

REPORT SUMMARY

| | | |
|---|------------------------------|--|
| REFERENCE NUMBER: 25/504639/FULL | | |
| APPLICATION: Erection of 17 dwellings including affordable housing, access, parking, landscaping, ecological enhancements and associated works. | | |
| ADDRESS: Land adjacent to Eyhorne Street, Hollingbourne, Kent, ME17 1XA | | |
| RECOMMENDATION: GRANT PLANNING PERMISSION subject to conditions | | |
| <p>SUMMARY OF REASONS FOR RECOMMENDATION:</p> <p>The proposal would cause less than substantial harm to the setting of Godfrey House, a Grade II* listed property. The NPPF advises that where a proposal would 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. In addition to this, the proposal would be contrary to policy LPRSP9, in that it does not accord with other policies within the Local Plan Review and it would result in significant harm to the rural character and appearance of the area.</p> <p>However, with the Council being unable to demonstrate a 5yr housing land supply, paragraph 11(d) of the NPPF comes into effect. With the NPPF’s tilted balance engaged, the balancing exercise for decision making changes, and it needs to be considered whether the impacts of the proposal ‘significantly and demonstrably’ outweigh the benefits of granting permission.</p> <p>The proposal would provide 17 dwellings in a sustainable location against the backdrop of the Council not having a 5yr housing land supply. Further to this, the proposal is acceptable in highway safety terms; it is policy compliant with regards to residential amenity; it will achieve the required level of BNG and is acceptable in terms of its impact upon protected species; there are no flood risk and surface water drainage objections; it is acceptable in terms of sustainable design; it is policy compliant in terms of onsite affordable housing provision; and the proposal is acceptable in all other material planning respects.</p> <p>Relating the above conclusions with part 5 of policy LPRSP10, the view is taken that the proposal is broadly consistent with contributing towards the positive achievement of the Local Plan Review’s overall spatial vision and spatial strategy; the site is in a sustainable location and of a scale and nature commensurate to the housing deficit; the commencement condition will be for 2 years (reduced from the normal 3 years), to enable the development to come forward in a timely and proportionate manner to help address the deficit in housing supply; and the report sets out how the development would accord with the Local Plan Review in all other relevant planning respects.</p> <p>On this basis, it is concluded that the public benefits of the proposal would outweigh the heritage harm identified within this report; and when considering the NPPF’s tilted balance, the identified harmful impacts resulting from granting this permission would not significantly and demonstrably outweigh the benefits of providing seventeen dwellings in this sustainable location. On this basis, a recommendation of approval is therefore made.</p> | | |
| <p>REASON FOR REFERRAL TO COMMITTEE:</p> <ul style="list-style-type: none"> - Hollingbourne Parish Council have requested for application to be reported to Planning Committee if officers are minded to recommend approval, for reasons outlined in consultation section below. - The development is a departure from the Local Plan Review. | | |
| WARD: Harrietsham, Lenham & North Downs | PARISH: Hollingbourne | APPLICANT: Cantium Land & Development Ltd AGENT: DHA Planning |
| CASE OFFICER: Kate Altieri | VALID DATE: 12/11/25 | DECISION DATE: 26/03/26 |
| ADVERTISED AS A DEPARTURE: Yes | | |

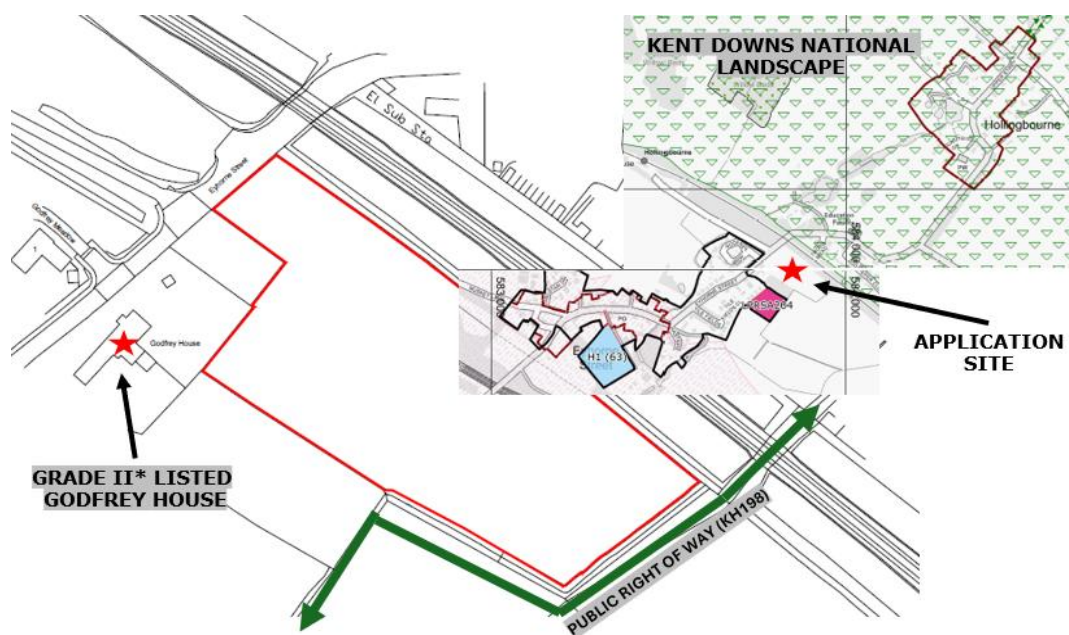
RELEVANT PLANNING HISTORY

- 25/503962 – Pre-app: 17 dwellings – Officer summary: *'In general terms, my conclusions have not significantly changed from 25/502863. With just a proposed layout to consider, whilst weight is given to benefits to development, perceived harm caused to countryside hereabouts and setting of Kent Downs NL would outweigh these benefits. There also remains heritage and parking provision concerns. Assessment of complete application, including appropriate LVA work, may allay concerns. Proposal now appears to be policy compliant in terms of affordable housing and private amenity space; and provision of minimum of 20% BNG on site is seen as positive'*. Response sent 08/10/25.
- 25/502863 – Pre-app: 18 dwellings – Officer summary: *'Local Plan Review should be read as whole, and whilst weight is given to benefits to proposal, perceived harm caused to countryside hereabouts and setting of Kent Downs NL would outweigh benefits. Not providing 40% AH provision; likely heritage harm; potential failure to not adhere to adopted KCC parking standards; and not fully complying with LPRQD7, also weighs against proposal'*. Response sent 27/08/25.

MAIN REPORT

1.0 SITE DESCRIPTION

- 1.01 The application site relates to a relatively flat and undeveloped parcel of arable land (some 1.2ha in area) that is located outside, but on the edge of Eyhorne Street, a 'larger village' as designated by the Local Plan Review. The north-eastern boundary of the site runs parallel with a railway line; a public right of way (KH198) runs along the south-eastern boundary; a short distance from the south-western boundary is a housing allocation site (policy LPRSA204), where there is a pending application for 8 houses (25/502901/HYBRID); and Eyhorne Street runs along the north-west boundary of the site. Mature hedgerows also define the north-western and south-eastern boundaries of the site; the south-western boundary is partly defined by a mixture of mature tree planting associated with the grounds of Godfrey House, and other scrub; and Hollingbourne Meadows community area is found to the south-east of the site.
- 1.02 There are other public rights of way within the vicinity of the site; the adjacent property, known as Godfrey House, is Grade II* listed; and for the and for the purposes of the Local Plan Review the site is within the designated countryside that falls within the setting of the Kent Downs National Landscape. The site is also within an area of archaeological interest and within Flood Zone 1.



2.0 PROPOSAL

2.01 This application is described as: *Erection of up to 17 dwellings including affordable housing, access, parking, landscaping, ecological enhancements and associated works.*

2.02 The 17 dwellings will be split as follows: 4x2-bed; 4x3-bed; and 9x4-bed. The plan extracts below help to illustrate the proposed development:



2.03 In terms of external building materials, the properties will be a mix of: slate and clay roof tiles; red brick; natural timber boarding; and red tile hanging. Nine properties will also benefit from having a carport (with single car ports standing some 4.4m in height from ridgeline to ground floor level, and double carports standing some 5.8m in height); and the submission confirms that no existing trees will be removed as a result of the development.

2.04 In terms of access, the proposal would be served by a repositioned vehicle access onto Eyhorne Street; and pedestrian access will be achieved by way of a 1.8m wide footway that will connect to the existing infrastructure on Eyhorne Street through a new pedestrian crossing equipped with dropped kerbs and tactile paving.

