

NOTES FOR TECH**APPLICATION PROPOSAL****Ref No 23/504471/OUT**

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**RECOMMENDATION** - Application Refused**WARD**

Headcorn

PARISH/TOWN COUNCIL

Headcorn

APPLICANT Ms Victoria Groves**AGENT** Savills**DECISION DUE DATE**

30/04/24

PUBLICITY EXPIRY DATE

17/04/24

PLANNING HISTORY

22/505616/OUT

Outline application (with all matters reserved except access) for the development of up to 120no. dwellings (Use Class C3) including demolition of existing buildings, means of access into the site from Moat Road (not internal roads), associated highway works, provision of public open space, emergency / pedestrian access to Millbank, realignment of the existing public right of way and associated infrastructure including surface water drainage.

Withdrawn 28.03.2023

23/505693/LBC

Listed building consent for the demolition of a potentially curtilage Listed structure related to Moat Farm.

Refused 08.02.2024

DESCRIPTION OF SITE

- The application site (including Moat Road itself and the emergency access) measures 7.42 ha and is in the open countryside to the west of the settlement boundary of Headcorn village. The main development area is 7.1ha. This section of Moat Road is two lanes but narrows over the bridge to the east of the site. It has no kerbs or footways or lighting and is bounded by road-side trees and hedging.
- The northern part of the site is generally on a plateau but the middle and southern part slopes down.
- The site is generally open and currently mostly sheep grazing land with the remnants of 5 small former farm outbuildings in the SE corner. One (Building 3) is a pre-1948 building and curtilage listed (due to being part of the wider complex of the Grade II listed Moat Farm at the date its listing in 1968).

- The site lies north of Moat Road with its tree/hedge boundary of 165m long which partly screens the lower part of the site from the road although not where the abandoned Farm complex remains.
- The eastern boundary of the site lies adjacent to the rear property boundaries fronting Bankfields, Mill Court and Mill Bank.
- There is a substation to the south west corner. The rest of the western boundary has hedges/trees although the SW section is primarily comprised of intermittent overgrown hedging approx. 7m high. To the north, the boundary is treelined with a recent Bovis housing development located on the north side of the trees.
- There is a TPO on the site (ref 5/1986). This covers a group of oak trees that lie on the site boundary in the SW quadrant and 2 groups of trees beyond the northern boundary. A strip that runs E-W across the site on an old field boundary comprises of Elder and Hawthorn approx. 6.5m high.
- The site is located within an area designated as the Low Weald 'Landscape of Local Value' (LLV).
- PROW KH590 runs close to the SW boundary and another PROW KH591 runs close to the NW corner of the site,
- Parts of the site are designated as Areas of Archaeological Interest.
- The River Beult SSSI passes within 200m of the site's southern boundary and the site is within 12m of the watercourse of Hoggs Stream at the SE corner. Most of the southern boundary and Moat Road itself is in Flood Zone 2. The SE corner and approx half of the frontage to Moat Road and all of Moat Road to the east until A274 is in Flood Zone 3.



PROPOSAL

- The application has been subject to a Planning Performance Agreement and this included a meeting held with Members and the Parish Council representatives in September 2023.
- The application is in outline with all matters reserved except the access point. It has been revised from 120 units originally submitted and now is for up to 115 dwellings. 40% would be affordable units. Dwellings are proposed up to 2 storeys high (with 5 bungalows in the "Rural Development Edge" zone) including incidental green spaces and access infrastructure. The Framework Plan submitted has a note that all zones have a "plus or minus 3m" tolerance in their size (except when adjoining existing properties or protected vegetation/ecology).

- The 5 disused agricultural buildings would be demolished and one which is a curtilage listed building would be replaced by a new shelter, timber framed with metal sheet cladding and a slate roof.
- Open space totalling approx. 3.3ha was originally proposed for existing trees/planting, amenity space, SuDS features, children's play, recreation areas and footpaths. The Open Space is primarily on the western and southern edges. This will have increased to approx. 3.36ha based on the revised Framework Plan reducing the residential parcels in size.
- A 10m wide "landscape and ecology corridor" outside private gardens is proposed to most of the eastern and northern boundaries that abuts existing neighbouring dwellings.
- The proposed main access is from Moat Road which has a national speed limit of 60mph for most of the site frontage. There is said to be potential for an extension of the existing 30mph speed limit or a 40mph buffer but this is not included in the application.
- Pedestrian/cycle access is to the SE corner from a new footpath internal to the site. The entire footway creation and Moat Road widening scheme towards Headcorn village is stated to be deliverable within the public highway and/or land under the control of the applicant. The new footpath would be in the 30mph section (where the 85th percentile speeds are approx. 34mph).
- Emergency access to the A274 (also intended to be pedestrian and cycle access) is shown from the NE corner to the rear of Millbank and Miller Close. It would also be a secondary vehicular access in the event of an impassable floodwaters to Moat Road.
- The application includes a partial diversion of the existing PROW KH590 where it crosses the access road.
- A 40m buffer zone is indicated to the substation in terms of noise and vibrations.
- Foul sewage is to mains sewer.
- Surface Water from the development is to be disposed of to a SuDS system of permeable paving, swales and 3 detention basins with restricted final discharge to the watercourse off site.

POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017

MBC Local Plan Review 2024The Inspector produced his Final Report and found the Plan to be "Sound" subject to his Main Modifications being made. The adoption report was formally approved by Full Council on 20th March 2024 and a 6-week period for possible legal challenge ends on 1 May 2024. The LPR is considered to attract substantial weight at the current time, however, it cannot attract full weight until the termination of the judicial review period.

The Local Plan Review (LPR) was prepared in the absence of any landscape sensitivity testing of the allocated sites for development, in contrast to the approach taken in the MBLP 2017. It is therefore effectively "landscape blind" particularly with respect to site capacity figures and siting/layout criteria.

