

- a) **DOV/16/00521 – Erection of 12 dwellings together with associated internal access road, parking, landscaping and alteration of existing access - Land East of 1 and 2 Woodnesborough Lane, Eastry**

Reason for report: Number of contrary views.

- b) **Summary of Recommendation**

Planning Permission be granted.

- c) **Planning Policies and Guidance**

Core Strategy Policies

- CP4 - Developments of 10 or more dwellings should identify the purpose of the development in terms of creating, reinforcing or restoring the local housing market in which they are located and development an appropriate mix of housing mix and design. Density will be determined through the design process, but should wherever possible exceed 40dph and will seldom be justified ta less than 30dph.
- CP6 - Development that generates a demand for infrastructure will only be permitted if the necessary infrastructure is either already in place, or there is a reliable mechanism to ensure that it will be provided at the time it is needed.
- DM1 - Development will not be permitted outside of the settlement confines, unless it is specifically justified by other development plan policies, or it functionally requires such a location, or it is ancillary to existing development or uses.
- DM11 - Development that would generate high levels of travel will only be permitted within the urban areas in locations that are, or can be made to be, well served by a range of means of transport.
- DM12 - Planning applications that would involve the construction of a new access or the increased use of an existing access onto a trunk or primary road will not be permitted if there would be a significant increase in the risk of crashes or traffic delays unless the proposals can incorporate measures that provide sufficient mitigation.
- DM13 - Parking provision should be design-led, based upon an area's characteristics, the nature of the development and design objectives, having regard for the guidance in Table 1.1 of the Core Strategy.
- DM15 - Development which would result in the loss of, or adversely affect the character and appearance of the countryside will not normally be permitted.
- DM16 - Generally seeks to resist development which would harm the character of the landscape, unless it is in accordance with a Development Plan designation and incorporates mitigation measures, or can be sited to avoid or reduce the harm and/or incorporates design measures to mitigate the impacts to an acceptable level.

Land Allocations Local Plan

- DM27 - Residential development of five or more dwellings will be required to provide or contribute towards the provision of open space, unless existing provision within the relevant accessibility standard has sufficient capacity to accommodate this additional demand.

National Planning Policy Framework (NPPF)

- Paragraph 14 of the NPPF requires that where the development plan is absent, silent or relevant policies are out-of-date development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or, specific policies in the NPPF indicate that development should be restricted.
- Paragraph 49 of the NPPF states that "housing applications should be considered in the context of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of housing sites.
- The NPPF has 12 core principles which, amongst other things, seeks to: proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs; secure high quality design and a good standard of amenity for all existing and future residents; recognise the intrinsic character and beauty of the countryside; contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the framework; encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value; and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Chapter four of the NPPF seeks to promote sustainable transport. In particular, paragraph 29 states that "the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel".
- Chapter six of the NPPF seeks to significantly boost the supply of housing, requiring Local Planning Authorities to identify specific deliverable sites sufficient to provide five years' worth of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development.
- Chapter seven requires good design, which is a key aspect of sustainable development.
- Chapter twelve requires that development has regard for its impact on the significance of heritage assets and their settings.

The Kent Design Guide (KDG)

- The Guide provides criteria and advice on providing well designed development.

d) **Relevant Planning History**

It is not considered that there is any planning history which is directly relevant to the determination of the current application.

e) **Consultee and Third Party Responses**

KCC Highways and Transportation – On the basis that the access is not to be adopted, an objection to the development could not be sustained as the development would not cause any knock on impacts on the existing highway. However, it would be good practice to

provide an entry ramp between the access road and the shared surface, provide service margins along the side of the shared surface and turning head, provide independently accessible car parking spaces and ensure that all spaces are of a reasonable size, having regard for how they are bounded.

KCC Lead Local Flood Authority – The Surface Water Management Plan appears to be reasonable. Conditions should be attached to any grant of permission requiring infiltration testing and the submission of a detailed drainage scheme, including maintenance of the systems.

KCC Archaeology – Should permission be granted, it is recommended that a condition be attached requiring a programme of archaeological works.