3.0 POLICY & OTHER CONSIDERATIONS

3.01 **National Landscapes:** On this matter NPPF paragraph 189 states (inter alia): *'Great weight should be given to conserving and enhancing landscape and scenic beauty in.....National Landscapes which have highest status of protection in relation to these issues.....The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas'.*

- 3.02 Policy LPRSP9 also states (inter alia): *'Proposals should not have a significant adverse impact on settings of Kent Downs National Landscape'*.
- 3.03 Section 85 of the Countryside and Rights of Way Act 2000, as amended by the Levelling Up Act 2023, requires local authorities: *'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority.....must seek to further purpose of conserving and enhancing natural beauty of AONB'*.
- 3.04 **Local Plan Review:** Relevant policies are considered to be: LPRSS1 (Spatial strategy); LPRSP9 (Development in countryside); LPRSP10 (Housing); LPRSP10(A) (Housing mix); LPRSP10(B) (Affordable housing); LPRSP12 (Sustainable transport); LPRSP13 (Infrastructure delivery); LPRSP14(A) (Natural environment); LPRSP14(B) (Historic environment); LPRSP14(C) (Climate change); LPRSP15 (Design); LPRHOU5 (Density); LPRTRA2 (Assessing transport impacts); LPRTRA4 (Parking); LPRINF1 (Publicly accessible open space); LPRENV1 (Development affecting heritage assets); LPRENV2 (Agricultural land to garden land); LPRQD1 (Sustainable design); LPRQD2 (External lighting); LPRQD4 (Design principles in countryside); LPRQD5 (Conversion of rural buildings); LPRQD6 (Technical standards); and LPRQD7 (Private amenity space).
- 3.05 The site is within designated countryside and therefore the policy of most relevance is LPRSP9 where it states (inter alia): *'Development proposals in countryside will not be permitted unless they accord with other policies in Plan & will not result in significant harm to rural character & appearance of area; and proposals should not have significant adverse impact on settings of Kent Downs NL'*.
- 3.06 **Council's Landscape Character Assessment (2012):** This identifies site as falling within the Gault Clay Vale (Eyhorne Vale) LCA (Area 15), with landscape guidelines being to *'CONSERVE'*.
- 3.07 Other policy/considerations:
- Kent Downs AONB Management Plan (3rd Revision 2021-2026)
 - National Planning Policy Framework (2024) & National Planning Practice Guidance
 - Affordable and Local Needs Housing (2020)
 - Maidstone Building for Life 12
 - National Design Guide
 - Para 99 of Govt Circular (ODPM 06/2005)
 - BS5837:2012 'Trees in relation to construction – Recommendations'
 - Natural England Standing Advice
 - The Levelling Up Act (2023)
- 3.08 **5yr housing land supply (HLS):** The Council has published its housing land supply position as of 1st April 2025 which shows a 4.5yr HLS, and so does not have a 5yr HLS. As such, paragraph 11(d) footnote 8 of the NPPF ('the tilted balance') comes into effect and the lack of a 5yr HLS means that for housing applications, permission should be granted unless:
- i. application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly & demonstrably outweigh benefits, when assessed against policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places & providing affordable homes, individually or in combination.*
- 3.09 Part 5 of policy LPRSP10 also states (as summarised):
- Should council determine.....that NPPF 'tilted balance' is engaged, then proposals for additional residential development in borough will be supported on sites where they are:*
- a. Broadly consistent with, not prejudicial to and contributing towards positive achievement of plan's overall spatial vision and spatial strategy; and*
 - b. In sustainable location and of scale and nature commensurate to deficit in required housing and Plan's spatial strategy; and*
 - c. Able to demonstrate ability to contribute in a timely and proportionate manner to addressing deficit in housing supply; and*
 - d. In all other respects in accordance with other Local Plan policies, in so far as they apply.*

4.0 LOCAL REPRESENTATIONS

4.01 **Local residents:** 7 representations received raising concerns over: Impact upon residential amenity; highway safety/parking/congestion; noise pollution; harmful impact upon character and appearance of area/countryside, including setting of Kent Downs National Landscape; proposal represents overdevelopment; loss of agricultural land; impact upon ecology/wildlife; flood risk/drainage; lack of affordable housing; harmful heritage impacts; site is in unsustainable location; development out of keeping with area; impact upon community infrastructure; and no evidence for need of houses.

5.0 CONSULTATION RESPONSES (Please note summaries of consultation responses are set out below; and comments are discussed in more detail in appraisal section where necessary)

5.01 **Hollingbourne Parish Council:** Object and have requested for application to be reported to Planning Committee if officers are minded to recommend approval. In summary they comment:

Loss of agricultural land. Proposal is notably over development of village and destroying of more prime agricultural land. Building of houses in such close proximity will also have a negative effect on residents of Brickfields, and of Godfrey House. Exacerbated Traffic Problems. Development would heighten problems with poor access onto Eyhorne St with restricted visibility to right past bridge abutments and close proximity to bend in road. Generation of more traffic in our village with no improvements to infrastructure, school, etc; together with conflict with traffic entering and exiting Station Approach. Housing Demand. Is there a need for building more houses in Hollingbourne village - There are plenty of vacant properties in village currently without building more. Land not mentioned on Local Plan. This prime agricultural land was not mentioned within local plan, or when there was a call for sites consultation.

5.02 **MBC Conservation Officer:** Raises heritage objection to proposal (see main report).

5.03 **MBC Tree Officer:** Raises no arboricultural objection to application (see main report).

5.04 **MBC Landscape Officer:** Is satisfied with proposed landscaping scheme and comments on submitted LVIA (see main report).

5.05 **MBC Environmental Protection Team:** Raise no objection to application (see main report).

5.06 **MBC Housing Team:** Raise no objection to application (see main report).

5.07 **MBC Parks & Open Spaces Team:** Confirms on-site requirement of open space has been met and therefore no off-site contribution is requested (see main report).

5.08 **KCC Highways:** Raise no objection to application (see main report).

5.09 **KCC Biodiversity:** Advises sufficient info has been submitted (see main report).

5.10 **KCC Archaeological Team:** Raise no objection to application (see main report).

5.11 **KCC Drainage Team:** Raise no objection to application (see main report).

5.12 **KCC Public Rights of Way:** Raise no objection to application (see main report).

5.13 **KCC Minerals Team:** Confirm they have no land-won minerals or waste management capacity safeguarding objections or comments to make regarding application.

5.14 **KCC Education Team:** Have requested financial contributions (see main report):

5.15 **Kent Downs National Landscape Unit:** Raises no objection (see main report).

5.16 **Environment Agency:** Confirm they have no comments to make on application as it falls outside their remit as a statutory planning consultee.

5.17 **Southern Water:** Raise no objections to application (see main report).

5.18 **Kent Police:** Comment on Crime Prevention Through Environmental Design (see main report).

- 5.19 **Natural England:** Raise no objection confirming they consider the proposal will not have significant adverse impacts on statutorily protected nature conservation sites.
- 5.20 **Network Rail:** Subject to development being acceptable in flood risk terms, they raise no objection (see main report).
- 5.21 **UK Power Networks:** Raise no objections to application.
- 5.22 **Scotland Gas:** No representations received and so it is therefore assumed that they have no comments nor objections to make on application.
- 5.23 **South East Water:** No representations received and so it is therefore assumed that they have no comments nor objections to make on application.

6.0 APPRAISAL

6.01 The proposal is a departure from the Local Plan Review, in that it is for new dwellings on a greenfield (and unallocated) site within the countryside, for which there is no Local Plan Review policy support. The key issues for consideration relate to:

- Sustainability in terms of location;
- Arboricultural implications;
- Impact upon character and appearance of countryside;
- Heritage implications;
- Highway safety;
- Biodiversity implications;
- Flood risk & surface water drainage;
- Affordable housing;
- Infrastructure;
- Open space provision;
- Sustainable design;
- Archaeology implications;
- Loss of agricultural land; and
- Other planning matters.

6.02 The details of the submission will now be considered.

Sustainability in terms of location

6.03 Despite the site's countryside location, the application site is directly opposite Hollingbourne train station (a main line that includes services to and from London, Maidstone, and Ashford); there are bus stops within 400m of the site that serves a relatively frequent bus service to and from Maidstone; Hollingbourne Primary School is some 200m to the north of the site; the All Saints Church is within safe walking distance, some 600m to the north-east of the site; and Eyhorne village centre (to the south-west of the site), has some facilities such as public houses, a village hall, and an osteopathic clinic.

6.04 The proposal also includes a new footpath and pedestrian crossing from the site, to safely connect the development to the footpath on the other side of the road, that leads to the train station, the village centre, and the primary school. As will be discussed further on in the report, KCC Highways are satisfied with this approach in respect of highway safety.

6.05 It should also be acknowledged that the application site is immediately adjacent to the settlement boundary of Eyhorne Street, a village that is designated as a larger village within the Local Plan Review that states (inter alia):

6.122 Eyhorne St (Hollingbourne) is a linear settlement which lies to north east of Maidstone's urban area in setting of Kent Downs National Landscape. Primary school, pre-school and one of local playing fields are approx. 0.5km from village centre. Village does not have GP surgery or healthcare facilities apart from an osteopath clinic, but does have some good key facilities, including a local shop, and pubs. Rail connections to Maidstone town centre and other retail and employment destinations are good. Village also has a regular bus service to the town centre.

6.06 The Council have also already accepted new housing in this locality, with the allocated site a short distance from the south-western boundary of the application site, under policy LPRSA204. With everything considered it would therefore be unreasonable, given the proximity of the site to this larger village and given the highway works to be undertaken, to claim that future occupants of the site would be over reliant on the private motor vehicle for their day to day needs. On this basis, the view is taken that the site is within a sustainable location.

