: England and Wales	Maximum Allowable Discharge (l/s)	17.8	
Map	M5-60 (mm)	20.000	
Ratio R	0.400	Infiltration Coefficient (m/hr)	0.00000
	Safety Factor	2.0	
	Climate Change (%)	40	

Buttons at the bottom: Analyse, OK, Cancel, Help.

Footer: Enter Climate Change between -100 and 600

The screenshot shows the 'Quick Storage Estimate' dialog box with the 'Results' tab selected. The left sidebar contains buttons for 'Variables', 'Results', 'Design', 'Overview 2D', 'Overview 3D', and 'Vt'. The main area displays the following results:

Global Variables require approximate storage of between 1370 m³ and 1865 m³.

These values are estimates only and should not be used for design purposes.

Buttons at the bottom: Analyse, OK, Cancel, Help.

Footer: Enter Climate Change between -100 and 600



Appendix D Heritage Note (December 2021)

Heritage Note

Land at Moat Road, Headcorn, Kent

REF: P21-3568

DATE: 9th December 2021

1. INTRODUCTION

- 1.1 This Heritage Note has been commissioned by Catesby Estates plc to consider whether matters relating to heritage would constrain the residential development of land at Moat Road, Headcorn (the site), as outlined on the illustrative masterplan reproduced at Plate 1.



Plate 1: Extract of the Illustrative Masterplan.

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- 1.2 The site is included as a draft allocation for the development of approximately 110 dwellings within the Draft Plan for Submission (Regulation 19) of the Maidstone Borough Council Local Plan Review. Prior to this, the site was anticipated to be able to accommodate 130 dwellings. The illustrative masterplan, which provisions for 130 dwellings, is considered as part of this Heritage Note.
- 1.3 The SLAA identified three potential heritage constraints within the site which are considered to affect the developable land area, as follows:
- Remains or landscape features associated with The Moat, a Grade II listed farmhouse and associated moated complex which may date from the 16th century or earlier;
 - Remains of an underground Royal Observer Corps structure, thought to be located within the north-eastern part of the site; and
 - Buried prehistoric remains, most likely of Iron Age date.
- 1.4 The following Note considers the potential heritage issues raised by the SLAA and assesses whether these would be a constraint to the deliverability of the illustrative masterplan.

2. METHODOLOGY

- 2.1 The following assessment has been informed by Historic England Advice Note 12: Statements of Heritage Significance;¹ Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment² (henceforth referred to as GPA 2: Managing Significance) and English Heritage's Conservation Principles.³
- 2.2 In order to relate to key policy, the following levels of harm may potentially be identified when assessing potential impacts of development on heritage assets, including harm resulting from a change in setting:
- **Substantial harm or total loss.** It has been clarified in a High Court Judgement of 2013 that this would be harm that would 'have such a serious

¹ Historic England, 2019, *Historic England Advice Note 12: Statements of Heritage Significance: Analysing Significance in Heritage Assets*.

² Historic England, 2015, *Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment*.

³ English Heritage, 2008, *Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment*.

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impact on the significance of the asset that its significance was either vitiated altogether or very much reduced’;⁴

- **Less than substantial harm.** Harm of a lesser level than that defined above; and
- **No harm** (preservation). A High Court Judgement of 2014 is relevant to this, in which it was held that with regard to preserving the setting of Listed building or preserving the character and appearance of a Conservation Area, preserving means doing no harm.⁵

2.3 Preservation does not mean no change; it specifically means no harm. *GPA 2: Managing Significance* states that “*Change to heritage assets is inevitable but it is only harmful when significance is damaged*”. Thus, change is accepted in Historic England’s guidance as part of the evolution of the landscape and environment, it is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

2.4 With specific regard to the content of this assessment, Paragraph 194 of the National Planning Policy Framework 2021 states:

“...The level of detail should be proportionate to an assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance...” (our emphasis)

2.5 Full details of the methodology adopted are provided at **Appendix 1**.

3. PLANNING POLICY CONTEXT

3.1 Legislation relating to the Historic Environment is primarily set out within the Planning (Listed Buildings and Conservation Areas) Act 1990 which provides statutory protection for Listed Buildings and Conservation Areas.

3.2 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

“In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the

⁴ EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council.

⁵ EWHC 1895, R (Forge Field Society, Barraud and Rees) v. Sevenoaks DC, West Kent Housing Association and Viscount De L’Isle.

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local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

3.3 Recent judgement in the Court of Appeal ('Mordue') has clarified that, with regards to the setting of Listed Buildings, where the principles of the NPPF are applied (in particular paragraph 134 of the 2012 version of the NPPF, the requirements of which are now given in paragraph 196 of the revised NPPF), this is in keeping with the requirements of the 1990 Act.

3.4 With regard to development within Conservation Area, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

"in the exercise, with respect to any buildings or other land in a conservation area, of any powers under any provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area"

3.5 Notwithstanding the statutory presumption set out above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

3.6 Details of the full policy context are provided at **Appendix 2**.

4. THE MOAT AND MOAT FARM

4.1 The Moat is a Grade II listed former farmhouse which is thought to date from the early or mid-16th century. It possesses a timber frame core, probably of four bays, which has since been concealed externally by brickwork and hung tiles. This building is located outside the site, c. 35m from the south-east boundary.