DDC Principal Ecologist – The ecological report is competent. There are no biodiversity constraints to the development. The recommendations of the report should be included as an informative on any grant of permission and details of the landscaping of the site should be secured by condition

DDC Heritage – No objection. The development is well separated from the Listed Building.

Southern Water – A formal application for connection to the public sewerage system will be required. This should be secured by condition. There are no public surface water sewers in the area and, as such, an alternative means of draining surface water will be required.

Rural Planning Consultants – The site comprises Grade 1 (excellent) and 2 (very good) agricultural land. The NPPF requires that the loss of such 'best and most versatile' agricultural land should be taken into account in planning decisions. The development would lead to the loss of agricultural land which may be regarded as being relatively small, although LPA's may still attribute significance to the loss of smaller areas.

Southern Gas Networks – A low pressure gas main passes close to the site. There should be no mechanical excavations taking place within 0.5m of this system.

Environmental Health – No observations to make.

Eastry Parish Council – Object for the following reasons:

- The site has not been allocated for development
- The site is Grade 1 agricultural land and lies outside of the settlement confines
- There is no need for additional housing in the village
- Woodnesborough Lane is subject to surface water flooding
- Insufficient car parking provision
- The road is unsafe for pedestrians
- Harm to the setting of Great Walton which is a listed building
- The development is of a poor design

Public Representations – Twenty letters of objection has been received, raising the following concerns:

- Woodnesborough Lane is unsafe for pedestrians
- The access to the site would have inadequate visibility at its junction with Woodnesborough Lane
- The area is heavily trafficked
- Insufficient car parking provision has been proposed
- Overdevelopment of the site/the development is too dense

- Woodnesborough Lane is subject to flooding during heavy rain
- The development would harm the setting of the Listed Building
- The site lies outside of the settlement confines
- The development would be too close to existing dwellings
- Loss of agricultural land
- Impact on protected species and habitats

In addition, three neutral comments (neither objecting nor supporting) have been received, raising the following points:

- The site is on the route of the old Roman road and therefore archaeological works should take place
- Whilst no objection is raised to development on the site, it should be noted that there is a need for affordable housing within the village and better pedestrian links along Woodnesborough Lane

f)

1. **The Site and the Proposal**

- 1.1 The site lies adjacent to, but outside of, the settlement confines of Eastry. The site is therefore considered to be within the countryside for the purposes of planning. To the north east of the site is the Grade II Listed Great Walton.
- 1.2 The area is residential in character, comprising predominantly mid to late C20th cul-de-sacs linked to the more historic streets of Woodnesborough Lane, Gore Lane and Sandwich Road. The houses are road fronting and comprise a broad mixture of bungalows, chalet bungalows and two storey dwellings. The area does not have a strong defining character, although the properties on each cul-de-sac are typically of uniform design.
- 1.3 The site itself measures approximately 0.45 hectares, is currently laid to grass and is used for the grazing of horses. The land is largely devoid of buildings except for a series of small outbuildings used in conjunction with the keeping of horses. The site is relatively flat, but has a slight fall from south to north.
- 1.4 This full planning application seeks permission for the erection of twelve two storey dwellings (one of which contains its first floor within its roof space), comprising seven three-bedroom units and five four-bedroom units. The dwellings would front onto a new access road through the site which would link onto Woodnesborough Lane via the existing access. Ancillary car parking and gardens are also proposed.

2 **Main Issues**

2.1 The main issues are:

- The principle of the development
- The impact of the development on the character and appearance of the area
- The impact on heritage assets
- The impacts of the development on the living conditions of neighbouring properties
- The impact on the highway network
- Affordable housing and contributions