	MBLP 2017	LPR 2024
Spatial Strategy	SS1	LPRSS1
Rural Service Centres	SP5	LPRSP6
Headcorn	SP7	LPRSP6(C)
Countryside	SP17	LPRSP9
Historic Environment	SP18	LPRSP14(B)
Affordable Housing	SP20	LPRSP10(B)
Sustainable Transport	SP23	LPRSP12
Infrastructure Delivery	ID1	LPRSP13
Principles Of Good Design	DM1	LPRSP15
Sustainable Design	DM2	LPRQD1
Natural Environment	DM3	LPRSP14(A)
Heritage Assets	DM4	LPRENV1
Brownfield Land	DM5	LPRHOU1
Air Quality	DM6	LPRTRA1
External Lighting	DM8	LPRQD2
Housing Density	DM12	LPRHOU5
Open Space	DM19	LPRINF1
Transport Impacts	DM21	LPRTRA2
Design Principles in the Countryside	DM30	LPRQD4
Biodiversity Net Gain		LPRSP14(A)
Climate Change		LPRSP14(C)
Technical Standards		LPRQD6
Private Open Space Standards		LPRQD7
Moat Road, Headcorn		LPRSA310

Headcorn Neighbourhood Plan - Draft Regulation 14 (low weight)
Kent Minerals and Waste Local Plan 2013-30 as amended by Early Partial Review (2020)
Maidstone Landscape Character Assessment 2012 (Updated 2013)
Supplementary Planning Documents: Maidstone Building for Life 12 (2018);
Affordable and Local Needs Housing (2020); Air Quality Guidance (2017); Public Art Guidance (2017)
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

LOCAL REPRESENTATIONS

Local Residents:

79 representations have been received raising the following (summarised) issues

Harms countryside

visibility of the development profile/skyline

outline application leaves too many unknowns

Exceeds allocation of 110 units

No local housing need –

Govt is due to reduce building targets.

Village becomes a town.

poor connectivity with the village community;

Headcorn needs recreational facilities.

A274/White Horse crossroads is congested

Access to the M20 will be via Leeds Village, Otham and or Willington Street

Moat Road bridge is weak and narrow and on a bend- cannot be widened due to heritage WW2 concrete tanks traps on the south side.

pedestrian access into the village is unsafe

Widening the emergency access would necessitate removal of mature oak trees and hedgerows , harming existing ecology-

Emergency access is used by locals to park, unsuitable for fire engines.

Unsafe as Moat Road is 60mph.

No footway for most of Moat Road.

A pedestrian crossing will be needed at the crossroad traffic lights

Will add to rat-running on local lanes

Moat Road will need residents only parking bays

Access location will have reduced visibility of traffic movements.

Access should be taken to the north onto Maidstone Road

Added pressure on parking in the village centre

Any affordable home should be for locals and genuinely affordable.

Construction management plan needed

Pollution of R Beult.

Moat Road regularly floods and becomes inaccessible.

The SuDS strategy fails to consider the interplay of School Stream and the River Beult- needs a Beult catchment study

SuDS strategy fails to consider the existing water flows over the whole site.

Altering the bridge will worsen flooding

Site has a distinctive Wealden charm which creates a panorama from the ancient lane, much used by the local population, down to the Parish Church, helping to create a rural feel Loss of natural green space

brownfield sites should be developed first.

Inadequate schools and early years child care

Inadequate GP/pharmacy/NHS dentist services

air pollution

odours

noise, disturbance,

overshadowing and overlooking.

Site has archaeological interest, e.g. a radar system under the field.

Destruction of wildlife habitat

Loss of protected trees

Inadequate sewerage, water and power utilities locally.

Buffer should be natural habitat

Buffer also needed along the northern boundary.

Inadequate local consultation Concern that Catesby's assurances (10m buffer to east, 2 storeys only and including bungalows) will not be kept by subsequent developer.

- Headcorn Aerodrome has highlighted that the site is in the safeguarding area and future residents must be alerted to experiencing noise.

- Headcorn PC:

Objection

no benefits for the Village

too many housing units

more open space needed

local schools oversubscribed

lack of infrastructure in village eg GPs and utilities

area too remote for social housing tenants with families

loss of parking on Moat Road

Concern of width of footpath over bridge

Concern at pinch point of bridge.

congestion on Moat Road

Moat Road floods so access not safe

Flooding events are complex with School Stream and R Beult.

Secondary/Emergency access inadequate.

Unclear how bollards to emergency access will be removed in flood event.

Fails Flood Risk sequential test and exception test.

Generic design and proposed street hierarchy do not reflect the village's sense of place

Inadequate open space

Village needs more sports facilities and allotments

Draft Neighbourhood Plan not considered

Will increase flood risk elsewhere

Inadequate affordable housing to buy

Inadequate parking

Harms the view along Moat Road into the village

Harms heritage assets

Harm to wildlife

Loss of privacy

- Cllr Round:

houses built in Headcorn and yet there have been few benefits to mitigate inadequate schools,
concerns with drainage system
concerns with water supply
could impact on Traffic lights installed at the end of Moat Rd
no improvements in Sport & Recreation
no community facilities, such as a Childrens Nursery
concerns regarding Local Roads and access issues close to a narrowing pinch point
Proximity to a natural environmental corridor
water drainage and surface water concerns
next to a SSSI with a stream joining other tributaries to the River Beult adjacent and a Water Treatment Pumping station
The effect on the Landscape Character and entry/exit to the Village Conservation area.
concerned outline consent would be sold to a developer that may seek changes.

CONSULTATIONS

Environment Agency

- No objections subject to conditions on contamination, finished floor levels of the development at 20.54mAOD and secondary access road out onto the A274

Natural England

- No objection subject to Standing Advice.

Southern Water

- No objections

Upper Medway IDB

- As this is an outline planning application the Board recommends that Land Drainage Consent is sought at a later stage during the Reserved Matters or Full application when the drainage strategy has been finalised.

KCC F&WM

- Initial objections overcome with revised/additional information. No objections subject to conditions on SuDS with the detailed strategy being considered at Reserved Matters stage which may need to include swales could be "modified" or extended as part of the detailed design stage to cater for any runoff expected.