4.2 The 1843 tithe map for the parish of Headcorn illustrates that the farmhouse was formerly located at the centre of a moated complex which lay beyond the site (Plate 2). A collection of unspecified buildings, yards, a saw pit, and a pond were located in the south-east corner of the site and were in common ownership with The Moat (all being owned and occupied by the master and fellows of St John's College, Cambridge).

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Plate 2: Extract of the 1843 tithe map for the parish of Headcorn.

The site (partially shown) is outlined in red. The Moat is marked with a blue arrow.

- 4.3 The late 19th-century First Edition Ordnance Survey map records the moated farmhouse and structures to the north-west as 'Moat Farm' (Plate 3). The moat surrounding the farmhouse had been substantially eroded or drained, especially on the south and west sides. The earlier buildings located within the south-east corner of the site (as recorded on the tithe map) had apparently been remodelled or replaced, especially as the two largest structures illustrated on the 1843 map are recorded with much reduced footprints on the late 19th-century map. These buildings were presumably in agricultural use.

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Plate 3: First Edition (1897-98) Ordnance Survey map.

The site (partially shown) is outlined in red. The Moat is marked with a blue arrow.

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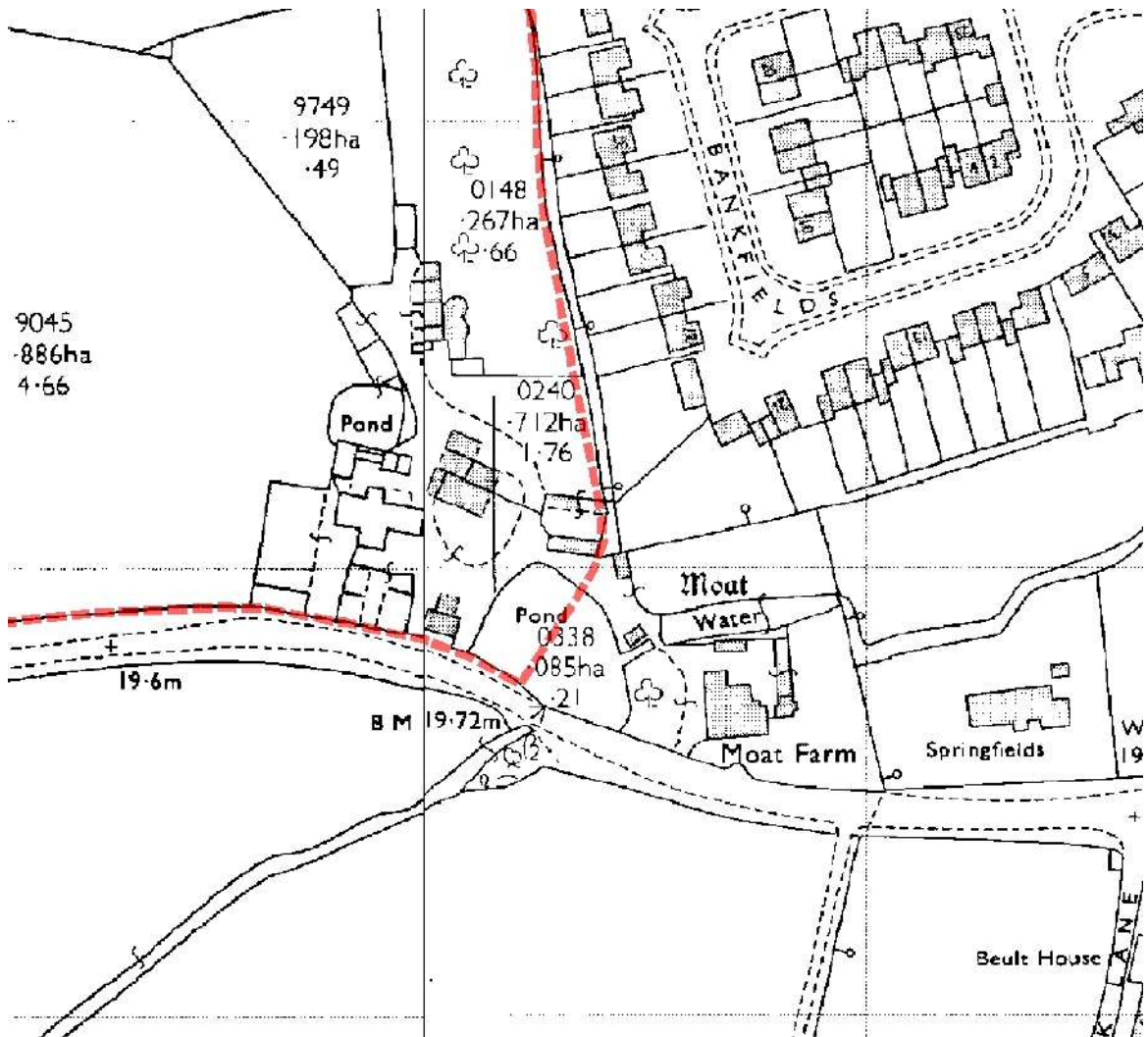


Plate 4: 1970–71 Ordnance Survey map.

The site (partially shown) is outlined in red. The Moat is marked with a blue arrow.

