



Ms Victoria Groves
C/O Savills
FAO: Ms Philippa Robinson
74 High Street
Sevenoaks
TN13 1JR

29 April 2024

PLANNING DECISION NOTICE

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| APPLICANT: | Ms Victoria Groves |
| DEVELOPMENT TYPE: | Large Maj Dwellings |
| APPLICATION REFERENCE: | 23/504471/OUT |
| PROPOSAL: | Outline application (with all matters reserved except access) for the development of up to 115 no. dwellings (Use Class C3) with 40% affordable housing including demolition of existing buildings, new means of access into the site from Moat Road (not internal roads), short diversion to the public right of way (KH590), associated highway works, provision of public open space, provision of shelter to replace curtilage listed building, emergency/pedestrian access to Millbank, and associated infrastructure including surface water drainage (with related off site s278 highway works to Moat Road). |
| ADDRESS: | Land At Moat Road Headcorn Maidstone TN27 9NT |

The Council hereby **REFUSES** Planning Permission for the above for the following Reason(s):

- (1) The proposed development would erode openness and cause unacceptable harm to the character and appearance of the rural area which lies in the Low Weald Landscape of Local Value. The harmful development would be particularly visually prominent due to site topography and the site being elevated above Moat Road. The proposed urbanising form of major development in an edge of settlement location would be visually harmful to the setting of Headcorn and its Conservation Area in its rural context on approach from the west. It would therefore significantly harm the character and appearance of the rural area contrary to NPPF para 135, 180 230 and Policies SS1 and SP17 of the Maidstone

MKPS – Working in Partnership with: Maidstone Borough Council

Please Note: All planning related correspondence for MBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Email: planningsupport@midkent.gov.uk

Access planning services online at: www.maidstone.gov.uk; or submit an application via www.planningportal.co.uk

Borough Local Plan 2017 and Policies LPRSA310, LPRSP14(B) and LPRSP15 of the Maidstone Borough Local Plan Review 2024.

- (2) The visual prominence of the development in the locality has not been adequately considered or respected in the design, layout and form of the development. The indicative sizes and number of dwellings and associated hardstanding, the access, external lighting and the engineering alterations to a significant length of Moat Road will result in a layout and siting of built development of a suburban form extending into the rural landscape, significantly harming its character. The proximity of dwellings to the southern and western boundaries with intervening attenuation basins results in a lack of sufficient space for landscaping to suitably mitigate and assimilate the development into the area. There are inadequate landscape buffers within and across the site to break up the massing and roofscape. The development is contrary to NPPF para 135 and 180 and policies SP17, DM1, DM8 and DM30 of the Maidstone Borough Local Plan and LPRSA310, LPRSP9, LPRSP15, LPRQD2 of the Maidstone Local Plan Review 2024.
- (3) The demolition of the curtilage listed former Granary (Building 3) is contrary to the NPPF and Maidstone Borough Local Plan 2017 policies SP18 and DM4 and to LPRSP14(B) and LPRENV1 of the Maidstone Borough Local Plan Review 2024. There is substantial harm from loss of a heritage asset with no justification or mitigation for the loss with the absence of a satisfactory replacement structure that reuses any of the materials from Building 3.
- (4) There is a lack of community gardens and an inadequate amount of natural and semi-natural open space in terms of public useability because the attenuation basins have not been demonstrated to be wet ponds and ecological habitat/mitigation areas would not be publicly accessible. Therefore, the proposal has not been demonstrated to comply with policy DM19 of the Maidstone Borough Local Plan 2017 or LPRSA310, LPRSP13 and LPRINF1 of Maidstone Borough Local Plan Review 2024.
- (5) There has not been a demonstration of safe pedestrian and cycle access when vehicles will use the Secondary Access route to the A274 during major flood events. There has not been demonstration of safe cyclist access to the A274 via the alterations to Moat Road. This would be contrary to the aims of sustainable development by securing good walking, wheeling and cycling infrastructure as set out in the National Planning Policy Framework, the objectives of Active Travel England, Policies SS1, SP17, SP23 and DM1 of the Maidstone Borough Local Plan and policies LPRSA310, LPRSS1, LPRSP12 and LPRSP15 of the Maidstone Borough Local Plan Review 2024.
- (6) The development will result in significant additional pressure on Kent County Council infrastructure including primary and secondary education that is unlikely to be fully mitigated in the absence of a s106 legal agreement providing supplementary financial contributions to the Local Education Authority. This is contrary to policy ID1 of the Maidstone Borough Local Plan 2017 and policy LPRSP13 of the Maidstone Borough Local Plan Review 2024.