Assessment

Principle

- 2.2 The site lies adjacent to, but outside of, the settlement boundaries, where Policy DM1 applies. Having regard to the wording of this policy, it is considered that the residential development of the site is contrary to Policy DM1. However, as the District cannot demonstrate a five year housing land supply and having regard for paragraphs 14 and 49 of the National Planning Policy Framework (NPPF), the Councils housing policies cannot be considered up-to-date. In such instances, permission should be granted unless the development is 'unsustainable' or specific policies in the NPPF direct that permission should be refused. The assessment of sustainability is a comprehensive exercise, having regard to the three dimensions of sustainable development and paragraphs 18 to 219 of the NPPF. The sustainability of the scheme will be set out under the heading 'Sustainability Overview'.
- 2.3 The development would result in the loss of Grade I best and most versatile agricultural land. Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of best and most versatile agricultural land, avoiding the significant loss of such land unless necessary and directing development to land of a lower quality where possible. Whilst this loss must carry weight in the assessment of the application, it is considered that the parcel of land is relatively small and is not well linked to other parcels of land, reducing its utility as agricultural land. It is considered that the shape, size and location of the land significantly reduces the economic benefit of the land.

Character and Appearance

- 2.4 The development would comprise twelve dwellings within the 0.45ha site, producing a density of approximately 26 dwellings per hectare. This density is comparable to, or perhaps slightly less than, that of the existing development adjacent. Furthermore, the density of the development reduces from south to north providing a soft transition to the fields beyond. The layout of the development would also replicate the existing character of the area, comprising a cul-de-sac linking to Woodnesborough Lane. The dwellings would front onto this access, with a courtyard being proposed toward the west of the site which would accommodate a vehicle turning head. The geometry of the access includes a kink which would filter views into the heart of the site, adding a degree of visual interest. This geometry, together with the placement of houses would also obscure views into the site and reduce the visual impact of the development from the lane.
- 2.5 The dwellings would be predominantly two storeys in height, responding to the scale of Great Walton Cottages which are located at the entrance to the site. Whilst there is some variation in the scale of properties within the area, including a high number of bungalows and chalet bungalows, two storey dwellings remain a feature of the area. Consequently, the scale of the buildings is not considered to be uncharacteristic. Towards the west of the site, furthest from Woodnesborough Lane, the scale of the building would reduce. Units 8 and 9 would be two storeys in height, but would contain only dormer windows at first floor level to the rear elevation which would be set within a cat slide roof. Unit 10 would be appreciably smaller, containing its first floor wholly within the roof space. The reduced scale of these buildings, whilst not highly visible from any public view point, would respond to their proximity to Great Walton, which is a Grade II Listed Building.
- 2.6 The proposed buildings are all traditionally designed, responding to the character of buildings towards the historic core the village. The dwellings would well-proportioned, with orderly, regular fenestrations under pitched roofs. All the dwellings would have chimney stacks which would add interest to the roof scape of the development. The scheme would provide a range of housing designs, avoiding

an otherwise monotonous appearance, which positively references the variation of design within the village. The houses would be finished in a traditional range of materials, including red brickwork, hanging tiles and painted timber weatherboarding, under a mixture of plain tiles and slates. All of these materials can be found within the village.

- 2.7 The scheme retains significant areas to the frontage of the access road for landscaping. The site plan demonstrates that these areas would be capable of providing high quality landscaping, including structural planting, which would help to soften the appearance of the development. The development also proposes additional planting to the boundaries of the site which will both reduce the visual impact of the development and provide a high quality character to the scheme. Where boundary treatments would be publicly visible, brick walls have been proposed, with 1.8m high timber fences used elsewhere. It is recommended that, should permission be granted, landscaping details should be secured by condition.
- 2.8 Overall, it is considered that the development would provide a high quality built environment, which would respond positively to the character of the village and reduce in scale and density to the north, providing a transition to the countryside beyond.