- 4.4 Since the 19th-century, the moat surrounding the farmhouse has been further eroded and the farm complex to the north-west has been substantially reconfigured and expanded. These changes are clearly perceptible when comparing the First Edition and 1970–71 Ordnance Survey maps (Plate 4). In addition, residential development has taken place to the north and east of The Moat.
- 4.5 Today, The Moat is a private residence and there is no longer a functional association with the farm complex. The latter is disused and dilapidated, and separated from the garden curtilage of the house by a post and rail fence and barbed wire.

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- 4.6 The historic pond at the south-eastern edge of the site, which formerly separated the farm complex from The Moat, is legible as a slight depression; however, this has largely drained away (Plate 5).



Plate 5: South-east-facing view to the location of the former pond from the south-east edge of the site.

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Plate 6: Plan of Moat Farm.

- 4.7 Several structures within the former farm complex have recently been dismantled because these were dilapidated, unsafe and attracting vandalism. Those that remain are annotated on Plate 6 and described below.
- 4.8 Structure A is predominantly of timber construction with a hipped slate roof (Plate 7). It is clad in timber boarding and sheet metal, with a corrugated metal awning off the north elevation. The entire structure is raised off the ground by staddle stones, lumps of concrete and stakes. Internally there are remnants of timber partitions and grain bins (Plate 8). Most timbers have modern, machine-sawn profiles. Beneath the rotten and missing floorboards there are some roughly cut timbers that may have been reused from an earlier structure; however, these are rotten and damaged and are of no special interest. The structure is severely dilapidated: the sarking boards are damaged and rotten and many of the slates are missing, thus enabling substantial water ingress (Plate 9).

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Plate 7: Structure A, general view of north elevation.

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Plate 8: Structure A, detail of interior including missing and rotten floorboards and floor joists.

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Plate 9: Structure A, detail of roof structure.

- 4.9 Although a structure appears to be recorded in this location on the tithe map, the surviving fabric suggests that it was substantially or entirely rebuilt at a later date and has evidently been remodelled since. Structure A is considered to possess minimal heritage significance overall.
- 4.10 Structures B, C and D are all modern, single-storey agricultural shelters of predominantly concrete block and corrugated metal construction (Plate 10 & Plate 11). They possess no heritage significance.

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Plate 10: General view of Structures B and C looking south-west from adjacent to the north elevation of Structure B.



Plate 11: Structure D.

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- 4.11 Structure E, located at the centre of the former farm complex, is a large barn building of timber frame construction that is roofed and clad in corrugated metal sheeting (Plate 12). The general form and shallow pitched roofs are indicative of a modern structure, although it appears to integrate some earlier, hand cut timbers fixed with mortises, tenons and pegs. The latter are roughly cut, have been heavily remodelled, and are severely fire damaged, such that they appear to be giving little to no structural integrity to the building (Plate 13). For these reasons, Structure E is considered to possess minimal heritage significance overall.



Plate 12: Structure E, general view of west elevation.

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Plate 13: Structure E, detail of interior.

- 4.12 Elsewhere within the former farm complex, there are no extant or discernible features that better reveal the historic use or layout of Moat Farm, or otherwise imbue the former farm complex with heritage significance.
- 4.13 The reconfiguration, rebuilding and expansion of the farm complex since the mid-19th century is anticipated to have disturbed the south-east corner of the site, such that there are not anticipated to be any significant buried remains of earlier structures or agricultural activity. Elsewhere within the site, there are likely to be buried remains of historic agricultural activity, including arable use and orchard planting; however, any such remains would be of no heritage significance.
- 4.14 The illustrative masterplan for the residential development of the site proposes the removal of the remaining farm buildings, which have been shown to possess minimal to no heritage significance, and the creation of public open space within this area. An appropriate programme of photographic building recording could be undertaken before the farm buildings are dismantled. The wider site is proposed for residential development which will necessitate associated groundworks; however, as noted

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above, there are not anticipated to be any buried remains associated with the farm complex that would require preservation in situ or otherwise preclude the development proposed.

- 4.15 Therefore, the former farm complex is not considered to be a constraint to the residential development of the site as outlined on the illustrative masterplan.

5. ROYAL OBSERVER CORPS STRUCTURE

- 5.1 The SLAA notes the possible remains of an underground Royal Observer Corps (ROC) structure within the north-eastern part of the site.

- 5.2 The HER plots this feature within the northern field of the site (ref. TQ 84 SW 26) and describes it as follows:

"Site of ROC underground post for monitoring nuclear explosions and fallout. Built in probably 1961 and abandoned in 1968 due to defence cut backs.

Visible as a new structure, with disturbed ground around the site and an access route across the field from the north, on aerial photos of 1961. Aerial photos of 1967 possibly appear to show the site disused. The site had been cleared by 1972."