Informative(s):

- (1) This decision has been taken in accordance with the details and information provided in the following plans/documents:

Additional Information Design and Access Statement Addendum Received on 28 March 2024

Additional Information Ecology Letter by Aspect Ecology Received on 21 December 2023

Additional Information Email From Agent Received on 21 December 2023

Additional Information FRA Letter by RSK LDE Received on 21 December 2023

Additional Information Heritage Note Received on 19 January 2024

Additional Information Highway Technical Note by DTA Received on 21 December 2023

Additional Information Letter response to KCC comments Received on 22 February 2024

Additional Information LVIA Document Received on 22 February 2024

Additional Information Outline Bat Mitigation Strategy Received on 18 March 2024

Additional Information Rebuttal to LVIA Comments Received on 19 January 2024

Additional Information THS-01 Rev A Shelter Floor Plans and Elevations Received on 28 March 2024

Additional Information UMIDB Letter by RSK LDE Received on 21 December 2023

Air Quality Assessment 444627 01 02 Received on 02 October 2023

Amendment Flood Risk Assessment Received on 21 December 2023

Amendment FWP-01 MP-1 Rev A5 Framework Plan Received on 28 March 2024

Amendment SKMP-01 Rev A5 Sketch Layout Masterplan Received on 28 March 2024

Biodiversity Survey/Report 6196 BNGA 2023 vs Biodiversity Net Gain Assessment Received on 02 October 2023

Design and Access Statement CATE211030 DAS06 Received on 10 October 2023

Great Crested Newt Licence and Map Received 25 April 2024

Heritage Statement R001v5 HT P213568 Heritage Assessment 1 Received on 02 October 2023

Heritage Statement R001v5 HT P213568 Heritage Assessment 2 Received on 02 October 2023

Heritage Statement R001v5 HT P213568 Heritage Assessment 3 Received on 02 October 2023

Heritage Statement R001v5 HT P213568 Heritage Assessment 4 Received on 02 October 2023

Heritage Statement R001v5 HT P213568 Heritage Assessment 5 Received on 02 October 2023

Plan / Drawing 11 Existing Site Layout Plan Received on 02 October 2023

Plan / Drawing 20472-03 D Proposed Highway and Footway Scheme Received on 16 October 2023

Plan / Drawing 20472-03-1 D Site Access Vehicle Tracking Received on 16 October 2023

Plan / Drawing 01c Site Location Plan Received on 02 October 2023

Plan / Drawing SS-01/02/03/04 Rev P3 Street Scenes Received on 02 October 2023

Plan / Drawing 42824_T Topographical Survey Received on 10 October 2023

Plan / Drawing 20472-03-2 D Visibility Splays Received on 16 October 2023

Plan / Drawing 20472-03-3 D Visibility Splays (With Highway Boundary) Received on 16 October 2023

Planning Statement Received on 02 October 2023

Supporting Documents Biodiversity Metric Calculation Tool Received on 10 October 2023

Supporting Documents 6196 EcoAp v4 Ecological Assessment Received on 02 October 2023

Supporting Documents GRM Letter r.e Mineral Assessment Received on 02 October 2023

Supporting Documents Headcorn SCI Updated Received on 02 October 2023

Supporting Documents edp5739 r002e Landscape and Visual Impact Assessment Part 1 Received on 02 October 2023

Supporting Documents edp5739 r002e Landscape and Visual Impact Assessment Part 2 Received on 02 October 2023

Supporting Documents edp5739 r002e Landscape and Visual Impact Assessment Part 3 Received on 02 October 2023

Supporting Documents edp5739r002e Landscape and Visual Impact Assessment Part 4 Received on 02 October 2023

Supporting Documents edp5739r002e Landscape and Visual Impact Assessment Part 5 Received on 02 October 2023

Supporting Documents edp5739r002e Landscape and Visual Impact Assessment Part 6 Received on 02 October 2023

Supporting Documents 713965R01 Lighting Impact Assessment Received on 02 October 2023

Supporting Documents Moat Road Headcorn Planning Statement Sept 2023 Received on 10 October 2023

Supporting Documents Moat Road Headcorn Planning Statement Sept 2023 Received on 13 October 2023

Supporting Documents 2060674 - RSK - RP - 001 04 Noise Assessment Report Received on 02 October 2023

Supporting Documents Photos of Existing Buildings to be Demolished Received on 10 October 2023

Supporting Documents 890633R1 (1) Preliminary Foul Drainage Utilities 1 Received on 02 October 2023

Supporting Documents 890633 R1 (1) Preliminary Foul Drainage Utilities 2 Received on 02 October 2023

Supporting Documents 890633 R1 (1) Preliminary Foul Drainage Utilities 3 Received on 02 October 2023

Supporting Documents 890633 R1 (1) Preliminary Foul Drainage Utilities 4 Received on 02 October 2023

Transport Assessment DN/RT/2047204d Received on 02 October 2023

Travel Plan DN/RT/20472 05b Received on 02 October 2023

Tree Survey 11247 AIA 001 Rev A Received on 02 October 2023

The Council's approach to this application:

In accordance with paragraph 38 of the National Planning Policy Framework (2023), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The applicant/agent was informed of issues that arose during the consideration of the application and how these could potentially be overcome but sufficient information was not forthcoming to address these issues.

R. L. Jarman

Rob Jarman
Head of Development Management
Maidstone Borough Council

IMPORTANT: YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PERMISSION OR GRANT OF PERMISSION SUBJECT TO CONDITIONS

This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the LPAs decision on your application, then you must do so within **28 days** of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the LPA’s decision on your application, then you must do so within **28 days** of the date of service of the enforcement notice, or within **6 months [12 weeks** in the case of a **householder** or **minor commercial** application decision] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a **Householder** application or a **Minor Commercial** application and you want to appeal the LPA’s decision, or any of the conditions imposed, then you must do so within **12 weeks** of the date of this notice.
- In all other cases, you will need to submit your appeal against the LPA’s decision, or any of the conditions imposed, within **6 months** of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority (planningappeals@midkent.gov.uk) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted planning permission for the proposed development or could not have granted it without

the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

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