Arboricultural implications

6.07 Existing trees are limited to the perimeter of the application site; there are no protected trees or veteran trees within or adjacent to the site; and there is no designated Ancient Woodland within 250m of the site. The application is accompanied by an Arboricultural Report and it concludes (as summarised):

- *Spatial distance between trees and built form is significant and will allow them to mature without need to undertake any tree work that may affect their visual amenity.*
- *Where there are incursions into RPAs of nearby trees, these have been assessed, and solutions comply with relevant sections as outlined in the BS.*
- *Subject to measures identified on tree protection plan being implemented and maintained during course of development, retained trees will be incorporated into final layout.*

6.08 The Council's Tree Officer has reviewed the application and they raises no arboricultural objections to application, subject to the submitted tree protection details being secured by way of condition. As the submitted Arboricultural Report includes only a draft Arboricultural Method Statement (AMS), a condition will be imposed to seek the submission of a final AMS, to ensure the health and longevity of the existing trees to be retained. The agent has agreed to this pre-commencement condition. There is also no evidence to suggest that there will be future pressure to remove any existing tree once the development is built out. On this basis, the development is considered to be acceptable in arboricultural terms.

Impact upon character and appearance of countryside

Landscape & Visual Impact Assessment (LVIA)

6.09 The application is accompanied by a LVIA. The Council's Landscape Officer has reviewed this document and has confirmed that it is a thorough document that is generally well presented and follows the principles of GLVIA3, as well as including the relevant Landscape Institute Technical Guidance Note (TGN 02-21) that assesses landscape value outside of national designations. Whilst the identified viewpoints have not been agreed by the local planning authority, they are considered to be reasonable and representative of public vantage points within the wider landscape outside of the application site.

6.10 Below is a summary of the key conclusions taken from the submitted LVIA:

Effect on landscape character land at Eyhorne St

- *Mature vegetation of boundaries, presence of built up areas, and defensible boundaries of Eyhorne St, railway line and Godfrey House, ensures proposal would not be perceived as extending settlement out into wider rural landscape. Proposal would be introduced into mature landscaped context from outset and would maintain character of settlement.*
- *Proposal would conserve settlement pattern of Hollingbourne and would not give rise to perception of settlement extending out into wider rural landscape. Proposal would reflect density of more recent developments within localised setting, conserving urban grain of settlement. Proposal would result in loss of arable land, however, this is not particularly characteristic around settlement edges, with land typically comprising pasture.*
- *Residential development characterises immediate setting and proposal would reflect recent growth and settlement pattern of Hollingbourne. Landscape receptor would experience some adverse effects at initial stages, but these would not be significant as landscaping matures.*

- *Beyond site boundaries, compartmentalised character of local landscape would ensure perceived effects are highly localised. Beyond immediate setting, undulating, well-vegetated landscape would ensure site change is largely not perceived. Where it's perceived, this would be seen in context of surrounding settlement and not appear prominent or out of character.*

Effect upon visual environment

- *Visual assessment demonstrates well-vegetated setting of site, when combined with gently undulating landscape and presence of nearby development, reduces intervisibility and means views of proposal would be localised.*
- *Primary views would be from Eyhorne St and public footpath immediately adjacent to site. Proposal would be visible from these locations and introduce built form into context of site, but would be set back from north western and south western boundaries with areas of landscaped open space defining foreground and proposed built form beyond. It is acknowledged proposal would change views, although residential built form is an existing component of wider view, with views of roofscape associated with Troys Meadow and Culpepper Close glimpsed beyond railway corridor. Existing built form ensures wider settlement represents a component within setting of site. While there would be some initial notable adverse effects upon views from adjacent footpath, existing planting and new landscaping would mitigate perceived adverse effects. Any residual adverse effects would be low level and highly localised.*
- *Proposal would be visible from some middle distance views from public right of way network to south. Proposal would be glimpsed at Year 1 but would be set down in landscape, nestled amongst established vegetation that characterises site's setting. Where glimpsed, proposal would be seen in context of wider settlement that extends to left and right of site. Proposal would not break vegetated skyline and would not compete with rising landscape which forms backdrop to view. Proposal would be perceived within settled foreground and would conserve undeveloped downland that emerges from wooded lower landscape. As proposed landscaping matures it would soften perceived built edge and reinforce vegetated setting of Hollingbourne.*
- *While proposal would result in some short term, notable adverse effects, enclosed character of site's setting ensures these would be highly localised and limited to immediate setting. Furthermore, sympathetic design and inclusion of a comprehensive scheme of landscaping would ensure that any initial adverse effects are tempered and it is concluded proposal would not result in any long term, notable adverse visual effects.*

Effect on landscape related policy

- *Proposal will result in some highly localised adverse landscape and visual effects. However, proposed layout has been carefully designed to minimise these effects through creation of a network of multi-functional, landscaped green spaces, with built form set back from boundaries to ensure that as landscaping matures it not only assimilates proposal but also enhances well-vegetated setting of site. Assessment concludes that any residual adverse effects would be low level and not significant. Proposal could be integrated in this location without long term adverse effects upon receiving landscape character and visual environment. It is concluded proposal is supportable from a landscape and visual perspective.*

6.11 The application site falls within the Gault Clay Vale (Eyhorne Vale) (Area 15) for the purposes of the Council's Landscape Character Assessment (LCA), where the guidelines for this area are to 'CONSERVE'. Positive key characteristics of the Gault Clay Vale (Eyhorne Vale) area are: Mixed woodland belts and blocks; willow trees marking the location of drains and ditches; narrow lanes which generally run against the contours south west to north east; and distinctive brick railway bridges. It is evident that the proposal would not adversely impact these key characteristics, and as evidenced within the submitted LVIA, it is accepted that the proposal would not appear visually harmful within medium to long range public vantage points. Notwithstanding this stance and other conclusions of the LVIA, the view is taken that the proposal would inevitably cause localised harm to the character and appearance of the area, and this will be discussed further on in the report.

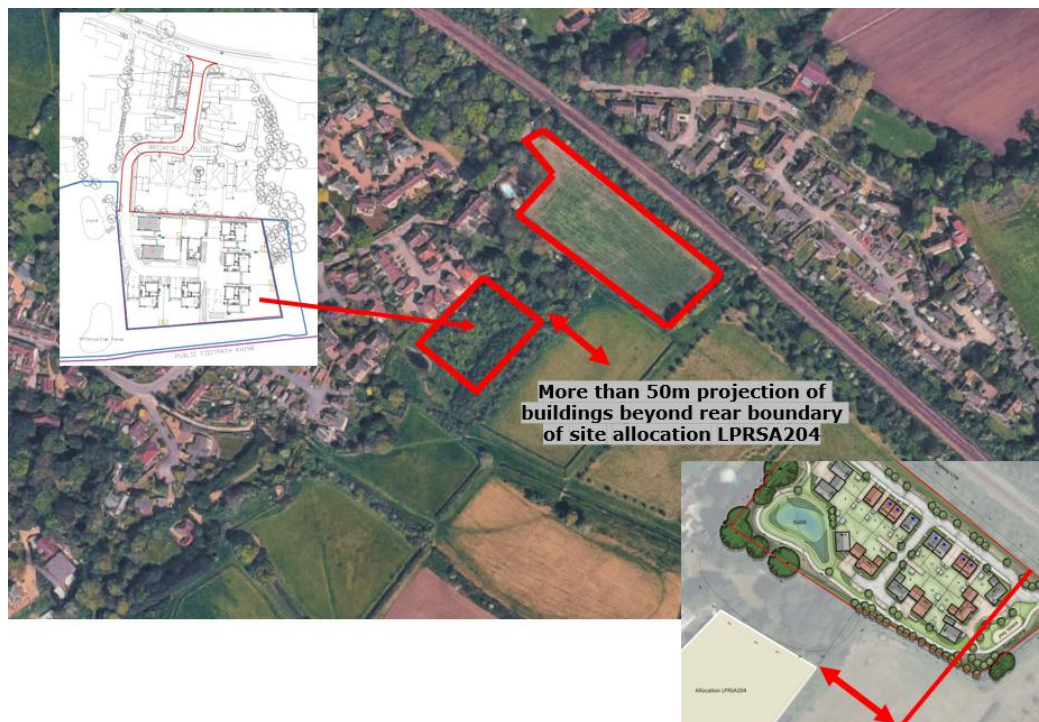
Impact upon setting of Kent Downs National Landscape

- 6.12 The site is within the setting of the Kent Downs National Landscape, with the boundary of this national designation being some 30m to the north-east of the site (on the other side of the railway line).
- 6.13 In this regard, the submitted LVIA states: *'The well-vegetated, elevated railway corridor physically and visually separates the site from the Kent Downs National Landscape which extends to the north. The well-vegetated setting of the settlement, sat at the foot of the scarp slope, ensures that it is not prominent, with the built environment nestled amongst the mature treescape. In terms of views out from the Kent Downs, the mature vegetation cover and wider setting to the north of the site would contain views of the proposal from the designated landscape. The proposals would not affect the public's perception of the wider setting of the Kent Downs or their enjoyment of the designated landscape.'*
- 6.14 On review of the application, the Kent Downs National Landscape Unit (KDNLU) have raised no objection to the proposal, commenting (in summary): *'We are satisfied proposal would not give rise to an adverse impact on the natural beauty of the Kent Downs National Landscape, taking into account the site's location to the south of the railway line and the established vegetation along this, the lack of intervisibility with the Kent Downs NL and the existing residential development to the north of railway line within the Kent Downs'*. Given the undisputed findings of the submitted LVIA and the views of the KDNLU, it is agreed that the proposal would not have a significant adverse impact upon the actual setting of the National Landscape.