KCC Ecology

- District Level Licensing (DLL) impact assessment and conservation payment certificate (IACPC) should have been submitted prior to determination of the application.
- Insufficient information was obtained to clarify the presence/likely absence of bats in B4 (building being demolished) and roost characterisation. A decision should not be issued in line with ODPM Circular 06/2005. The LPA must address the three tests when deciding whether to grant planning permission for the proposed development.

- However, the project ecologists are confident that the risk of a roost of high conservation significance being present on site is low and indicate that appropriate mitigations and compensations for bats can be included within proposals without plans needing to be altered through the planning process. The risk of Natural England not being able to issue a licence with plans in their current form is therefore likely to be fairly low.

Kent Police

- No objections subject to a condition on designing out crime.

KCC Minerals

- No objections or comments

KCC Archaeology

- No objections subject to conditions:

The ROC (Royal Observer Corps) underground site is to be preserved in situ as an open space, integrated into the new development.

South east corner to be landscaped to reflect the pond and moated elements as well as water management features and the farm building character

Overall heritage enhancement measures referring to the ROC and the Moat Farm complex.

A full programme of archaeological work

KCC Strategic Development and Place

- Request contributions towards local education- primary (eg Marden, Staplehurst or Lenham), secondary and SEND. Also request contributions towards Community learning, children's services, libraries and Adult social care.
- KCC requests that Maidstone Borough Council allocates CIL funds received from the development. Should CIL receipts be insufficient to cover the impacts demonstrated then the County Council requests that S106 also be applied (as identified as best practice under the CIL Regs as amended August 2023), to ensure the impacts of the development can be met and that the development can be regarded as sustainable.

KCC (PROW)

- Require condition regarding the diversion of KH590. Note the agreement of our developer contributions request of £5,000 towards mitigation landscape and visual harm on PROW network by stile replacement, clearance, new signage.

KCC (H&T)

- No objections subject to:

S278 controlled crossing facilities incorporated into the configuration of the Mote Road/Kings Road/A274 junction

Emergency access route to A274

Proposed footway scheme

Construction Management Plan

Active Travel England

- Refer to Standing Advice.

MBC Parks and Open Spaces

- Deficit of on-site open space, request for off-site contributions.

MBC Housing:

- The 40% affordable housing offer is agreed but the non-First Homes in terms of tenure and sizes should match MBC's preferred split.

MBC Environmental Protection

- No objection subject to conditions on contamination, air quality, ventilation strategy, low frequency noise near the substation.

APPRAISAL

- The key issues are:
 - Spatial Strategy
 - Landscape and Visual Impact
 - Design and Layout
 - Public Open Space
 - Flood Risk
 - Highways
 - Active Travel
 - PROW
 - Biodiversity and Protected species
 - Biodiversity Net Gain
 - Heritage and Archaeology
 - KCC Contributions

Spatial Strategy

- Policies SS1 of the MBLP and LPRSS1 of the LPR deal with the spatial strategy for the borough and give protection to the rural character of the borough. Local Plan Policy SP17 states that development proposals in the countryside will only be permitted where:
 - a) there is no harm to local character and appearance, and
 - b) they accord with other Local Plan policies
- Policy LPRSP9 carries that policy forward with a revision that there be “no significant harm”. There is no measurement of this outlined i.e measuring harm and so this is a matter for the decision maker. As stated above, there was no landscape impact assessment of any of the sites as can be seen from the SHLAA checklist (Appendix 1).
- Headcorn is identified a Rural Service Centre under policies MBLP SP5 and LPRSP6, being a secondary focus for housing development as a highly sustainable settlement in Maidstone's settlement hierarchy.
- The recently adopted Local Plan Review policy LPRSA310 states that the site is suitable for development for ‘approximately’ 110 dwellings. The policy aspired to

ensure development in the rural area is to high design standards and responsive to its setting and context. The design specific requirements are:

The proposal should be informed by a Landscape and Visual Impact Assessment and Historic Impact Assessment;

Development should be setback from Moat Road and the Western Boundary

Density and typologies should reflect the site's semi-rural nature;

Distinct Character Areas should be defined;

Lower densities should be located on the western portion of the site

East – West landscaping should be introduced;

No less than 1.9 Ha of semi/natural open space shall be provided;

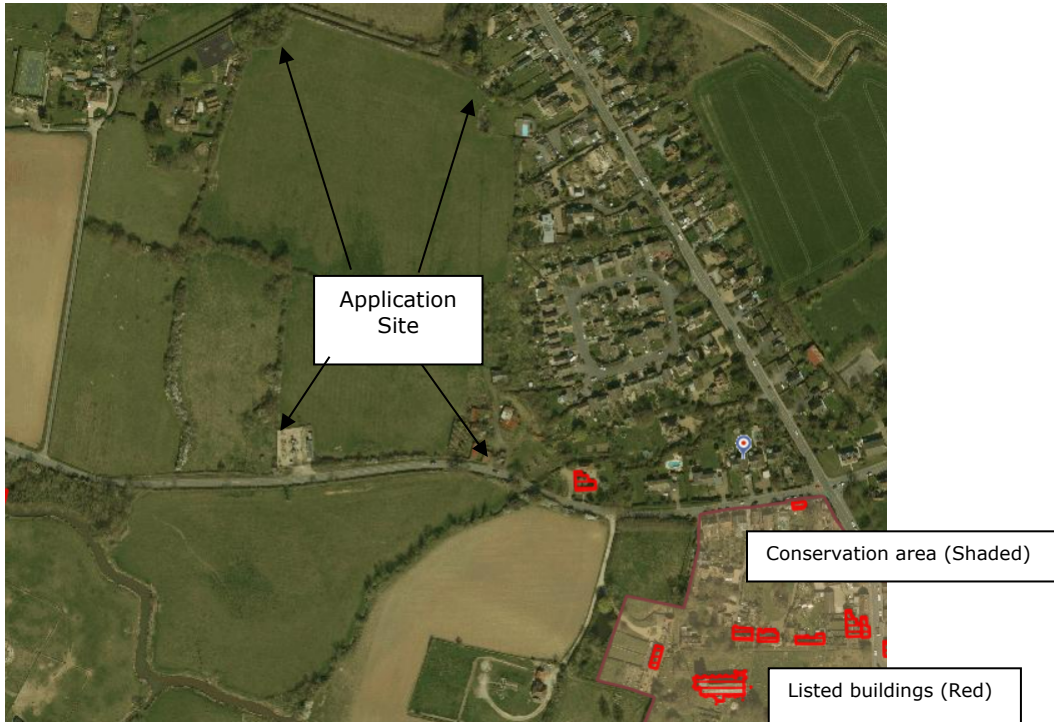
No less than 0.8 Ha of open green amenity space (with a children's play area)

- These are discussed further below.