- 5.3 As well as being visible on historic aerial photographs (Plate 14), the feature appears to be marked on the 1970–71 Ordnance Survey map, although it is unlabelled (Plate 15).
- 5.4 Since then, the site has been cleared and no above-ground structural remains are extant. The outline of the ROC post is faintly visible on modern lidar imagery, indicating that some associated groundworks are still extant, although such undulations are not readily perceptible when looking across the site (Plate 16).
- 5.5 The extent of the clearance works c. 1972 are unknown and, as an underground monitoring post, it is possible that structural remains survive beneath the subsurface. However, the lack of above ground features, such as concrete plinths, access hatch, air vents and monitoring equipment, clearly indicates that the post does not survive intact, thus greatly diminishing its heritage significance. Where early examples of ROC monitoring posts survive largely intact, these have the potential to fulfil Scheduling criteria (cf. NHLE 1021192). By contrast, the Headcorn ROC post does not fulfil these criteria and any remains would not be commensurate with a Scheduled Monument.
- 5.6 Residential development is proposed in the area of the former ROC post. Before works commence, the site of the post should be evaluated and any below-ground remains recorded. Ultimately, any such remains would not require preservation in situ and would not be a constraint to the residential development of the site in line with the illustrative masterplan.

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Plate 14: 1960 aerial photograph of the ROC post. Source: Kent County Council/Google Earth Pro.

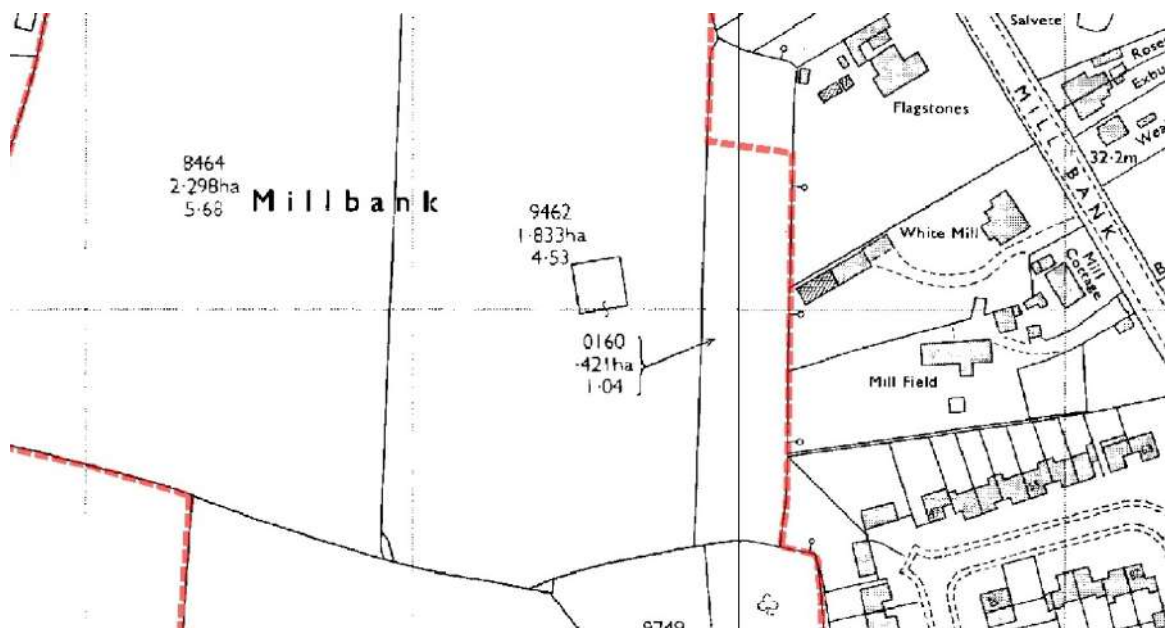


Plate 15: Extract of the 1970-71 Ordnance Survey map showing the probable footprint of the ROC post.

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Plate 16: Looking west across the former site of the ROC post.

6. PREHISTORIC ARCHAEOLOGY

- 6.1 The SLAA notes that there is potential for prehistoric remains within the site, especially those dating from the Iron Age.
- 6.2 The HER plots the findspots of three Roman artefacts within the northernmost part of the site, namely a copper alloy key handle in the form of a lion (MKE79693), an incomplete copper alloy seal box lid (MKE79691), and a silver zoomorphic terminal from a ring or bracelet (MKE79692). All artefacts were found by the same individual and their precise findspots are not recorded i.e. they have been assigned six-digit national grid references and therefore could have been found beyond the site. No associated features were recorded.
- 6.3 No prehistoric remains or features have been recorded within the site. The nearest recorded findspots from this broad period are an Iron Age lead alloy weight, plotted c. 150m south of the site (MKE95623), a pit containing an unspecified mid- to late Bronze Age vessel, recorded over 350m east of the site (MKE114407), and a number of late Iron Age or early Roman-British features found over 350m east of the site, comprising furnace pits and ditches containing pottery, burnt clay and charcoal (MKE114408).

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- 6.4 Based on the HER, there is no indication that the site contains any archaeology of a significance commensurate with that of a Scheduled Monument or that would require preservation in situ. Archaeology is not considered to be a constraint to the residential development of the site as outlined on the illustrative masterplan.

7. CONCLUSIONS

- 7.1 This Heritage Note has considered the potential heritage constraints identified by the SLAA through a site visit and appropriate desk-based research.
- 7.2 It has been concluded that there are no known, overriding heritage constraints that would preclude the residential development of the site in line with the illustrative masterplan.