Scale & layout

- 6.15 Part 2 of LPRSP9 states: *'Proposals in countryside will not be permitted unless they accord with other Plan policies & will not result in significant harm to rural character & appearance of area'*.
- 6.16 Policy LPRSP15 states (inter alia): *'Proposals should create high quality design and should meet the following criteria, as appropriate, to be permitted: (2) Respond positively to, & where possible enhance, local, natural, or historic character of area. Particular regard should be paid to scale, height, materials, detailing, mass, bulk, articulation & site coverage'*.
- 6.17 Part 1 of policy LPRQD4 states: *'Outside of settlement boundaries...proposals which create high quality design, satisfy requirements of other Plan policies & meet following criteria will be permitted: (1) Type, siting, materials & design, mass & scale of development & level of activity would maintain, or where possible, enhance local distinctiveness including landscape features'*.
- 6.18 The proposed 2-storey dwellings, that would be set back more than 50m from Eyhorne Street, range between some 8.7m and 9.3m in height from ridge line to ground level, with their eaves heights ranging between 5m and 5.4m; the rear gardens would either be equal to, or larger than, the footprint of the associated dwellings; and the properties would benefit from a small front garden. The layout shows a mix of detached and semi-detached properties that all either have a good relationship with the internal road network, the SuDs pond or the new play area. Prominent corner plots also have a good level of articulation, adding interest to the streetscene; and there is a sense of space around the boundaries of the site. In addition, there is a hierarchy to the internal road network; an internal footpath skirts around the site and will connect the development with Eyhorne Street; visitor parking is appropriately interspersed throughout the site; and the private parking areas do not dominate the frontages of the new dwellings. It is also noted that the proposal would respect the existing topography of the land, that is relatively flat, although a condition will be imposed to secure the finished land levels and floor levels of the development. The agent has agreed to this pre-commencement condition.
- 6.19 The submission also demonstrates that the density of the proposal is lower than other residential developments within the locality, with a density of some 10.2 dwellings per hectare (dpha) for 17 dwellings across a developable area of 0.6ha. For example, Brickfields Close development permitted under 16/508640/FULL (to south-west of site), sits at some 21.4dph for twelve dwellings; and Godrey Meadows development permitted under MA/14/0475 (to west of site), sits at some 12.3dph for fourteen dwellings. The proposal also appears to have a lower density of development, when compared to Troys Mead and Culpeper Close to the north-east of the site. The density of the proposed development and the cul-de-sac type nature of the scheme is not considered to be incongruous to the immediate locality.

6.20 Notwithstanding the above, the introduction of seventeen relatively large houses and associated paraphernalia onto farmland will inevitably cause localised harm to the character and appearance of the area, urbanising the site and effectively infilling and eroding an undeveloped gap between existing development to the south-west and north-east of the site. The development would also significantly project south-eastwards beyond the most south-eastern point of the defined settlement boundary of Eyhorne Street (Hollingbourne), pushing more domestic character into undeveloped countryside (see plan extracts below):



6.21 This coalescence of built form and its protrusion into undeveloped countryside, would be contrary to the Council’s Landscape Character Assessment guidelines for the Gault Clay Vale (Eyhorne Vale) area, where it seeks to avoid infill development and expansion across the downland at Harrietsham and Hollingbourne; and the development’s harmful impact would be exacerbated given the public views that would be had at short-range, from the public footpath that runs along the back of the site, and from Eyhorne Street, particularly though the new widened site access.

Appearance

6.22 There are several different house types of traditional style that are pulled together through an appropriate pallet of building materials (natural slate and plain clay roof tiles; multi-stock red brick; vertical clay tile hanging; natural timber weatherboarding; and white-framed window detailing), and architectural detailing including gabled roof forms/features; chimneys; hipped roofs; barn-hipped roofs; and exposed rafters. Taken in isolation, the appearance of the proposed buildings is considered to be of high quality, and visually key boundary treatments will be of 1.8m high brick walling. These details will be secured by way of appropriate conditions.

Landscaping

6.23 The submission is accompanied by a landscaping plan and the general landscape strategy is:

- Proposal would not result in loss of any trees and would require removal of short section of hedgerow to facilitate site access.
- Additional tree planting largely accords with the Council’s landscaping guidelines for this area.
- New mixed native hedgerow will be planted to site frontage and along south-western boundary.
- There is proposed wild flowering grassland along outer boundaries of site.
- Proposed SUDS pond plays important part in creating aesthetically pleasing scheme. Agent has confirmed SUDS will be wet and submitted landscaping plan shows appropriate planting.
- There is other shrub and hedge planting along road network and front gardens.

6.24 Whilst the Council’s Landscape Officer considered the planting scheme to be broadly compliant with the Council’s guidelines, the following amendments were advised:

- *Liquidambar styraciflua* (Sweetgum) is nonnative and requires changing to native species as per typical planting mixes.
- *Prunus amanogawa* (Flagpole Cherry) is double flowering that pollinators cannot access to pollinate and therefore, a suitable flowering near native street tree would be more suited.
- Use of *Euonymus* hedging not ideal (versatile, easy growing shrubs) - would prefer single species hedging to dwelling frontages.
- *Carpinus* (Hornbeam) has been used and could be utilised more with another native species.

6.25 The agent has now submitted an amended plan that accords with this advice, replacing Sweetgum with native species; replacing *Flagpole Cherry* with native Rowan; and replacing the *Euonymus* hedge with native Holly. It is considered that the proposed planting would now be of a high quality and it will be secured by way of condition, including the requirement for a long term landscaping management plan to be submitted for approval. It is not clear what all of the hardsurfacing will be, but details can also be secured as part of the landscaping condition.

Summary

6.26 Whilst accepting that the submitted LVIA has demonstrated that the proposal would not appear significantly harmful within medium to long range public vantage points, it is considered that the scale and layout of the proposal would harmfully consolidate urbanising development. This harm to the rural character and appearance of the area is considered to be significant, albeit at a localised level; and the proposed appearance of the development along with the proposed landscaping, that can be secured through conditions, would not overcome this identified harm to the local distinctiveness of the area hereabouts.

6.27 It should also be highlighted here that whether or not the development is publicly visible, NPPF advice relating to the countryside is unambiguous when it states that it is its intrinsic character and beauty that should be protected. It is therefore considered that this protection is principally independent of what public views there are of the development and associated more to the protection of the nature of the land in itself.

6.28 In short, the view is taken that the development would harmfully consolidate urbanising development in the countryside, contrary to Local Plan Review policies LPRSP9, LPRSP15, and LPRQD4; and the Council’s Landscape Character Assessment. This identified harm will be weighed up with all other material planning considerations at the end of this report.

Heritage implications

6.29 The application site is within the proximity of, but not part of the curtilage of, Godfrey House that is a 15th century Grade II* listed property:



- 6.30 The Council's Conservation Officer provides the following background on this property (as summarised): *'Whilst it may not be possible to trace original owner of building (c.1587), the quality of building shows house is of high status. Placement of original building was in open, north of main settlement, and enjoyed open land. Historic OS maps included in Design & Access Statement (DAS) show isolated setting, close to railway line. Formation of railway line did have impact on setting, as did modern development in wider setting. Whilst not part of curtilage of listed building, site provides a positive contribution to its setting as it creates an open space and is highly likely the land created wealth (agricultural) to allow for development of house'.*
- 6.31 As conceded by the Council's Conservation Officer, the proposal is not associated with Godfrey House, or its immediate curtilage; the proposal has been set away from immediate vicinity of Godfrey House; the isolated setting of this property has altered in recent years with the development to the south with Tile Fields, Claygate and Brickfields Close, along with Godfrey Meadow on the opposite side of the road; and the proposal has still retained some visual separation. Notwithstanding this, the Council's Conservation Officer considers the proposal to cause less than substantial harm to the setting of Godfrey House. In summary, they comment:
- *Proposed entrance replaces simple field gate and requires opening of entrance and vision splays; new footpath; and formal crossing place. Established hedge/trees, lack of footpath in front of Godfrey House and view through the railway bridge retain visual separation since 1900. Proposal will impact on rural, green separation of two built settlements by introducing urban elements; and cause harm to setting of listed building by loss of extensive green boundary treatment and urban highway requirements.*
 - *Whilst land appears to have historically been agricultural, it is highly likely it was connected to Godfrey House, and a source of wealth to build the house. Location and connection to its landscape does form part of significance to house. Development results in Godfrey House being almost surrounded in new development (inc. LPRSA204). Whilst setting has already been altered, it is not justification for additional or further harm to setting to be undertaken.*
 - *Proposed SUDS allows some visual separation between proposal and Godfrey House. However, this will direct all water to sit closer to timber framed house, increasing risk of damp and moisture to be directed towards listed building.*
- 6.32 Whilst these views are acknowledged, it is important to highlight the proposed highway works would not be directly located in front of Godfrey House; the proposed houses would be set back from Eyhorne Street, maintaining a visual separation and allowing continued views through to the railway bridge; and the submission confirms that no existing trees will be removed as a result of the development, keeping the entrance relatively verdant. Further to this, it must be stressed that the purpose of the SUDS is to temporarily store water, and there is no reasonable evidence to suggest that this feature would cause any off-site impacts to ground water flow. The agent has also confirmed that the proposed SUDS will not cause any offsite impacts to the water table.
- 6.33 NPPF Paragraph 215 states: *'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'.* This weighing up exercise will be carried out at the end of this report.
- 6.34 The Council's Conservation Officer also suggests a rethink in terms of the design of the buildings, by understanding the historic form and development of settlement rather than referring to the more modern schemes in the locality. Whilst this view is acknowledged, for the reasons set out above, no objection is raised to the overall design of the proposed development.
- 6.35 The application site is more than 280m to the north-east of Hollingbourne, Eyhorne Street Conservation Area; the application site is separated from this conservation area by modern development; and the Council's Conservation Officer has raised no issues with the proposal's potential impact upon this heritage asset. With this considered, the view is taken that the proposal would cause no harm to the setting or significance of this Conservation Area (and the listed buildings within it).