Landscape and Visual Impact

- The NPPF recognises the intrinsic character and beauty of the countryside. The site is agricultural sheep grazing land and has a rural open character and appearance. The site has a pronounced slope.
- In the MBLP2017, the site lies outside of Headcorn and thus in the designated countryside. In the LPR2024, most of the application site is allocated for residential development but Moat Road itself and the neighbouring land to the south and west remain designated as countryside.
- There are no statutory landscape designations attached to the site. However, it is within a non-statutory landscape designation of the Low Weald “Landscape of Local Value” (LLV). Within MBLP policy SP17 and policy LPRSP9, development proposals in LLVs should, through siting, scale, mass, materials and design, contribute positively to the conservation and enhancement of the protected landscape.
- Policies SP17, DM1 and DM30 of the MBLP2017 and policies LPRSP9, LPRSP15 LPRQD4 and require account to be taken of the Maidstone Borough Landscape Character Guidelines. The site meets one of the key characteristics of the Low Weald which is that of low lying gently undulating clay landscape of small fields with orchards, pasture, ponds and watercourses enclosed by thick native hedgerows. Policy LPRSA310 has criteria intended to secure a sensitive design and layout for the semi-rural setting.
- More specifically, the site lies within the Maidstone Borough Council Landscape Character Area of Headcorn Pasturelands and has the Beult Valley Character Area abutting the South boundary. The Headcorn Pasturelands (Southern Mixed Pasturelands) has a landscape guidance of “conserve and strengthen”. The application site has the typical Low Weald characteristics of low-lying landscape enclosed pasture; sparse development with scattered farm buildings; mature oaks within pasture and as mature hedgerow trees. The Headcorn Pasturelands has ‘high’ landscape character sensitivity and ‘moderate’ visual sensitivity.
- The Church of St Peter and St Paul at Headcorn is a Grade I listed building within Headcorn Conservation Area. It is 230m away from the site and visible from it and from Moat Road. The Conservation Area itself at its closest is 120m from the

application site. Due to topography, the site is very visible in the setting of the Conservation Area.



- To the east and north, the existing settlement screens the site. To the south where the land is much lower than the site, there is generally flat landscape as far as the River Beult (c.100m) before the land levels out/rises gently.
- In the context of countryside to the west and south of the application site, it is open and prominent, being the highest ground in the vicinity. It provides the setting and boundary to the western side of Headcorn on rising ground. The site's topography and local prominence is a key factor in assessing the acceptability of the development proposed. The SE boundary to Moat Road, once the old farm complex is removed, would have an unscreened distance of approximately 60m. The SW boundary has an overmature hedge but part of that will be removed for the access point and visibility splays. Effectively, the southern boundary of the site from which most views of the site will take place, has relatively poor existing screening overall.



South East Boundary



South West boundary

- The site slopes down significantly from 33m OD to 17.5m OD, a drop of 15.5m over 230m. Very limited cross section drawings have been provided to demonstrate that the proposal takes account of the topography. There is limited scope for adequate landscape buffers/screening at the south and southwestern boundaries because not enough distance is achievable between the perimeter trees, hedging and the number and size of attenuation basins and the indicative extent of proposed built development.
- The applicant places much reliance on the “buffers” provided by the drainage attenuation basins for screening of the development. However, whilst the basins push development off the SW boundaries, in themselves, they do not screen 2 storey buildings. It may be that a detailed SuDS results on even greater areas of the open land being needed for drainage purposes, further reducing scope for adding landscape screening at the southern part of the site.
- Other than the line of TPO trees, there are no further E-W or N-S belts of tree planting indicated to break up the massing and roofscape of the development and to better respect the historic field pattern of the Low Weald.
- It is accepted that there is reference to ‘approximately 110 dwellings’ within the allocation policy. ‘Approximately’ is not defined but I would not interpret it as adding 5 units overall as is proposed. The yield would have been by necessity indicated as a “modelled capacity” in order to produce a trajectory for housing land supply but was not derived from any testing of layouts.
- Moreover, the LPR needs to be read as a whole and so complying with design and landscape policies may make the estimated yield unachievable. As stated above, there has been no landscape sensitivity test undertaken of the LPR: the topography and landscape impact did not feature in the SHLAA checklist of site suitability and so the site (despite being on a pronounced slope) was treated as a ‘table top’ site.
- To conclude, the development overall would erode openness and the sense of tranquillity, result in an urbanising and visually prominent form of development, out of character with the rural locality, visually harmful to the setting of Headcorn and its Conservation Area in its rural context on approach from west and therefore significantly harmful to the rural character and appearance of the area which is an area of Local Landscape Value.