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Appendix 1 – Methodology

Assessment of significance

In the NPPF, heritage significance is defined as:

"The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance".⁶

Historic England's *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2*⁷ (hereafter GPA 2) gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.

In order to do this, GPA 2 also advocates considering the four types of heritage value an asset may hold, as identified in English Heritage's *Conservation Principles*.⁸ These essentially cover the heritage 'interests' given in the glossary of the NPPF⁹ and the online Planning Practice Guidance on the Historic Environment¹⁰ (hereafter 'PPG') which are **archaeological**, **architectural and artistic** and **historic**.

The PPG provides further information on the interests it identifies:

Archaeological interest: *"As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point."*

Architectural and artistic interest: *"These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has*

⁶ NPPF, MHCLG, 2021, pp. 71–72.

⁷ Historic England, *Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning: 2* (2nd edition, Swindon, July 2015).

⁸ English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These heritage values are identified as being 'aesthetic', 'communal', 'historical' and 'evidential', see *idem* pp. 28–32.

⁹ MHCLG, *NPPF*, p. 71.

¹⁰ Ministry of Housing Communities and Local Government (MHCLG), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

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evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture."

Historic interest: *"An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity."*¹¹

Significance results from a combination of any, some or all of the values described above.

The most-recently issued guidance on assessing heritage significance, Historic England's *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12*,¹² advises using the terminology of the NPPF and PPG, and thus it is that terminology which is used in this Report.

Listed Buildings and Conservation Areas are generally designated for their special architectural and historic interest. Scheduling is predominantly, although not exclusively, associated with archaeological interest.

Setting and significance

As defined in the NPPF:

*"Significance derives not only from a heritage asset's physical presence, but also from its setting."*¹³

Setting is defined as:

*"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."*¹⁴

Therefore, setting can contribute to, affect an appreciation of significance or be neutral with regards to heritage values.

¹¹ MHCLG, PPG, paragraph 006, reference ID: 18a-006-20190723.

¹² Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets, Historic England Advice Note 12* (Swindon, October 2019).

¹³ NPPF, p. 72.

¹⁴ Ibid., p. 71.

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It is also important to note that whilst a physical or visual connection between a heritage asset and its setting will often exist, it is not essential or determinative. This was recently considered in a High Court Judgement¹⁵ where it was concluded that:

"The term setting is not defined in purely visual terms in the NPPF which refers to the "surroundings in which a heritage asset is experienced". The word "experienced" has a broad meaning, which is capable of extending beyond the purely visual".

Assessing change through alteration to setting

How setting might contribute to these values has been assessed within this report with reference to *Historic Environment Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets*¹⁶ (henceforth referred to as *GPA 3: The Setting of Heritage Assets*), particularly the checklist given on page 11. This advocates the clear articulation of 'what matters and why'.

In *GPA 3: The Setting of Heritage Assets*, a stepped approach is recommended, of which Step 1 is to identify which heritage assets and their settings are affected. Step 2 is to assess "whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciate". The guidance includes a (non-exhaustive) check-list of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists points associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, land use, accessibility and rarity.

Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to "maximise enhancement and avoid or minimise harm". Step 5 is to "make and document the decision and monitor outcomes".

Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.

Levels of significance

In accordance with the levels of significance articulated in the NPPF, three levels of significance are identified:

¹⁵ EWHC 1456, *Steer v. Secretary of State for Communities and Local Government, Catesby Estates Limited, Amber Valley Borough Council*, 2017.

¹⁶ Historic England, 2017, *Historic Environment Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets*

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Designated heritage assets of the highest significance, as identified in paragraph 194 of the NPPF comprising Grade I and II* Listed buildings, Grade I and II* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 63 of the NPPF;

Designated heritage assets of less than the highest significance, as identified in paragraph 194 of the NPPF, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas); and

Non-designated heritage assets. Non-designated heritage assets are defined within the Government's Planning Practice Guidance as "buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets¹⁷".

Additionally, it is of course possible that sites, buildings or areas have **no heritage significance**.

Assessment of harm

Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or enhances the character or appearance of a Conservation Area, and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

In order to relate to key policy, the following levels of harm may potentially be identified:

Substantial harm or total loss. It has been clarified in a High Court Judgement of 2013¹⁸ that this would be harm that would "have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced"; and

Less than substantial harm. Harm of a lesser level than that defined above.

¹⁷ MHCLG, Planning Practice Guidance, Paragraph: 039 (ID: 18a-039-20190723, Revision date: 23.07.2019)

¹⁸ EWHC 2847, R DCLG and Nuon UK Ltd v. Bedford Borough Council

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It is also possible that development proposals will cause **no harm or preserve** the significance of heritage assets. A High Court Judgement of 2014 is relevant to this¹⁹. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, 'preserving' means doing 'no harm'.

Preservation does not mean no change; it specifically means no harm. *GPA 2: Managing Significance* states that "Change to heritage assets is inevitable but it is only harmful when significance is damaged". Thus, change is accepted in Historic England's guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

As part of this, setting may be a key consideration. For an evaluation of any harm to significance through changes to setting, this assessment follows the methodology given in *GPA 3: The Setting of Heritage Assets*, described above. Again, fundamental to the methodology set out in this document is stating 'what matters and why'. Of particular relevance is the checklist given on page 13 of *GPA 3: The Setting of Heritage Assets*.