Highway safety

6.36 The submission is accompanied by a Transport Statement and a Transport Technical Note; and in highway safety terms the key elements of the proposal are considered to be:

- There will be a repositioned, more centrally located, vehicle access from Eyhorne St.
- Access will measure 5.5m in width before narrowing to 4.8m within site.
- Access will build out onto carriageway of Eyhorne St, reducing its width to 4.8m within vicinity of site access - reducing average speeds along Eyhorne Street within vicinity of site access.
- Based on results of Automatic Traffic Count on Eyhorne St, visibility splays of 2.4m x 46m to north & 2.4m x 51m to south will be provided.
- Pedestrian access will be achieved via 1.8m wide footway connecting to existing infrastructure on Eyhorne St through new pedestrian crossing equipped with dropped kerbs and tactile paving.
- Each dwelling will have 2 onsite parking spaces in tandem form (some including carports).
- 9 visitor parking spaces will be provided.

6.37 Parking provision: The applicant has argued that the proposal site should be considered as 'suburban', for the purposes of the adopted KCC Parking Standards, given the analysis of census data; the proximity of the site to Hollingbourne train station; and the existing facilities within walking distance of site. However, the Highways Authority maintains the view that the site is in a rural location and this view is agreed with.

6.38 Following the KCC adopted standards, this means the following provision should be provided:

| | | |
|-----------------|---|-------------------------|
| 2-bed dwellings | = | 2 spaces per dwelling |
| 3-bed dwellings | = | 2 spaces per dwelling |
| 4-bed dwellings | = | 3 spaces per dwelling |
| Visitor parking | = | 0.2 spaces per dwelling |

6.39 It is noted that that the proposal is compliant with the adopted KCC standards for 2-bed and 3-bed dwellings; the use of carports towards parking provision is acceptable; and there is a significant over provision of visitor parking, that being 9 spaces instead of 4 (0.2x17).

6.40 The proposal does not comply with the requirement for 4-bed dwellings, with each one of these properties having 2 onsite parking spaces. This said, the Highways Authority takes the view that this marginal under provision of parking is not considered to represent sound grounds for refusal in isolation. This view is agreed with, particularly when considering the site's proximity to public transport links and a primary school; the basic amenities available within Hollingbourne village; and the clear over provision of visitor parking. The over provision of visitor parking also goes some way to compensate for the deficit of onsite parking for the 4-bed properties. A condition will be imposed to secure the provision and retention of all proposed parking and turning areas.

6.41 Vehicle manoeuvring within site: Through the provision of swept path analysis, the submission has demonstrated that cars; refuse trucks; large furniture removal vans; and fire trucks, can all turn within the site and leave in a forward gear. The Highways Authority have also raised no objection to the proposal in this respect.

6.42 Suitability of new access; visibility splays & off-site highway works: The Highways Authority are satisfied that the proposed access arrangements are compliant with relevant technical standards, whilst offering a safe route to and from Hollingbourne village centre as a result of uncontrolled crossing point that is proposed. Conditions will be imposed to ensure the shown access, visibility splays, and offsite highway works are fully implemented prior to the first occupation of the development.

6.43 It should be highlighted here that the applicant has sought to engage with the Hollingbourne Meadows Trust Ltd, who own the adjacent land (a community meadow) to the east and south of the site, regarding the potential of providing a footpath connection to the public footpath from the northeastern corner of the site (close to the railway line). The agent has confirmed that discussions are ongoing but no footway connection is proposed as part of this application.

- 6.44 *Other matters*: In terms of cycle storage, the submitted plans show each property to have bike shed in the rear garden, and a condition will be imposed to ensure these sheds are in place prior to the occupation of the associated dwelling. The submitted refuse strategy plan and the fire strategy plan also demonstrate that the proposal would be acceptable in these respects. A condition securing a Construction Management Plan is not considered reasonable or necessary, in order to make this development acceptable in planning terms.
- 6.45 *Summary*: With everything considered, the view is taken the development would be acceptable in highway safety terms, in accordance with policy LPRSP15 and NPPF paragraph 116.

Residential amenity

- 6.46 Given the residential nature, scale, location, and orientation of the proposed dwellings, it is considered that the proposal would not have an unacceptable impact upon the living conditions of any local resident (when trying to enjoy their own property), in terms of: privacy; light; outlook; being overbearing; general noise and disturbance; odour; and vibration. It is also considered that future occupants of the site would benefit from acceptable living conditions in terms of privacy, light, and outlook; and the development would provide accord with adopted external outdoor amenity space standards, and the Government's internal national space standards. The relationships between the new dwellings is also acceptable in residential amenity terms.
- 6.47 It is acknowledged that the site is in close proximity to roadways and a railway line, and the submission is also accompanied by a Noise Assessment. This report demonstrates that the development would accord with British Standard 8233:2014 (both internally and externally), and the Council's Environmental Protection Team is satisfied with this report and have raised no objection to the development in terms of noise. A condition will be imposed to ensure compliance with this report.
- 6.48 With everything considered, the proposal would therefore accord with policies LPRSP15, LPRQD6, and LPRQD7 in terms of residential amenity.

Biodiversity implications

- 6.49 Paragraph 99 of ODPM 06/2005 states: *'It is essential that presence or otherwise of protected species and extent they may be affected by development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making decision'*.
- 6.50 The KCC Biodiversity Officer has advised that sufficient information has been submitted in order to determine the application, and their detailed comments will now be discussed:

Protected/notable species

- 6.51 The KCC Biodiversity Officer previously advised that whilst accepting the findings of the submitted preliminary ecological appraisal, it only considered the potential for protected/notable species to be present within the redline boundary. Furthermore, whilst accepting that no further surveys are required for dormouse or breeding birds associated with the site and the surrounding scrub and woodland buffer, it was not possible to fully consider if other protected/notable species were present within the site boundaries outside of the redline boundary. After advising that further assessment was required to consider the potential impacts upon badgers and great crested newts (GCN), the KCC Biodiversity Officer is now satisfied that sufficient information has been provided to address these concerns. In summary, they comment as follows:

'Badgers: Badger survey assessing embankment has been carried out. Survey identified mammal holes but it has not been confirmed if they are a badger sett. However it is unlikely due to lack of visible mammal trails; and in the event badgers are present, there will be a suitable landscape buffer between railway embankment and proposed access road. In addition it has proposed measures will be implemented during construction to avoid impacting adjacent habitat.

GCN: Have been recorded within wider area and there is a pond within 100m of site. It is therefore possible GCN may be present within site or site boundaries. Additional info has been provided detailing that through implementation of precautionary mitigation it is considered

unlikely that works will result in a breach of wildlife legislation. We have considered submitted info and accept that approach is reasonable and no further information is required; and we advise current management of site must be continued until works commence on site to ensure no habitat to support protected species will establish’.

- 6.52 As advised by the KCC Biodiversity Officer, the proposed mitigation to be secured by way of condition. External lighting, that can impact nocturnal animals, will also be controlled by way of an appropriate condition.
- 6.53 On the basis of the above specialist advice, it is accepted that the application has demonstrated that protected species and habitats would not be adversely impacted upon as a result of the proposed development, in accordance with policies LPRSP14(A) and LPRSP15; Paragraph 99 of Government Circular (ODPM 06/2005); and the aims of the NPPF.

Biodiversity Net Gain (BNG)

- 6.54 The proposal is required to achieve a 20% BNG, in accordance with policy LPRSP14(A), and the KCC Biodiversity Officer is satisfied that sufficient information has been submitted to meet the requirements for mandatory net gain. The submitted details also demonstrate that that a BNG of 21% for habitats and 667% for hedgerows can be achieved within the site, by creating other neutral grassland, scrub, a sustainable drainage system, the planting of 44 small trees and the planting of native species hedgerows with trees.
- 6.55 It is accepted that the proposal will provide a minimum of 20% BNG on site for habitats and hedgerows, following the BNG Hierarchy. The KCC Biodiversity Officer goes on to confirm that the creation of the other neutral grassland would constitute significant on-site gains, and the maintenance of these significant enhancements must be secured for 30yrs. In this instance, the significant on-site gains will be secured by way of legal agreement, and the agent has agreed to this approach. Moving on, a condition will also be imposed to secure a Habitat Management and Monitoring Plan for the onsite enhancement, and the agent has also agreed to the recommended wording of this condition.