Heritage

- 2.9 Regard must be had for how the development would impact upon listed buildings, and their settings, having regard for the Planning (Listed Buildings and Conservation Areas) Act 1990 (The 'Act'). Section 66(1) of the Act states that, 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.' As such, it is necessary to have 'special regard' for whether the development would preserve the listed buildings in the vicinity of the site, and their settings. Additionally, the NPPF requires that regard must be had for whether the development would harm the significance of both designated and non-designated heritage assets and, where harm is identified (either substantial or less than substantial) consider whether this harm is outweighed by public benefits.
- 2.10 The site is located approximately 42m to the south west of the nearest listed building to the site Great Walton, which is Grade II Listed. Great Walton is a late C17th house with C17th stables to its rear. The house and stables are connected by a billiard room, constructed in 1896, and a more recent extension, granted consent in 2004. The closest part of the listed building to the site is the stables. Great Walton has a clearly defined setting, comprising formal gardens surrounded by a tall boundary wall. This enclosure has existed since at least the 1890's. Whilst the development would not encroach into this curtilage, the development has the potential to impact upon the wider setting of the buildings.
- 2.11 The visual impact of the development on the character of the area has already been assessed and will not be repeated here. The development would be well separated from the listed buildings, whilst the closest of the proposed buildings, units 10, 9 and 8, would be relatively modest in size, being a chalet bungalow (unit 10) and having cat slide roofs (units 9 and 8) respectively. Having regard for the separation distance and design of the proposed development, it is not considered that the proposal would be highly visible from the listed building and would not cause harm to its setting, having a neutral impact.

- 2.12 The site lies close to the line of the Roman road between Richborough and Dover and is within Eastry, which has Saxon origins. Eastry is thought to contain the site of the palace of Saxon King Egbert, whilst four cemeteries from this period are known within the vicinity of the present village. As such, the archaeological potential of the area is considerable.
- 2.13 Historic mapping indicates that the site has not been developed and, as such, any potential archaeological remains on the site are likely to be undisturbed. It is therefore considered that the site presents a reasonable likelihood of containing heritage assets of archaeological significance and it is therefore recommended that, should permission be granted, a condition be attached requiring the implementation of a programme of archaeological works.
- 2.14 The development would not impact upon any other heritage assets.

Impact on Residential Amenity

- 2.15 The site is bounded by residential development to its north east (Great Walton), south (Hill Drive and Little Walton) and to its south west (Great Walton Cottages).
- 2.16 Great Walton is well separated from the proposed development. Unit 10, which is the closest property to Great Walton, lies approximately 42m from the south western corner of Great Walton. Given this separation distance, it is not considered that any unacceptable loss of light, sense of enclosure or overlooking would be caused.
- 2.17 To the south of the site are properties on Hill Drive, four of which share a boundary with the site, and Little Walton, where No.19 shares a boundary with the site. No. 7 Hill Drive is the closest property of these properties to the site and would be around 24m from the southern elevation of Unit 4. No.19 Little Walton would be located around 26m away from Unit 7. Whilst the rear elevations of units 2 to 7, which face towards the properties on Hill Drive and Little Walton contain windows, it is considered that, given the separation distance, no unacceptable overlooking would be caused. Furthermore, it is considered that the separation distance is sufficient to ensure that no unacceptable loss of light or sense of enclosure would be caused. Landscaping is also proposed to the boundaries of the site, which will further reduce any perceived impacts.
- 2.18 Unit 1 lies approximately 3m from the side elevation of No.1 Great Walton Cottages, which is owned by the applicant. Whilst the development would be sited close to this property, it would not impact upon any principle windows serving habitable rooms. Furthermore, the dwelling would not protrude significantly beyond the front or rear elevations of No.1 and, as such, would not cause any harm to the residential amenities of that property.
- 2.19 Each of the proposed dwellings would be generously sized and would naturally lit and ventilated. Each would be provided with a reasonably sized private garden which could provide refuse storage and general amenity space. Consequently, it is considered that the development would provide reasonable living conditions for future residents.

Impact on the Highway

- 2.20 Policy DM12 of the Core Strategy requires that developments provide suitable access arrangements, whilst policy DM13, being informed by Table 1.1, requires that development provides a level of car and cycle parking which balances the

characteristics of the site, the locality, the nature of the proposed development and design objectives.