Design and Layout

- The NPPF requires development to be sympathetic to local character including the surrounding built environment and landscape setting. Policy LPRSA310 has criteria intended to secure a sensitive design and layout for the semi-rural setting.
- This development would erode the openness of the countryside, dominate the locality and cause unacceptable visual harm to the character and appearance of the rural area. The proposal would manifestly alter the innate visual, spatial and physical nature of the land. It would permanently change the use of the site from agricultural sheep grazing to a housing estate.
- The yield of the site is given as “approx. 110” in policy LPRSA310. However, as mentioned above, the LPR is “landscape blind” in that, unlike for the adopted Local Plan, there was no landscape sensitivity testing nor assessment of landscape impact of draft allocated sites. This was also not examined by the Inspector so is left to the decision-making stage.
- Such testing would have allowed much more refinement of the policy criteria to allow for an acceptable form of residential development. For example, in this case it would have been based on the interaction of matters such as the location of the site relative to existing settlements, the poor quality of existing landscape screening within and around the site, the site’s elevated location and its topography.
- Therefore, it is only at the planning application stage where landscape impact must be fully considered especially in relation to the quantum of development indicated in the LPR allocations. This has recently been strongly endorsed in an appeal decision at Northdown Business Park in Lenham (APP/U2235/W/22/3302571) for a draft employment allocation whereby the Inspector considered that a quantum of development, even one that was much less than that referred to in draft policy LPRSA260 was not demonstrated to be achievable, taking into account the landscape criteria the policy also required to be met. Policy LPRSA260 is for approximately 2,600 sqm of employment floorspace but a scheme of up to 1,687 sqm was dismissed by the Inspector based on landscape harm stating:

“that the floorspace and maximum height, and in the case of the yard scheme its extent and effect, would be likely, despite details that could be submitted at the reserved matters stage, to constitute an over development of the site that would unduly harm the character and appearance of the area, including the setting to the AONB”.
- Hence, the approximate dwelling yield of 110 in adopted policy LPRSA310 establishes little more than the principle of development. Site capacities being a simple number can have very different landscape impacts depending on the final dwelling typology form and size. In this case, the application is in outline and submitted by a strategic land promotion company so the site would be sold on and be developed by a separate housing building company. The parameters in the Framework Plan where there are indicative parcels of development (plus or minus 3m tolerance) do not give confidence that an acceptable scheme would evolve with the quantum of 115 dwellings proposed in the application.
- In any event, the scheme (both as originally submitted and as revised) exceeds the indicative number. There are requirements to screen the development so that the harm on the character and appearance of the area is mitigated. To achieve that, much more of the site would need to be given over to buffer planting at the south west corner and southern boundary and there would need to be more E-W and some N-S tree belt planting to break up the roofscape. Meeting the caveats

within policy LPRSA310 would significantly reduce the number of dwellings that could be acceptably accommodated on the application site to potentially to 100 or so units. This was advised to the applicant but their revisions only reduced the scheme from 120 to 115 units and very slightly reduced the area of built development in the SW corner.

- The site's main topographical characteristic is its pronounced slope and but the submission does not detail the impact of development through cross and longitudinal sections to a reasonable scale. The Masterplan shows 2 storey housing on the highest and most visibly prominent part of the site. Planting at lower levels will be of limited effect in terms of screening views of built development. The LVIA does not give any photomontage from the SW corner where the access point and the attenuation basins prevent scope for meaningful landscape screening.



- The access and footpath engineering required by KCC will be harmful to rural character and will be urbanising. However, it is accepted that the allocation LPRSA310 does effectively require these features be added to the rural lane for safe pedestrian access.
- The topography of the site coupled with the low lying open landscape in the vicinity means that much more significant landscape screening needs to be indicated and secured in perpetuity.
- The Open Space needs to be of a substantial width along all of the western and southern boundaries and to ensure it can effectively serve as a visual buffer, planted with trees and landscaping to screen development rather than predominantly attenuations basins.
- The indicative layout and storey heights do not appear reflect the sensitive landscape setting.
- The application does not clearly identify character area parameters in terms of net densities, heights, typologies with strong design codes and also the size and typologies of open space so does not accord with LPRSA310 in that regard.
- There would be a need for external street lighting, detrimental to rural character and appearance notwithstanding the applicant saying there would be no light spill. The new Moat Road footway is likely to be lit. Light pollution of this type is contrary to the NPPF and Policy DM8 of the MBLP and LPRQD2.

- There is no Arboricultural Impact Assessment to detail the implications of the footpath works along Moat Road to ensure that the trees along Moat Road are not damaged.
- To conclude, this is an urbanising development of significant proportions in a rural location by reason of its siting, massing, scale, form and the visibility of most of the roofscape from the rise in land levels and associated hard surfacing from parking and access requirements. The level of built development in depth is at odds with the prevailing pattern of development of the locality. It is not in compliance with the overall criteria of the allocation policy LPRSA310.
- The indicative sizes and number of 115 dwellings and associated hardstanding for access, parking and turning will result in harmful visual impact from a layout and siting of built development of a suburban form extending into the rural landscape, significantly harming its character and appearance. The indicative layout shows a proximity of dwellings to the southern boundary and SW corner that will not be screened effectively due to absence of existing screening, low quality existing hedges and the need to open up the frontage for the vehicular access point. There will also be significant harm from external lighting and additional engineering to form the access onto Moat Road.
- The proposal would also be contrary to policies DM1 and DM30 of the MBLP which both require high quality design. Policies DM1 and LPRSP15 requires development to respond positively to, and where possible enhance, the local, natural or historic character of the area. Policy DM30 requires development in the countryside that impacts on the appearance and character of the landscape to be appropriately mitigated and this is not demonstrated to be achievable.

Public Open Space

- MBLP policy DM19 (Open Space) and LPRINF1 detailed expected quantity and typology. Policy LPRSA310 details a minimum need for 1.9 hectares of semi/natural open space focusing on Biodiversity Net Gain and 0.8 hectares of open green amenity space.
- A clear deficiency in Public Open Space is in typology: the absence of outdoor sports and allotments/community gardens. The applicant has offered off site contributions in line with Policy LPRSA310, but the Parish Council has expressly stated that it is off site land rather than contributions that is needed to overcome deficits in outdoor sports locally. There is no specific reason why a small community gardens cannot be provided on site.
- The semi-natural open space is stated by the applicant to exceed the policy requirement but there is a questionable full public useability. Ecological habitat/mitigation areas may not be accessible. Also, it is not clear if the attenuation basins will be fully wet year-round and even their size and depth are not yet definitive because there is no detailed design for a Surface Water Drainage Strategy. Mainly dry attenuation basins are not considered to be useable public open space as defined in the policies as these specify wetlands and ponds.
- It is concluded that the total quantum of open space in terms of Policies DM19 and LPRINF1 does not warrant being a reason for refusal. However, there is a lack of community gardens and no clarity as to whether the quantity of natural and semi-natural open space meets Policy Requirements, excluding any non-accessible areas. This is contrary to policy DM19 of the Maidstone Borough Local Plan 2017 and Policies LPRSA310 and LPRINF1 of Maidstone Borough Local Plan Review 2024.