It should be noted that this key document states that:

*"setting is not itself a heritage asset, nor a heritage designation"*²⁰

Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage values that contribute to this significance, through changes to setting.

With regards to changes in setting, *GPA 3: The Setting of Heritage Assets* states that "conserving or enhancing heritage assets by taking their settings into account need not prevent change".

Additionally, it is also important to note that, as clarified in the Court of Appeal²¹, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require planning permission to be refused.

Benefits

Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage values and hence the significance of the assets concerned.

¹⁹ EWHC 1895, R (Forge Field Society, Barraud and Rees) v. Sevenoaks DC, West Kent Housing Association and Viscount De L'Isle

²⁰ Historic England, 2017, *Historic Environment Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets (paragraph 9)*

²¹ Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061 (04 November 2016)

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As detailed further in Section 6, the NPPF (at Paragraphs 195 and 196) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.

Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 195 and 196.

The PPG provides further clarity on what is meant by the term 'public benefit', including how these may be derived from enhancement to the historic environment ('heritage benefits'), as follows:

"Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework ([paragraph 8](#)). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation.*²²

Any 'heritage benefits' arising from the proposed development, in line with the narrative above, will be clearly articulated in order for them to be taken into account by the Decision Maker.

²² MHCLG, PPG, paragraph 020, reference ID: 18a-020-20190723.

Appendix 2 – Planning Policy

Notwithstanding the statutory presumption set out within the Planning (Listed Buildings and Conservations Area) Act 1990, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

The National Planning Policy Framework (July 2021)

National policy and guidance is set out in the Government’s National Planning Policy Framework (NPPF) published in July 2021. This replaced and updated the previous National Planning Policy Framework 2019. The NPPF needs to be read as a whole and is intended to promote the concept of delivering sustainable development.

The NPPF sets out the Government’s economic, environmental and social planning policies for England. Taken together, these policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The NPPF continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.

The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the ‘presumption’) sets out the tone of the Government’s overall stance and operates with and through the other policies of the NPPF. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF sets out three “objectives” to facilitate sustainable development: an economic objective, a social objective, and an environmental objective. The presumption is key to delivering these objectives, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the NPPF. The presumption is set out in full at paragraph 11 of the NPPF and reads as follows:

“Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of*

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their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;

- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.**

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."**

However, it is important to note that footnote 7 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

"The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 180) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, and Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change." (our emphasis)

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The NPPF continues to recognise that the planning system is plan-led and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

Heritage Assets are defined in Annex 2 of the NPPF as:

"A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including Local Listing)."

The NPPF goes on to define a Designated Heritage Asset as a:

*"World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation."*²³

As set out above, significance is also defined as:

*"The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance."*²⁴

Section 16 of the NPPF relates to 'Conserving and enhancing the historic environment' and states at paragraph 195 that:

"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

Paragraph 197 goes on to state that:

²³ NPPF, Annex 2.

²⁴ Ibid.

"In determining planning applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness"*

With regard to the impact of proposals on the significance of a heritage asset, paragraphs 199 and 200 are relevant and read as follows:

"199 – When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

"200 – Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional."*

In the context of the above, it should be noted that paragraph 201 reads as follows:

"Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*

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- b) *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) *conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) *the harm or loss is outweighed by the benefit of bringing the site back into use"*

Paragraph 202 goes on to state:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"

The NPPF also provides specific guidance in relation to development within Conservation Areas, stating at paragraph 206 that:

"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably."

Paragraph 207 goes on to recognise that *"not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance"* and with regard to the potential harm from a proposed development states:

"Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole" (our emphasis)

With regards to non-designated heritage assets, paragraph 203 of NPPF states that:

"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

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Non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to a Scheduled Monument will be subject to the policies for designated heritage assets.

National Planning Guidance

The then Department for Communities and Local Government (now the Ministry for Housing, Communities and Local Government (MHCLG)) launched the planning practice web-based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.

This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.

The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of 'significance' in decision taking is important and states:

"Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals."²⁵

In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

"In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm."²⁶ (our emphasis)

²⁵ MHCLG, PPG, paragraph 007, reference ID: 18a-007-20190723.

²⁶ MHCLG, PPG, paragraph 018, reference ID: 18a-018-20190723.

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Appendix E

Arboricultural Technical Note (December 2021)

Technical Note

Project: Land north of Moat Road, Headcorn

December 2021

- 1.1. Aspect Arboriculture are instructed by Catesby Estates Limited to provide a high-level appraisal of the arboricultural constraints and opportunities at the above site. The site benefits from a draft allocation (LPRSA310) within the emerging Maidstone Borough Local Plan Review. This appraisal is prepared with regards to confirming the suitability of the site to accommodate future residential led development from the arboricultural perspective.



Figure 1: Site location

- 1.2. The site predominantly comprises agricultural land under pastoral usage, alongside a neglected area interjecting into the southeast corner, containing rough grassland and dilapidated farm buildings. The southern boundary of the site is defined by Moat Road, from which the existing vehicular access is provided. Typical for the site's existing usage, trees occur principally on the boundaries and separating the two fields, where they are incidental to land under agricultural use, but are nevertheless important in terms of the site's visual amenity.