- 2.21 The proposal seeks to utilise the existing access into the site, albeit improving the sight lines through the removal of a tree stump to the north of the access. The visibility from this access would be 56m by 2.4m by 56m, in accordance with the recommended provision within Manual for Streets. It is considered that these visibility splays are appropriate. The application has been supported by tracking plans which demonstrate that the geometry of the access and the turning head within the site allow for access, turning and egress of a vehicle up to 11.3m in length.
- 2.22 Policy DM13 of the Core Strategy requires that the provision of car parking should be a design led process, based upon the characteristics of the site, having regard for Table 1.1 of the Core Strategy. The development comprises seven three-bed dwellings and five four-bed dwellings, all of which (based on Table 1.1) would generate a need for two car parking spaces and 0.2 additional visitor spaces. Each property would be provided with two designated car parking spaces. Furthermore, many of the driveway areas to properties would be of sufficient size to provide a third car parking space, if required. Whilst the number of car parking spaces for each dwelling would meet the needs generated, it is noted that the parking for units 2, 3, 4 and 8 would take the form of tandem parking, reducing the usability of these spaces. Whilst this is not ideal, the provision of tandem spaces arises from the applicants desire to provide high quality landscaping, particularly in the more prominent areas of the site. Furthermore, the layout of the development includes areas where vehicles could park informally without inhibiting access through the site. The dwellings which would be served by tandem spaces would be well separated from the public highway, Woodnesborough Lane, significantly reducing the likelihood of vehicles from the site using the lane to park. In addition to the designated car parking for each dwelling, the development would give rise to a need for 2.4 visitor spaces. Two visitor spaces would also be provided. Overall, whilst the development provides a negligible under provision of visitor spaces and includes four properties which would be served by tandem spaces, it is not considered that the development would cause any material harm to the local highway network.
- 2.23 It is considered that the provision of car parking strikes an appropriate balance between providing sufficient car parking to ensure that the local highway network is not unacceptably harmed whilst securing a high quality design, in accordance with Policy DM13. Furthermore, the development would not result in 'severe residual cumulative impacts' on the transport network and, as such, it would not warrant refusal on this basis, in accordance with paragraph 32 of the NPPF.
- 2.24 The development includes the provision of a footpath through the western portion of the site, which would provide a link between Woodnesborough Road and the shared surface to the eastern part of the site. Where it meets Woodnesborough Lane, a dropped kerb to either side of the lane would provide a safe and convenient crossing point, increasing the sites connectivity with the rest of the village.

Contributions

- 2.25 Core Strategy Policy DM5 requires that for schemes of 5 to 14 dwellings an on-site provision of affordable housing or an equivalent financial contribution (or a combination of both) will be required. Where off-site contributions for affordable housing are to be sought, a sum equivalent to 5% of the Gross Development Value will be sought. The applicant has completed the Council pro-forma for calculating

this figure and has, consequently, offered a financial contribution for affordable housing of £195,000. In reaching this figure, the applicant has predicted the open market sales values of the proposed dwellings following discussions with estate agents. These figures range from £275,000 for a three-bedroom terraced property to £425,000 for a four bedroom detached property. Within 1 mile of the site, four bed dwellings are currently being advertised for between £255,000 and £485,000, whilst three bedroom dwellings are being advertised for between £250,000 and £385,000. Within this search area there are no properties for sale which are directly comparable to the proposed development (for examples new build properties of a comparable size and in a similar edge of village location). However, having regard for the new build premium which the development would attract, it is considered that the average value of properties within the development of £330,000 is reasonable. As such, the contribution for affordable housing of £195,000 is accepted. This contribution will need to be secured by a S106 legal agreement.

- 2.26 In accordance with Policy DM27 of the Land Allocations Local Plan, the development would also be expected to provide Open Space on site, or a contribution towards off- site provision, to meet the Open Space demand which would be generated by the development. In this instance, the Principal Infrastructure and Delivery Officer has advised that the development would create a need for 0.002ha of children's play space. A project has been designed which would meet this need, comprising the provision of additional play equipment at Gun Park Recreation Ground, around 580m away from the site to the south west. A proportional contribution towards improving the capacity of this play space would equate to £4,351. This contribution will need to be secured by a S106 legal agreement.