Flood Risk

- The FRA indicates the proposed site access (Flood Zone 2) would flood to 0.1m deep which is passable but during the worst flood events, the flood water at the bridge (Flood Zone 3) would be 1.09m deep and 0.91m deep at the SE corner of the application site. These are clearly both impassable depths and the residents of the site would need a temporary dry secondary access.
- The development proposal includes “more” vulnerable development in a site of Flood Risk although none of the houses themselves are included in FZ2 or FZ3, only associated development such as pedestrian and cycle paths.
- The NPPF para 172 states that for planning applications on sites allocated in the development plan through the sequential test, the sequential test need not be applied again. However, the exception test may need to be reapplied.
- The PPG adds a proviso that the proposed development must be consistent with the allocation use with no significant changes to the known level of flood risk to the site, now or in the future.
- Site LPRSA310 has been an allocation in the Local Plan Review Regulations 18b, 19 and 22. The site was included in a Strategic Flood Risk Assessment (SFRA) dated 2020 carried out for the Council. The site allocation is now in an adopted LPR. It is concluded that the Sequential Test for the site has been both completed and passed.
- The Exceptions test must follow a Sequential Test and requires development a flood risk area should provide wider sustainability benefits to the community that outweigh flood risk; and that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- In this case, it is accepted that development will provide additional housing including affordable housing to the area and a surface water drainage strategy can be devised that reduces the risk of flooding to the surrounding area. This may require conveyance swales indicated in the Open Space to be modified at the detailed design phase as additional drainage features.
- The Exception Test also requires the development to be safe for its lifetime taking account of the use vulnerability, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. It is accepted by the Environment Agency that all proposed built development will have acceptable minimum finished floor levels and that an alternative secondary safe access route is shown to be provided to the north of the site, in the event that the Moat Road access is inaccessible due to floodwater.
- Policy LPRSA310 states that safe means of access must be agreed with the Environment Agency. The EA was consulted by the applicant’s consultants and their response included in Appendix E of the FRA. However, there is no record in the FRA of the EA’s agreement having been obtained in terms of safe means of access.
- KCC Flood and Water Management have been consulted and have no objections. They do encourage the applicant to look at flood storage compensation in the south-eastern corner to benefit the local catchment from fluvial flood risks but the applicant has not agreed, because is not sought by the Environment Agency. This is notwithstanding the third strand of the Exceptions Test, where possible, will reduce flood risk overall.

- To conclude, in the light of the Councils' own SFRA and comments from statutory consultees, no new Sequential Test is needed and the required Exceptions Test is passed. Hence the scheme is acceptable in terms of flood risk.

Highways

- The NPPF para 114 requires safe and suitable access to be achieved for all users and policy DM1 of the MBLP requires safe accommodation of the vehicular and pedestrian movement generated by the proposal on the local highway network and through the site access. The policy LPRSA310 requires safe off-site pedestrian and cycle connectivity along Moat Road to the A274 and safe pedestrian access onto Maidstone Road via the northern boundary of the site
- KCC (H&T) is satisfied that the proposed geometry of the access is satisfactory. The application does not specify if the creation of the access will necessitate a 30mph speed limit and street lighting along the frontage.
- The Emergency access can take emergency vehicles. In terms of occasional use as a secondary vehicle access during flood events, there is a narrow section set 9m back from the entrance and the field gate would need to be realigned to remove the second narrowed section. Otherwise, it can take 2-way traffic adequately.
- Off-site works include altering the Kings Road/ Moat Road signal junction, to incorporate push button crossings for pedestrians.
- There is currently no footway connection to the site from the village. As it exits the village, Moat Road quickly adopts the character of a rural lane, narrow, unlit with no footways or kerbing.
- Pedestrian/cycle access only is shown to be created from the existing access in the SE corner from which a new 1.5m to 2m wide footway on the northern side is to be created towards the village.



- This will cross a bridge (see above) with a 1.5m wide footway which will alter carriageway to be single width (3.9m) width for a distance of approx. 60m with priority to westbound vehicles. It will continue with a 1.5m wide footpath and widened carriageway for another 110m where an uncontrolled crossing point will be formed with tactile paved dropped kerbs. The footpath will continue for 25m on the southern side to tie in with the existing outside the cottage of 7 Moat Road. The entire footway creation and carriageway widening scheme is stated to be deliverable within the public highway and/or land under the control of the applicant.

- Hence significant lengths of new footway are proposed in terms of pedestrian access but there is no dedicated cycleway.
- The Transport Assessment is silent on assessing the impact of the alterations to Moat Road to cyclists, even though it mentions the NPPF policy and policy LPRSA310 was specifically altered by the Inspector to include an extra criterion of safety in terms of off-site pedestrian and cycle connectivity along Moat Road to the A274. It is contrary to Policy LPRSA310.
- The lack of evidence of safe cyclist connectivity along Moat Road is a deficiency in the submission and also contrary to Policy LPRSA310.