Ecological enhancements

- 6.56 Notwithstanding the matter of BNG, one of the principles of Local Plan Review policy and the NPPF is for there to be the opportunity to improve biodiversity in and around developments that is integrated as part of the design. So notwithstanding BNG, if the application were to be approved a suitable condition would be imposed to secure suitable integrated and biodiversity enhancements, in accordance with policy LPRQD1 and the aims of the NPPF.

Flood risk & surface water drainage

- 6.57 After review of the submitted Flood Risk Assessment (FRA), the KCC Drainage Team have raised no objection to the development, subject to recommended conditions. In summary they have commented: *‘It is proposed to manage surface water for site via unlined permeable paving and attenuation basin discharging to existing ditch on south-western boundary limited to runoff rate of 1.1 l/s. We are generally of accepting of proposed design but would recommend following points be addressed at detailed design stage’.* The recommended condition for a detailed sustainable surface water drainage scheme is considered reasonable, to ensure that the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. This is a pre-commencement condition and it has been agreed by the agent. KCC have also made some advisory comments for the detailed sustainable surface water drainage scheme, and these will be highlighted to the applicant by way of an informative.
- 6.58 Southern Water have also requested a condition seeking details of proposed landscaping within the proximity of Southern Water public apparatus. In response to this, the agent has confirmed that the proposal would not affect any Southern Water apparatus, with the only apparatus being on Eyhorne Street (beyond the site), and no planting is proposed within 3m of this. It is also acknowledged there are standard guidance and easements for planting near utilities outside of the planning system. On this basis, it is not considered reasonable or necessary to seek these details by condition. This said, an informative will be added to further advise the applicant.

- 6.59 The Environment Agency confirm they have no comments to make as application falls outside their remit as a statutory planning consultee. South-East Water have made no representations and so it is assumed they have no comments nor objections to make on application. All of the above will also allay the flood risk concerns raised by Network Rail South-Eastern.
- 6.60 On this basis, the proposal is considered to be acceptable in flood risk and surface water drainage terms, subject to the recommended conditions, in accordance with policy LPRSP14(C) and the aims of the NPPF.

Affordable housing (AH)

- 6.61 LPR policy LPRSP10(B) states (inter alia): *'On major housing development sites or mixed-use development sites where 10 or more dwellings will be provided, or the site has an area of 0.5ha or more, the council will require the delivery of affordable housing'*.
- 6.62 The proposal is for more than 10 dwellings and therefore triggers the requirement for AH. In accordance with policy LPRSP10(B), the site is within the 'higher value zone', and greenfield development in high value zones shall provide 40% affordable housing.
- 6.63 The submission makes it clear that seven of the dwellings will provide affordable housing, and this is compliant with policy LPRSP10(B) in terms of the 40% requirement. The breakdown of the affordable housing would be 4 x 2-bed dwellings and 3 x 3-bed dwellings. The proposed tenure split would be 5 social rent and 2 shared ownership (with shared ownership units likely to be plots 13 and 14 that are 2-bed properties). The Council's Housing Team are in agreement with this affordable housing provision, and it will be secured by way of legal agreement.

Infrastructure

- 6.64 Kent County Council have requested financial contributions, totalling £198,995.37, towards: primary (£92,016.58); secondary (£90,597.59); SEND education (£9,517.11); adult education (£581.57); children's services (£1,258.85); libraries (£1,064.71); specialist housing provision adaptation (£3,074.96); and waste (£884.00). These requests are for money to be pooled towards strategic off-site infrastructure and the Council operates CIL for this type of infrastructure rather than a site-specific project which would be a s106. The development itself would pay CIL monies.

Open space provision

- 6.65 Policy LPRINF1 sets standards for the provision of publicly accessible open space for new housing sites. The proposal shows the provision of a designated play space; a boundary footway; and amenity green space and semi-natural areas (including the multi-functional SUDs area), all providing opportunities for formal and informal recreation and play.
- 6.66 It has also been determined that a Local Area for Play (LAP) would be suitable for this size of development, and this would be located at the south-eastern end of the site, where there would be natural surveillance from proposed housing. Anything larger, such as a Locally Equipped Area for Play (LEAP), would likely compromise on landscaping, ecological enhancements, and BNG; and it must also be acknowledged that there is an existing equipped play area within safe walking distance (some 400m) of the site. No sports provision or allotments are provided, but the site is not of a size where such space can reasonably be provided.
- 6.67 The Council's Parks & Open Spaces Team have confirmed that the amount of open space provision within the application site exceeds their requirements, and they request no further off-site financial contributions towards open space.
- 6.68 In short, the onsite public open space is considered to be acceptable in policy terms, and no objections are raised in this respect subject to a condition securing the final details of the LAP (e.g. details of equipment, furniture, bins, timetable for delivery and ongoing maintenance/management).

Sustainable design

- 6.69 Policy LPRQD1(6) states: *'All developments will be expected to incorporate 10% on-site renewable or low carbon energy production where appropriate. This shall be measured as a percentage of overall consumption'*. Policy LPRSP14(C), that relates to climate change, is also considered relevant here.
- 6.70 The submission is accompanied by an Energy and Sustainability Statement and a sustainability strategy plan (ref: 4500 p012 Rev B), and in summary the submission demonstrates that the development will:
- *Have each dwelling being provided with solar panels and Air Source Heat Pumps to ensure at least 10% of energy consumption is derived from on-site renewable or low carbon energy production. Have a significantly reduced energy demand (a 68% reduction) and carbon dioxide emissions (a 68% reduction) as result of proposed on-site renewable energy.*
 - *Have water consumption no greater than 110/litres/person/day for each dwelling*
 - *Have a fabric first approach by incorporating energy efficiency measures into dwellings together with specification of low energy lighting throughout and delivery of air-tight build.*
 - *Provide water butts for rainwater harvesting.*
- 6.71 With this considered, it is accepted that the proposal adheres to the policy requirements of LPRQD1(6) and LPRSP14(C), and the aims of the NPPF, and so the proposal would represent a sustainable form of development in this respect subject to recommended conditions to secure these features.

Archaeology implications

- 6.72 The KCC Archaeology Officer confirms that the site lies within area of archaeological potential associated with multi-period ritual and settlement activity; and that prehistoric remains are recorded from the fields to the north, and a Bronze Age ring ditch/barrow is to south. A Roman villa is also considered to lie close to Snagbrook and Roman burials and occupation remains were located to south; and recent investigation to the south has also located an Anglo-Saxon cemetery with associated settlement remains. The application is supported by an Archaeological DBA and a Heritage Statement, both of which are reasonable and acceptable to the KCC Archaeology Officer; and after further discussions between the agent and KCC, no further information is required at this time subject to a pre-commencement condition securing archaeological field evaluation works, safeguarding measures, and a programme of post excavation and publication. This would ensure that features of archaeological interest are properly examined and recorded, and that due regard is had to the preservation in situ of important archaeological remains. The agent has agreed to the imposition of this condition.

Loss of agricultural land

- 6.73 NPPF paragraph 187 states (inter alia): *Planning...decisions should contribute to and enhance natural and local environment by: (b) recognising intrinsic character and beauty of countryside, and wider benefits from natural capital and ecosystem services – including economic and other benefits of best and most versatile agricultural land, and of trees and woodland.*
- 6.74 Policy LPRENV2 also states: *Planning permission will be granted for change of use of agricultural land to domestic garden if: (1) There would be no harm to character and appearance of countryside; and (2) there would be no loss of best and most versatile agricultural land.*
- 6.75 The submission is accompanied by an Agricultural Land Quality Considerations Report, and in summary this document concludes:
- *Site not previously surveyed. Predictive & provisional maps indicate there is low likelihood site would comprise best & most valuable (BMV) land quality of undifferentiated Grade 3 land.*
 - *Should site be found to contain BMV land quality, economic benefits of site would be in order of £274 per annum. However, as result of minimal size of site, even if BMV quality land was to be identified, it would not be classified as "significant" development of agricultural land & therefore, poorer quality land would not need to be considered as an alternative.*

6.76 Without any other evidence, the conclusions of this report are accepted and so it is recognised that the proposal is unlikely to result in the loss of best and most versatile agricultural land, in accordance with the NPPF. With regards to policy LPRENV2, this report has also already set out that the proposal is considered to cause harm to the countryside hereabouts; and the planning balancing exercise of this harm will be discussed in the conclusion of this report.

Other planning matters

6.77 The Council's Environmental Protection Team raises no objection with the proposal in terms of: Land contamination; air quality (with no requirement for any other details); external lighting (details to be secured by condition); odour; sewage (to be via mains sewer); radon; private water supplies and waste. With regards to land contamination, the Council's Environmental Protection Team acknowledge the Submitted Phase 1 Geo-Environmental Desk Study (May 2025), and it is noted that apart from the railway area, there was made ground on the site which may be associated with agricultural activities, and so relevant land contamination conditions should be attached to any permission. The recommended conditions are considered reasonable in regards to public health and shall be duly imposed. The pre-commencement condition has been agreed by the agent. Foul water will be discharged to an existing public sewer; and Southern Water confirms that the applicant will need to make a formal application to them for connection to this, and an informative will be added to this effect.

6.78 The dwellings will need to meet the accessible and adaptable dwellings building regulations Part M4(2) standard (in accordance with policy LPRQD6).