Ecology

- 2.27 The development falls under the threshold of 15 dwellings where mitigation for the recreational pressure placed upon the Thanet Coast and Sandwich Bay SPA and Ramsar site will be required, in accordance with the 'Habitats Directive' and the 'Habitats Regulations', as required by paragraphs 1.21 to 1.24 of Annex 1 of the Land Allocations Local Plan.
- 2.28 The application has been supported by an extended Phase 1 Habitat Survey and Bat Building Assessment. This study confirms that the site contains no rare or nationally scarce botanical species or habitat and supports only limited diversity of species, by virtue of the site being predominantly improved grassland. The potential for Great Crested Newts is low and the report recommends that the vegetation on the site should continue to be maintained until development commences, to prevent it from becoming more suitable, whilst the caravans and patios on site should be removed carefully and checked for the presence of animals. The site does not provide suitable habitat for reptiles, whilst no evidence or potential for badger or dormice were found at the site. The semi-mature trees and an outbuilding on the site have the potential to support breeding birds. The study therefore recommends that any demolition or felling required be undertaken outside of the breeding bird season or, if this is not possible, these features be checked for animals beforehand. A bat survey was undertaken as part of the study, which assessed the potential for buildings to support bat roosts. Whilst the inside of the buildings were not surveyed, the buildings did not provide any gaps or crevices which would allow use by bats. Furthermore, some of the buildings were heavily illuminated, whilst others provide an unsuitable thermal environment, making them unsuitable for day bat roosts. The trees on the site boundary do not contain any features suitable for bats. Having regard for the results of the bat survey, it is not considered that the development would impact upon bats.

- 2.29 The study also recommends ecological enhancements including the use of native, species-rich, landscaping and the provision of bat and bird boxes. It is considered that, in accordance with the NPPF which seeks to achieve overall net gains in biodiversity, it would be reasonable to require, by condition, details of the ecological enhancements which will be used in the development.
- 2.30 The Councils Principal Ecologist has confirmed that the ecological report is competent and its findings can therefore be accepted. Conditions regarding details of landscaping and of the ecological enhancements should be attached to any grant of permission.

Drainage

- 2.31 The National Planning Policy Statement, at paragraph 103, states that local planning authorities should ensure that flooding is not increased elsewhere, going on to say priority should be given to the use of sustainable drainage systems. In furtherance to this, the Planning Practice Guidance states that sustainable drainage systems are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible.
- 2.32 KCC have issued a Drainage and Planning Policy Statement, which sets out how applications will be assessed. In particular, SUDs Policy 1 within this plan, in conformity with the hierarchy suggested by the Planning Practice Guidance, sets out the hierarchy for dealing with surface water. The first preference is to discharge surface water to the ground. The full hierarchy is as follows:
1. to ground,
 2. to a surface water body,
 3. a surface water sewer, highway drain, or another drainage system, or
 4. to a combined sewer where there are absolutely no other options, and only where agreed in advance with the relevant sewage undertaker.
- 2.33 The proposal seeks to discharge ground water runoff to ground via soakaways and through permeable hardstandings, the details of which were included within a Surface Water Management Plan. Following representations which raised concerns regarding the ability of soakaways to adequately dispose of surface water, the applicants have conducted infiltration testing to ascertain the technical capability of the surface water strategy. Six testing locations were chosen across the site in the approximate locations of soakaways and hardstandings, three of which were shallow trial pits and three were deeper boreholes. Groundwater was not encountered during this testing and, as such, the level of groundwater must be greater than 4m below ground level. The shallow trial pits across the site demonstrated that infiltration rates are sufficient to allow for the use of traditional soakaways, as proposed.
- 2.34 In accordance with the advice from the Lead Local Flood Authority, together with having regard for the results of the infiltration testing, it is considered that the proposed method of discharging surface water is acceptable. It is, however, recommended that a condition be attached requiring full details of the surface water infrastructure prior to the commencement of the development. Full details of foul drainage should also be required by condition, as requested by Southern Water.