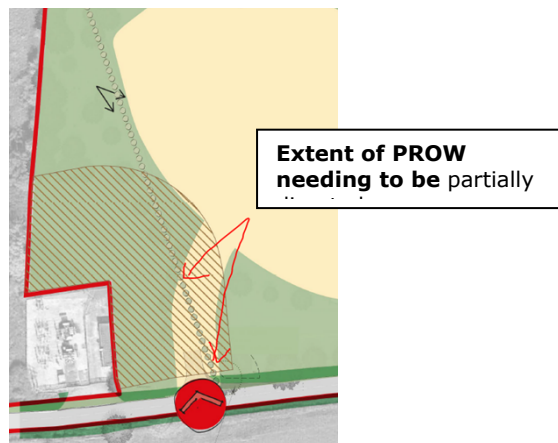
Active Travel

- The NPPF requires residential development to have sufficient access to services.
- Paragraph 96 of the NPPF requires encouragement of walking and cycling and para 108 requires that opportunities to promote walking, cycling and public transport use are identified and pursued. The PPG also refers to encouraging active travel.
- Policy SP23 of the MBLP and LPRSP12 require improved transport choice across the borough from enhanced public transport and walking and cycling improvements and seeks to influence travel behaviour in the interests of active travel. Policy DM1 requires designs and layouts that are accessible to all and maintain and maximise opportunities for permeability and linkages to the surrounding area and local services.
- Headcorn has a relatively good range of local services, bus routes and a railway station.
- The Transport Assessment does not include any Audit of Active Travel Routes in line with the expectations of Active Travel England's toolkit.
- The Masterplan and Framework plans both needed clearer movement strategy for pedestrian and cycleways on desire lines e.g. greenways to allow for the importance of convenient active travel within any Reserved Matters.
- A secondary pedestrian/cyclist access is shown to the NE, connecting through to Millbank, on what appears to be a shared access drive used by some residents to park with no dedicated footway shown. The times when the emergency access becomes a secondary access for vehicles (during impassible flooding of Moat Road) there will be conflicts between vehicles and pedestrians. This is contrary to Policy LPRSA310 which requires safe pedestrian access onto Maidstone Road via the northern boundary of the site.
- As above, the submission focuses on cycle connection via the emergency track to the A274 being from the NE corner but that is not a desire line for most of the site. As above, the lack of evidence of safe cyclist connectivity along Moat Road is a deficiency in the submission and contrary to Policy LPRSA310 and Policy SP23 of the MBLP and LPRSP12.

PROW

- MBLP policy SP23 and Policy LPRSP12 require protection and enhancement of existing Public Rights of Way.

- Footpath KH590 in the SW corner of the site crosses the access point proposed. It was originally indicated to be completely re-aligned but that was not justified by the need to avoid approved operational development.
- However, it has been agreed that it needs to be partially diverted as the main spine road from the access point is very likely to be crossed diagonally for a considerable length. Details have not been submitted at this stage due to the outline nature of the application. However, the principle is acceptable subject to more details on the new route and subsequent formal approval under s 257 of the Town and Country Planning Act.



Biodiversity and Protected species

- The NPPF (2023) para 180 states planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity and also that they should minimise impact on and provide net gains for biodiversity. This is reflected in Policy DM3 of the MBLP and LPRSP14(A).
- The site contains protected and priority species including Great Crested Newts (GCN) and potentially bats in building 4 (to be demolished). Case law is that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, must be established before a planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.
- A District Level Licence for GCN has been obtained from Natural England.
- Further updated bat surveys during spring/summer 2024 will be necessary for a Bat Licence application. If bats are found, a licence would be obtained but the risk of Natural England not being able to issue a licence is likely to be fairly low. It is concluded that a condition could be imposed that did not allow the demolition of Building 4 until the Summer surveys are concluded and any necessary licence is obtained. This would be reasonable as demolition of the building is not key to the implementation of the overall scheme as such, being located in the indicated Open Space and this is an outline application.
- Para 191 of the NPPF requires a limit of the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. Policy DM8 of the MBLP and LPRQD2 state that lighting should not be visually detrimental to its immediate or wider setting. Policy NE3 of the MNP also requires artificial lighting systems to reduce both visual intrusion and negative impacts on wildlife.

- The scheme will inevitably introduce a need for external lighting to roadways, footways and domestic security lighting. Artificial lighting has been shown to negatively impact on ecology. The impact of lighting on the existing and proposed semi natural habitats to the southern section of the site is also potentially of concern: the indicative layout does not appear to have been designed to take this issue into account as roads and footways are not adequately set back to allow those peripheral ecologically important areas to remain dark.
- If planning permission were granted, the reserved matters would need to take much more account of the need to minimise light spill to site boundaries.

Biodiversity Net Gain

- The NPPF require developments to provide a biodiversity net gain (BNG) (percentage not specified). The national requirement of net gain of 10% does not apply to this application as it was submitted before it became mandatory
- The adopted LPR policy LPRSP14A says 20% Biodiversity Net Gain will be expected but is no longer to have a caveat of having to be “on-site”. Nevertheless, the biodiversity gain hierarchy is that on-site is the first option and in the case of this application site, should be achievable.
- The Biodiversity Net gain proposed within the application seeks to improve the grassland, plant approximately 150 small / medium trees, retain the pond, and enhance the hedges with species rich native planting.
- The submitted Biodiversity Metric 4.0 Calculation shows 90.18% gain in habitats and 20% net gain in hedgerows and water courses n/a. This complies with policy LPRSP14A and is acceptable.

Heritage and Archaeology

- MBLP Policies SP18 and DM4 and LPRSP14(B) and LPRENV1 require conservation and where possible enhancement of the significance of the heritage asset and its setting. They defer to the NPPF test for applications which would result in the loss of a heritage asset and/or harm to its setting. Paragraph 207 of NPPF states that in this situation, local planning authorities should refuse consent, unless it can be demonstrated that there are outweighing substantial public benefits and all the caveats a)-d) in the policy do not apply.
- The loss of the farmstead and the creation of a green ‘buffer zone’ will change the relationship of the former farmhouse in its immediate setting and its connection with the agricultural land. There is also proposed urbanisation of the road layout to the lane with the introduction of kerbs, signage, and road markings. Both are considered to cause less than substantial harm to the setting of Grade II Moat House.
- The application includes the demolition of 5 buildings which were once part of the curtilage of Moat Farm when it was listed Grade II (Building 3 Granary is pre-1948 so is therefore curtilage listed).
- The applicant states that they possess minimal intrinsic heritage significance, are very dilapidated and do not warrant retention within the proposed scheme. However, a separate LBC application (23/505693/LBC) was refused on the basis of substantial harm and no justification or mitigation for the loss.
- There is evidence of limited protection of the buildings through lack of maintenance. Therefore, the condition of the buildings should only be partly considered.