6.79 Kent Police have reviewed the application in regard to Crime Prevention Through Environmental Design (CPTED), and has advised a number of recommendations to design out crime. An appropriate condition will be imposed to seek such details, in the interests of promoting safe and secure communities/environment. This would accord with policy LPRSP15 and the aims of the NPPF. The KCC Public Rights of Way Officer (PROW) raises no objection to application.

6.80 The representations made by Hollingbourne Parish Council and local residents have been considered in the assessment of this application. Concerns have been raised in terms of pressure on local infrastructure, however, the Council operates CIL which is the mechanism to mitigate the impact on infrastructure.

6.81 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. The proposed development is also CIL liable. 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.

6.82 The proposal fails to meet the threshold and criteria set out for Infrastructure projects (10(b)), under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposal is not therefore EIA development.

7.0 CONCLUSION

7.01 It is acknowledged that the proposal would cause less than substantial harm to the setting of Godfrey House, a Grade II* listed property. The NPPF advises that where a proposal would 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. In addition to this, the proposal would be contrary to policy LPRSP9, in that it does not accord with other policies within the Local Plan Review and it would result in significant harm to the rural character and appearance of the area.

7.02 However, with the Council being unable to demonstrate a 5yr housing land supply, paragraph 11(d) of the NPPF ('the tilted balance') comes into effect. With the NPPF's tilted balance engaged, the balancing exercise for decision making changes, and it needs to be considered whether the impacts of the proposal 'significantly and demonstrably' outweigh the benefits of granting permission.

- 7.03 The proposal would provide 17 dwellings in a sustainable location against the backdrop of the Council not having a 5yr housing land supply. Further to this, the proposal is acceptable in highway safety terms; it is policy compliant with regards to residential amenity; it will achieve the required level of BNG and is acceptable in terms of its impact upon protected species; there are no flood risk and surface water drainage objections; it is acceptable in terms of sustainable design; it is policy compliant in terms of onsite affordable housing provision; and the proposal is acceptable in all other material planning respects.
- 7.04 Relating the above conclusions with part 5 of policy LPRSP10, the view is taken that the proposal is broadly consistent with contributing towards the positive achievement of the Local Plan Review's overall spatial vision and spatial strategy; the site is in a sustainable location and of a scale and nature commensurate to the housing deficit; the commencement condition will be for 2 years, to enable the development to come forward in a timely and proportionate manner to help address the deficit in housing supply; and the report sets out how the development would accord with the Local Plan Review in all other relevant planning respects.
- 7.05 On this basis, it is concluded that the public benefits of the proposal would outweigh the heritage harm identified within this report; and when considering the NPPF's tilted balance, the view is taken that the identified harmful impacts resulting from granting this permission would not significantly and demonstrably outweigh the benefits of providing seventeen dwellings in this sustainable location. On this basis, a recommendation of approval is therefore made.
- 8.0 **GRANT PLANNING PERMISSION** subject to the following conditions and the prior completion of a legal agreement to secure the heads of terms set out below with delegated authority to the Head of Planning and Economic Development to be able to settle or amend any necessary Heads of Terms, planning conditions and informatives in line with the matters set out in the recommendation and as resolved by the Planning Committee:

HEADS OF TERMS

- To secure monies (the sum of £10,000) to cover the costs of the local planning authority reviewing biodiversity net gain monitoring reports for the site for a period of at least 30 years.
- To secure provision of 40% affordable housing within application site.

CONDITIONS

Time limit

- (1) The development hereby permitted shall be begun before the expiration of two years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

- (2) The development hereby approved shall be carried out in accordance with the following approved plans:
- 4500 p001 Rev B; p002 Rev B; p003 Rev B; p004 Rev C; p005 Rev B; p006 Rev B; p007 Rev B; p008 Rev B; p009 Rev B; p010 Rev B; p011 Rev B; p012 Rev B; p013 Rev B; p014 Rev B; p015 Rev B; P100 Rev B; p101 Rev B; p102 Rev B; p103 Rev B; p104 Rev B; p105 Rev B; p106 Rev B; p107 Rev B; p108 Rev B; p109 Rev B; p110 Rev B; and p200 Rev B.
 - Pr-1113.PP.005 Rev D; and TPP-01 GRS.37.25 (Tree protection plan).
 - 35630 H-01 Rev P3; 35630 H-02 Rev P3; 35630 T-01 Rev P3; 35630 T-02 Rev P3; 35630 T-03 Rev P3; 35630 T-04 Rev P3; and 35630 T-05 Rev P3.

Reason: To clarify which plans have been approved and in the interests of proper planning.

BNG

- (3) The Biodiversity Gain Plan shall be prepared in accordance with the information within the submitted Biodiversity Net Gain Assessment (by Adonis Blue, ref: DL-160-BNG, dated: 28/10/25).

Reason: To ensure the development achieves a minimum of 20% onsite BNG for habitat and hedgerow.

- (4) The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan, and based on the most up-to-date and/or relevant ecology surveys as determined by a suitably qualified ecologist, has been submitted to, and approved in writing by, the local planning authority. The Plan shall include:
- (i) a non-technical summary;
 - (ii) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - (iii) the planned habitat retention, creation and enhancement works (including detailed landscaping plan(s) and planting schedule(s)) to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - (iv) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - (v) the monitoring methodology and frequency in respect of the retained, created or enhanced habitat to be submitted to the local planning authority.

The retained, created and/or enhanced habitat specified in the approved HMMP shall be implemented, managed, maintained and monitored in accordance with the approved HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers required biodiversity net gain on site in accordance with Local Policy LPRSP14(A) and Schedule 7A of the Town and Country Planning Act 1990.

Pre-commencement

- (5) Prior to the commencement of the development hereby approved (including site clearance), and up to the completion of the development, the ecological mitigation requirements set out in section 7 of the submitted Ecological Impact Assessment (by Adonis Blue; ref: DL-160, dated: 19/02/26) shall be fully implemented as detailed. If the development hereby approved has not commenced within 2 years from the date of the submitted Ecological Impact Assessment, a review and an update of the mitigation requirements shall be submitted to and approved in writing by the local planning authority prior to the commencement of the approved development (including site clearance).

Reason: In the interests of safeguarding protected species.

- (6) Prior to commencement of development the applicant, or their agents or successors in title, will secure the implementation of:
- (i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
 - (ii) following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority
 - (iii) programme of post excavation and publication

Reason: To ensure that features of archaeological interest are properly examined and recorded and that due regard is had to the preservation in situ of important archaeological remains.

- (7) The development hereby permitted shall not commence until a detailed sustainable surface water drainage scheme for the site shall have been submitted to, and approved in writing by, the local planning authority. The detailed drainage scheme shall be based upon the submitted Flood Risk Assessment (by GTA, dated: October 2025), and it shall demonstrate compliance with the required technical standards at the time of submission, and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The detailed drainage scheme will also be required to demonstrate that any existing surface water flow paths can be accommodated and disposed of without increase to flood risk on or off site. The drainage scheme shall demonstrate (with reference to published guidance):
- (i) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
 - (ii) appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details and shall be maintained as such thereafter.

Reason: To ensure development is served by satisfactory arrangements for disposal of surface water and to ensure development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to commencement of development as they form an intrinsic part of development, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- (8) The development hereby permitted shall not commence until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:
- (i) Based on the submitted Phase 1 Preliminary Risk Assessment (by Clear, ref: 250501, dated: May 2025), a site investigation, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - (ii) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (i). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall thereafter be implemented as approved and maintained as such thereafter.

Reason: In the interests of public health.

- (9) The development hereby permitted shall not commence until details have been submitted to and approved in writing by the local planning authority, to demonstrate that an effective outfall for surface water has been provided for the development (which may include surveys of watercourses and culverts and/or details of any works necessary to deliver an effective outfall). The approved details shall be in place prior to first occupation of any approved dwelling and retained and maintained in accordance with the approved details thereafter.

Reason: To ensure development is served by satisfactory arrangements for surface water disposal.

- (10) Prior to the commencement of the development hereby approved, details of the proposed finished floor levels of the buildings, all ground levels of the development, and existing site levels shown at 0.5m contour intervals shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in full accordance with these approved details and shall be maintained as such thereafter.

Reason: In order to secure satisfactory form of development having regard to site topography.

- (11) Prior to the commencement of the development hereby approved, a final and complete Arboricultural Method Statement shall be submitted to and approved in writing to the local planning authority. The scheme shall thereafter be implemented in accordance with the approved details.

Reason: To ensure the health and longevity of the existing trees shown to be retained.

Pre-Slab Level

- (12) The development hereby approved shall not commence above damp-proof course level until written details of the following materials to be used for the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the local planning authority:

- (i) Natural slate roof tiles;
- (ii) Plain clay roof tiles;
- (iii) Red multi-stock brick;
- (iv) natural timber boarding; and
- (v) Vertical plain clay tile hanging.

The development shall be carried out in accordance with approved details and shall be maintained as such thereafter.

Reason: To safeguard the amenity of the countryside hereabouts that falls within the setting of the Kent Downs National Landscape.

- (13) The development hereby approved shall be carried out in accordance with the hard boundary treatments as shown on submitted drawing ref: 4500 p011 Rev B (with brick walling matching the approved dwellings); and the shown hard boundary treatments shall be in place prior to the first occupation of any dwelling hereby approved, and shall be maintained as such thereafter.