- 1.3. The only public access to the site currently comprises a footpath which crosses from the northwest to southeast meeting Moat Road roughly halfway along the southern boundary. It is predicted that one of the public benefits arising from the promotion of the site would be an increase in access to other areas of the site, and appreciation of the existing trees, not immediately accessible from the footpath. This benefit accords with that recognised within the new National Planning Policy Framework (NPPF) at clause 180 (d).
- 1.4. The dominant species present across the site are based on those established within the hedgerow network, natural colonisation and, to the east, former orchard planting. English Oak, Ash and Field Maple are dominant across the entirety of the site, with a number of established Willow, Field Maple, Sycamore and Ash present, focussed around two ponds; set in the northwest corner and offsite to

the northeast. Similarly, albeit of lesser visual importance, native hedgerow species majoring on Hawthorn, Blackthorn, Field Maple, Goat Willow, Hazel and Elder form the supporting understorey to many of the established trees. By virtue of its varied composition, the site and its surrounds contain tree cover which is considered to warrant all categories within BS5837:2012 guidance i.e. A – C and U.

- 1.5. Only one tree within influence of the survey warrants consideration as category A within the guidance of BS5837:2012, this refers to a mature English Oak set offsite to the north. Identified as item 7 within the enclosed Preliminary Arboricultural Appraisal Plan, the tree does not influence the site itself, but a surfaced access track from Mill Bank to the north crosses its Root Protection Area (RPA).
- 1.6. Of secondary importance, trees which warrant category B within BS5837 guidance are formed of eight components; four standalone English Oak (items 1, 4, 8 & 10 within the PAA), two established collections surrounding ponds (items 6 & 9), a linear group of English Oak with hedgerow understorey (item 3), and a collection of mature Pear (item 5).
- 1.7. Of these, the standalone Oak are all of individually moderate arboricultural quality, and provide a significant contribution to the site's amenity. Importantly, only one (item 1) is within the site itself, the others all occur offsite, under control of the adjacent landowners. The Oak within the site is of reduced physiological condition; exhibiting above average levels of dieback and deadwood for its maturity. It is not however of an age or size to be considered a veteran example of its species, a finding backed up by a RAVEN¹ assessment undertaken onsite.
- 1.8. The only internally located category B component of the tree stock comprises a linear collection of mature Pear, toward the eastern extent of the site. Serving to delineate the maintained pasture from an area of rough grassland, the collection have numerous defects, but are nevertheless considered to collectively be of moderate arboricultural importance, and could be retained within a residential setting, subject to appropriate management, which has evidentially been neglected at present.



Figure 2: Inset of Preliminary Arboricultural Appraisal Plan

1.9. As detailed within Enclosure A and illustrated with a blue wash within Figure 2 (left), the remaining moderate quality (BS5837:2012 Category B) tree cover occurs as established collections on the boundaries. Although the standalone Oak all demonstrate typical defects and structural condition for their maturity, precluding their higher categorisation, they nevertheless warrant category B by virtue of their individual merit. In contrast, the boundary collections qualify for category B through their collective contribution, attracting a higher category than they would as individuals.

¹ Recognition of Ancient, Veteran and Notable Trees - RAVEN©, flac, 2018

- 1.10. The low quality (Category C) tree cover across the site is made up of two primary elements: Firstly as a network of boundary hedgerows bounding and separating the two agricultural fields. These hedges comprise both typical native hedgerows currently under varying degrees of management, and ornamental domestic hedging to the eastern boundary. The second cohort occurs within the vicinity of the farm buildings, where a number of small Ash have colonised the area through an absence of maintenance.
- 1.11. A single standalone Ash, (item 2) warrants category U on its individual merit. The Ash is of reduced physiological and poor structural condition, displaying both significant deadwood within its upper canopy, and decay at its base. Inspection of its eastern aspect found a number of Ganoderma fruiting bodies, extending from ground level to c.0.5m in height. Subsequently, there are no remedial pruning works that would not negate any amenity contribution the Ash currently provides; it is therefore not considered suitable for retention within a proposed residential setting.
- 1.12. Turning to Local Plan policy, MBC seeks to safeguard natural features such as trees and hedgerows worthy of retention, both in terms of biodiversity and amenity during the introduction of development. The relevant adopted Policies are DM1 and DM3; the general principles of the above Policies will advance to the forthcoming Local Plan (within draft Policies LPRSP14A, LPRSP15 and site specific Policy LPRSA310).
- 1.13. The site's allocation is supported by MBC's SLAA assessment, which notes the presence of 5no. TPOs present across the site, and requires that protected trees should be incorporated into the design. To achieve this, the SLAA and recommends a 5% reduction from the developable site area.
- 1.14. The focus of this appraisal is to demonstrate the site's suitability for inclusion within the emerging local plan, it is therefore on the basis of the above draft Policies that the site's suitability to receive development is being considered.
- 1.15. Background checks with Maidstone Borough Council (MBC) reveal that the site does not fall within a conservation area, the nearest conservation area is located c.150m offsite to the southeast; but that TPO no.5 1986 is confirmed on trees within influence of the site. Importantly, inspection of the site found Groups G4 and G5 of the TPO (those set within the central hedgerow) not to be present. There were no Oak present in either location; The category U Ash correlates with the position of G4, but is not afforded protection within the TPO. Consequentially, those trees which are afforded protection comprise items 3, 6 & 9 within the enclosed PAA plan.
- 1.16. Online records reveal the absence of any veteran or ancient trees/woodland within influence of the site; a finding confirmed during the site appraisal. The tests conferred under National Planning Policy Framework paragraph 180c are therefore not anticipated to apply.
- 1.17. It is anticipated that some tree loss will be inevitable to accommodate new development on the site, however there are ample opportunities within the existing green infrastructure to limit this requirement to sections of low quality hedgerow to provide vehicular access to the site and interconnectivity between the fields.
- 1.18. As highlighted within figure 3 overleaf, the distribution of the key trees/tree groups allows for the current illustrative layout to be introduced without affecting protected or significant tree cover. Providing development features are adequately assessed for their arboricultural impact, it is