- It is considered that the Granary would need to be retained or replaced like for like if the existing structure does prove to be beyond repair and that the replacement should retain as much of the original fabric as possible.
- The proposed replacement is timber framed but with metal sheeting and set upon a concrete base directly on to the floor. It changes the position of the existing Granary, looks to replace all the fabric, and changes the form, scale, and details, and therefore is not a like for like replacement of the curtilage listed Granary.
- The loss of Building 3 does not comply with the NPPF as Building 3 does not prevent a reasonable use of the site; there may be a viable re-use by conversion; and the loss does not affect the main development being proposed. on the site being brought back into use
- The demolition of building 3 to be replaced as indicated would not be supported under an LBC application and should also be refused planning permission within this outline planning application. This is due to substantial harm from loss of a heritage asset with no justification or mitigation for the loss and the absence of a satisfactory replacement.
- Parts of the site are designated as Areas of Archaeological Interest. The location means there is potential for Palaeolithic, Roman, Bronze Age and Iron Age remains. Moat Farm could have had a fish or mill pond and water management systems and structures. Remains of the original farm buildings may survive.
- Underground remains of a Royal Observer Corps (ROC) Monitoring Post (built to monitor nuclear explosions and fallout) is understood to lie in the site, potentially of national importance.
- Following discussions with the County Archaeological Officer, revised plans of an ROC Enclosure Retention (PSO5) and Layout Adjustment for ROC (SK04) shown it can be preserved in situ and highlighted as an open space, integrated into the new development. This could be conditioned.
- Conditions also could ensure a full phased programme of archaeological work across the site and heritage enhancement measures related to the ROC post and appropriate landscaping of the Moat farm complex, including the feeder pond.

KCC Contributions

- KCC advise there is inadequate local existing capacity to their services including Primary, Secondary and Special Education Needs and Disabilities totalling £1,356,220.80 and other KCC Services of £42,212.40.
- Policy ID1 of the MBLP and LPRSP13 identify a hierarchy of infrastructure priorities for residential development. In the LPR, education is 4th out of 10 types. However, no education project has been awarded with any CIL from MBC to date, having operated as a CIL authority since 2018.
- With affordable housing being CIL exempt, Headcorn Parish Council receiving 15% of the CIL from the site, and the CIL Administration receiving 5%, the amount of remaining index linked CIL from this scheme could be in the order £650k. Hence, even if this amount of CIL from the site were ringfenced to KCC education, it would fall far short of mitigating the deficiencies in education that KCC identify.
- KCC request that the developer enters into a s106 to agree to pay supplementary payments in the event that CIL receipts are insufficient to cover the impacts demonstrated. KCC advise this is identified as best practice under the CIL Regs

as amended August 2023. KCC have provided an example of where an Inspector making a decision in Sevenoaks (also a CIL authority) supported such an approach in principle.

- The Council's latest Infrastructure Delivery Plan (IDP) from Dec 2022 identifies expansion of both Marden (0.6FE) and Staplehurst (0.5FE) Primary Schools as necessary infrastructure projects plus expansion of Cornwallis Academy, Loose by 1 FE. Lenham Primary school is mentioned in the IDP but in relation to the Garden Community. On this basis, the request of KCC in terms of education is supported in principle but would need to be subject of more detailed investigation/negotiation.
- The applicant has not objected in principle to the KCC Education request but sought an assurance that as Maidstone is a CIL authority, these contributions would not be covered by CIL.

Other Matters

- There are not considered to be issues with residential amenity to properties in bearing in mind the outline nature of the application and the non-garden buffers shown.
- Affordable Housing of 40% has been offered in accordance with policy LPRSP10(B).
- Local Resident concerns about inadequate local services would be expected to dealt with by CIL except for education as discussed above.
- There is no significant tree loss and the existing TPO trees are not affected.
- A Minerals Assessment has been submitted and given the limit area available and confining boundary conditions, would not be a viable proposition for a commercial quarry. No objections are raised.

CIL

- The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

PUBLIC SECTOR EQUALITY DUTY

- Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

CONCLUSION

- Being an outline application, it needs to be considered whether 115 dwellings can be accommodated and have an acceptable impact upon the local landscape/area and provide for the requirements of the LPR policy LPRSA310 and all other relevant policies in the Development Plan.
- The proposal is for up to 115 dwellings and this is the number indicated in the Sketch Layout Masterplan. This exceeds the indicative approximate dwelling numbers in the LPRSA310. Moreover, the housing allocations in the LPR were not

subject to landscape sensitivity testing at draft stage or via the Examination. Therefore, it is only at the planning application stage where landscape impact can be fully considered.

- The site is in Low Weald Landscape of Local Value and has a topography and elevation above Moat Road giving it visual prominence. It lies on the approach to the western edge of Headcorn Village, close to its Conservation Area.
- The proposed urbanising development of the upper range of 115 dwellings would erode openness and cause unacceptable harm to the character and appearance of the rural area.
- The visual prominence of the site has not been adequately taken account of 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 appear to be suburban. There is a lack of sufficient space for landscaping at the SW corner 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.
- It is concluded that in landscape and visual impact terms, the proposal is contrary to NPPF para 135, 180 230 and Policies SS1 and SP17 of the Maidstone Borough Local Plan 2017 and Policies LPRSA310, LPRSP14(B) and LPRSP15 of the Maidstone Borough Local Plan Review 2024.
- There is substantial harm from loss of a heritage asset (curtilage listed former Granary) with no justification or mitigation for the loss and the absence of a satisfactory replacement. This 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 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. This is contrary to policy DM19 of the Maidstone Borough Local Plan 2017 and policies LPRSA310 and LPRINF1 of the Maidstone Borough Local Plan Review 2024.
- 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. Safe cyclist access to the A274 via the alterations to Moat Road has not been considered despite the specific recent addition of this caveat to policy LPRSA310. These would both be contrary to the aims of sustainable development and the objectives of Active Travel England. It would be contrary to 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.
- 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.

RECOMMENDATION – Application Refused subject to the following conditions/reasons:

(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 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.

INFORMATIVES

(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 vs4 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.

Delegated Authority to Sign:	Date:
<i>R. L. Jarman</i>	29/4/2024
PRINT NAME: Rob Jarman	