Reason: In the interests of residential amenity; and to ensure a high quality scheme within the setting of the Kent Downs National Landscape.

- (14) No development above damp-proof course level shall take place until details of a native landscaping scheme, in accordance with submitted drawing reference: Pr-1113.PP.005 Rev D, together with a programme for the scheme's implementation, shall be submitted to and approved in writing by the local planning authority. The scheme shall include indications of all existing trees and hedgerows on the land to be retained and shall also include details of:

- (i) Scheme designed in accordance with principles of Council's Landscape Character Assessment Supplement (2012) for landscape character area 15 (Gault Clay Vale [Eyhorne Vale]);
- (ii) Number, size, species, maturity, spacing and position of proposed landscaping to be planted within the site;
- (iii) Retention of boundary planting, except for area to be removed for new access (as shown on submitted plans);
- (iv) All proposed hardsurfacing; and
- (v) A ten year landscaping management plan.

Only non-plastic guards shall be used for the new trees and hedgerows. The landscaping of the site and its management thereafter shall be carried out in accordance with the approved details.

Reason: To ensure a high quality planting scheme; and in the interests of biodiversity enhancement.

- (15) The approved landscaping associated with the individual dwellings shall be in place at the end of the first planting and seeding season following completion of the relevant individual dwelling. Any other communal, shared or street landscaping, shall be in place at the end of the first planting and seeding season following completion of the final unit. Any trees or plants, which, until a period of 10 years from the completion of the development has passed die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of same size and species.

Reason: To ensure a high quality planting scheme; and in the interests of biodiversity enhancement.

- (16) Prior to the commencement of the development hereby approved above damp-proof course level, a Biodiversity Enhancement Plan (BEP) for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall consist of the enhancement of ecology through:
- (i) integrated methods into the fabric of each dwelling, by means such as swift bricks, bat tubes and bee bricks
 - (ii) the installation of woodcrete bird boxes (not wooden) on retained trees, with chosen bird boxes being for red/amber listed species;
 - (iii) creation of labelled 13×13cm gaps in closed-board fencing for hedgehogs (with no two hedgehog gaps/passages within the same length of fencing)
 - (iv) provision of log piles/artificial refugia for reptiles and amphibians; and
 - (v) provision of insect hotels within open space.

These details shall include sufficient information to assess the proposed measures including as necessary elevations, floorplans, block plans showing siting, scale, and specification/manufacturers details. The BEP shall be implemented in full as approved, prior to the first occupation of any dwelling hereby approved, and all features shall be permanently retained and maintained as such thereafter.

Reason: In the interests of biodiversity enhancement.

- (17) No development above slab level shall take place until details of the equipment, furniture and bins for the local area of play (LAP), including a timetable for their delivery and their ongoing maintenance and management, have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented and thereafter maintained in line with the approved timetable. The LAP, as shown as 'play space' on drawing reference: 4500 p004 Rev C, shall be maintained as public open space in perpetuity.

Reason: To ensure the provision of quality areas of public space.

Pre-occupation

- (18) Prior to the first occupation of the development hereby approved, a closure report (pursuant to condition 8 of this permission), shall be submitted to and approved in writing by the local planning authority. The closure report shall include full verification details as set out in the approved remediation strategy; it shall include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site; and any material brought onto the site shall be certified clean.

Reason: In the interests of public health.

- (19) Prior to the first occupation of the development hereby approved a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, shall be submitted to and approved by the local planning authority. The Verification Report shall demonstrate that the drainage system constructed is consistent with that which was approved; and it shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures, landscape plans, full as built drawings, information pertinent to the installation of those items identified on the critical drainage assets drawing, and an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure flood risks from development to future users of land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure development as constructed is compliant with and subsequently maintained pursuant to requirements of NPPF paragraph 182.

- (20) Prior to the first occupation of any dwelling hereby approved, the proposed highway alterations to Eyhorne Street and the site access shall be completed in accordance with submitted plan reference: 35630 H-01 Rev P3, and these alterations shall be maintained as such thereafter.

Reason: In the interests of highway safety.

- (21) Prior to the first occupation of any dwelling hereby approved, the proposed visibility splays for the application site's vehicle access shall be completed in accordance with submitted plan reference: 35630 H-02 Rev P3, with no obstructions over 1.05m above carriageway level within splays, or 0.6m where a footway crosses the access. These visibility splays shall be maintained as such thereafter.

Reason: In the interests of highway safety.

- (22) Prior to the first occupation of any dwelling hereby approved, details of how it has designed out crime (in reference to Secured by Design) shall be submitted to and approved in writing by the local planning authority. The approved details shall be in place prior to the first residential occupation of the of the development hereby approved and shall be maintained as such thereafter.

Reason: In the interests of promoting safe and secure communities and environment.

Compliance/Other

- (23) In accordance with the submitted Energy and Sustainability Statement (by Cantium Ltd, dated: Nov 2025)) and drawing reference: 4500 p012 Rev B, each dwelling shall achieve a water efficiency of 110 litres per person per day. A dwelling shall not be occupied until it meets this standard, and it shall be maintained as such thereafter.

Reason: To ensure a sustainable form of development.

- (24) In accordance with the submitted Energy and Sustainability Statement (by Cantium Ltd, dated: Nov 2025) and drawing reference: 4500 p012 Rev B, the development hereby approved shall achieve at least 10% on-site renewable or low carbon energy production measured as a percentage of overall consumption, that includes the use of both solar panels and air source heat pumps for each dwelling. A dwelling shall not be occupied until the approved renewable or low carbon energy production measures have been installed and are operational, and these measures shall be maintained as such thereafter.

Reason: To ensure a sustainable form of development.

- (25) As demonstrated by the submitted Noise Assessment (by Lustre Consulting, dated: 07/11/25), the development hereby approved shall accord with British Standard 8233:2014 in terms of internal noise levels for every property, and external noise levels within every garden. A dwelling shall not be occupied until these standards are achieved, and these standards shall be maintained as such thereafter.

Reason: To safeguard the residential amenity of future occupants of the site.

- (26) A dwelling shall not be occupied until the associated bicycle storage for that plot, as shown on submitted plan references 4500 p006 rev B and 4500 p110 Rev B, has been installed and is useable; and this bicycle storage shall be maintained as such thereafter.

Reason: In the interests of promoting sustainable development.

- (27) The approved parking and turning areas (including car ports), as shown on the submitted plans, shall be completed and useable prior to the first occupation of any dwelling and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them.

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

- (28) The dwellings hereby approved shall meet the accessible and adaptable dwellings building regulations Part M4(2) standard or any superseding standard. A dwelling shall not be occupied until it meets this standard, and it shall be maintained as such thereafter.

Reason: To ensure development meets acceptable standards of accessible and adaptable dwellings.

- (29) The development hereby approved shall be carried out in accordance with the tree protection details, as set out within the submitted Arboricultural Report (by GRS, dated: 31/10/25).

Reason: To ensure the health and longevity of the existing trees shown to be retained.

- (30) No external lighting, whether temporary or permanent, shall be placed or erected within the site unless details have been submitted to and approved in writing by the local planning authority. Any details to be submitted shall be in accordance with the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting (GN01, dated 2005) and any subsequent revisions), and in accordance with the Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 8 Bats and Artificial Lighting at Night' (or subsequent updates). These details shall also include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. All lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter.

Reason: In the interests of amenity; and to limit the impact of light pollution from artificial light in order to safeguard protected species, such as bats.

INFORMATIVES

- (1) The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25th October 2017 and began charging on all CIL liable applications approved on and from 1st 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.
- (2) Pursuant to condition 7, please note the following advisories from the KCC Drainage Team: (a) It is noted 100-year event plus 45% climate change has been provided. In line with EA's guidance, the KCC Drainage Team would seek 'upper end' allowance is designed for both 30 (3.3%) & 100 (1%) year storm scenarios; (b) It is noted a small proportion of access road is proposed to connect to highway drain. This would likely be dependent on the access road being adopted by the highway authority and their acceptance of that flow. This may require mitigation offsite in order to accommodate additional flow. If the internal road is not adopted, then this arrangement would not be acceptable. This should be clarified as part of the detailed design.
- (3) The applicant is reminded that Southern Water requires a formal application for a connection to the public sewer. For further details please go to: <https://developerservices.southernwater.co.uk> and also refer to the New Connections Charging Arrangements documents: <https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>.

- (4) If it is the intention of the developer for Southern Water to adopt the proposed SuDS, the system shall be designed and constructed in line with the Design and Construction Guidance: www.water.org.uk/sewerage-sector-guidance-approved-documents/
- (5) The applicant is advised that Southern Water have restrictions on proposed tree planting adjacent to Southern Water sewers, rising mains or water mains; and reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers": (https://www.southernwater.co.uk/media/pddob0vn/ds-tree-planting-guide-1_nwm.pdf) and Sewerage Sector Guidance: (<https://www.water.org.uk/sewerage-sector-guidance-approved-documents/>).
- (6) The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then this office will deal on the basis that:
- The applicant pays for the administration costs.
 - The duration of the closure is kept to a minimum.
 - Alternative routes will be provided for the duration of the closure.
 - A minimum of 8 weeks' notice is required to process any applications for temporary closures.

This means the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

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