realistically probable that the risk to the existing trees can be managed in the trees' interest or even improved in their favour.

- 1.19. There are numerous opportunities for enhancing the extant treestock, with ready objectives including improved resilience and continuity in the tree population (succession planting). The introduction of development could also provide reinforcement to the boundaries. It is also reasonable to assume the structure and diversity of the overall tree stock would readily improve through the simple addition of a more varied species assemblage, i.e. as part of future Public Open Space and landscape proposals.



Figure 3: Overlay of Initial Illustrative Proposals

those afforded protection within the TPO.

1.20. The introduction of a high quality development incorporating well designed areas of Public open Space as indicated within Figure 3, provides the opportunity to secure betterment in terms of public accessibility and appreciation of the site's significant tree cover. The increase in public access enables an uplift in the tree cover's amenity contribution, over and above that currently achieved through views from existing public rights of way.

1.21. In summary, the trees present are of varied quality as individuals and as collectives. The current and future public benefits provided by the extant trees are tangible and relate positively to emerging policy that upholds a case for retention where appropriate. Notwithstanding these positive attributes, the density and distribution of the trees could accommodate development (assuming sensitive design) without the detrimentally affecting any significant trees or

- 1.22. In the interest of demonstrating early technical feasibility and confidence, masterplanning should be progressed with the benefit of, and informed by, a detailed tree survey. The detailed arboricultural information should follow guidance contained within BS5837:2012 and include the trees' RPAs, canopy extents and indicative shade arcs. The design of the layout should accommodate the retention of significant tree cover, and be undertaken in tandem with assessment of the proposed access and levels strategy.
- 1.23. As part of any future application, it would be prudent to include a compensation strategy to deliver enhancement, including mitigation for any unavoidable tree removals; all supporting elements could be delivered and justified within the narrative of an Arboricultural Impact Assessment to accompany a submission.
- 1.24. It is our professional opinion that with reference to the illustrative layout, the site is suitable for allocation without a reduction in house numbers or developable area to allow for the incorporation

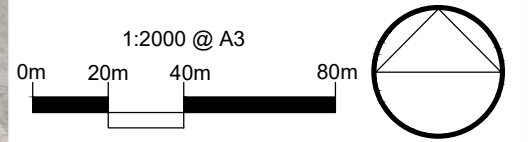
of protected trees. This opinion is subject to detailed arboricultural input to safeguard these principal trees during design and construction.

Prepared by:

James Bardey BSc (Hons) MArborA

Enclosures:

Enclosure A – Preliminary Arboricultural Appraisal Plan (11247 PAA 01)



- KEY:**
- Site Boundary
 - BS5837:2012 Category A - Trees considered high priorities for retention within the developing scheme
 - BS5837:2012 Category A - Development Setback
 - BS5837:2012 Category B - Trees considered priorities for retention within the developing scheme
 - BS5837:2012 Category B - Development Setback
 - BS5837:2012 Category U - Trees recommended for removal
 - Tree Preservation Order (TPO No.5 1986)

- ① Category B English Oak
1010mm DBH; 8.25m Crown Spread; 14m Height.
- ② Category U Ash
690mm DBH; 6.5m Crown Spread; 14m Height.
- ③ Category B collection of English Oak, Hawthorn and Field Maple.
1090mm maximum DBH; 10m Crown Spread; 21m maximum Height.
- ④ Category B English Oak.
1200mm DBH; 4m East Crown Spread; 15m Height.
- ⑤ Category B collection of Mature Pear.
600mm DBH.
- ⑥ Category B collection of White Willow, Field Maple, Ash and Sycamore surrounding pond.
700mm DBH; 9.25m Crown Spread; 22m Height.
- ⑦ Category A English Oak.
800mm DBH.
- ⑧ Category B English Oak.
800mm DBH.
- ⑨ Category B collection of English Oak, White Willow & Ash.
800mm maximum DBH; 7.75m Crown Spread; 19m Height.
- ⑩ Category B English Oak.
600mm DBH.

REV	DATE	NOTE	Drawn	Chk'd
REVISIONS				



TITLE
Land North Of Moat Road, Headcorn
Preliminary Arboricultural Appraisal

CLIENT
Catesby

SCALE 1:2000 @ A3	DATE DEC 2021	DRAWN GW
DRAWING NUMBER 11247 PAA 01		REVISION

Based on aerial photograph cited from Google Earth