Sustainability Overview

- 2.35 Paragraph 49 of the NPPF states that "housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites". At present, the council is unable to demonstrate a five year supply of housing land. As such, it is considered that the Councils relevant policies for the supply of housing (in this instance Policy DM1, having regard for the recovered appeal APP/R0660/A/14/2213505) are out of date and, in accordance with paragraph 14 of the NPPF, planning permission must be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies" of the NPPF, or where specific policies of the NPPF "indicate development should be restricted".
- 2.36 Sustainability is defined in the NPPF, at paragraph six, as paragraphs 18 to 219 of the NPPF taken as a whole. However, the assessment of sustainability can also be separated into three dimensions: economic, social and environmental.
- 2.37 Whilst the NPPF must be assessed as a whole, two paragraphs (29 and 55) are considered to be particularly relevant to this application.
- 2.38 Paragraph 29 of the NPPF states that "the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel". This paragraph goes on to acknowledge that "opportunities to maximise sustainable transport solutions will vary from urban to rural areas".
- 2.39 The site is directly adjacent to the built up confines of Eastry, with the confines extending to the southern and western boundaries of the site. The development would provide a dropped curb to either side of Wodnesborough Lane and a footpath into the site. As such, the development would be well linked to the existing pedestrian routes in Eastry and the facilities and services of the village. Eastry is defined by the Settlement Hierarchy at Policy CP1 or the Core Strategy as a Local Centre, which is the secondary focus for development in the rural area and suitable for a scale of development that would reinforce its role as a provider of services to its home and adjacent communities. Eastry provides a wide range of services and facilities including a primary school, a church, a doctor's surgery, a pub, a village hall, and open spaces, together with various shops, takeaways etc.
- 2.40 Whilst Woodnesborough Lane is not served by public transport, other roads in the close vicinity of the site are served by regular bus services. The closest bus stops providing scheduled services are on High Street, Gore Land and Sandwich Road. These bus stops provide access to route numbers 13A, 14, 14A, 87, 88 and 88A, which link to Dover, Sandwich, Deal, Canterbury and Ramsgate, together with numerous villages. The nearest train station, in Sandwich, is around 2.3 miles away and provides regular services to Thanet, Dover, Canterbury, Medway, Ashford International and London.
- 2.41 Whilst many of the roads immediately around the site do not provide footpaths, pedestrian links to the central area of the village are available, albeit slightly less direct.
- 2.42 It is considered that, having regard for the facilities and services which are available, the distances to these facilities and services in settlements and public transport links, occupants of the dwellings would be able to walk or cycle to facilities and services and utilise public transport. Consequently, the development would not be solely reliant on private modes of transport, providing a choice of means of transport, including more sustainable forms. As such, it is not considered that the dwellings would be isolated.

- 2.43 Paragraph 55 of the NPPF states that, in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and continues to say that new isolated homes in the countryside should be avoided, except where special circumstances exist. As addressed previously, the site is not considered to be isolated, whilst the development would help to sustain the facilities and services of the village.
- 2.44 Whilst paragraphs 29 and 55 of the NPPF indicate that the location of the development is acceptable, it is necessary to consider the NPPF as a whole, splitting down the material considerations into the three dimensions of sustainable development.
- 2.45 The development would provide a short term, transitory, economic benefit by providing employment during the construction phase. Whilst the dwellings would be well located in relation to the village, the development would result in the loss of approximately 0.45ha of best and most versatile agricultural land, which weighs against the development.
- 2.46 With regards to the social role, the development would provide twelve additional dwellings which would, to a small degree, contribute towards the Districts need for housing supply. The development would be located in a relatively accessible location, where it would help to enhance or maintain the vitality of rural communities. The design of the buildings is considered to have regard for its context, contributing towards the creation of a high quality built environment.
- 2.47 Turning to the environmental role, the development would not harm the natural, built or historic environment. The development would cause no harm to ecology and would incorporate ecological enhancements. Finally, the development would have the potential to contribute towards reducing pollution and climate change, by facilitating the use of sustainable modes of transport.
- 2.48 Whilst the development would produce some modest disbenefits, which must be weighed in the balance, it is not considered that these disbenefits would outweigh the significant benefits of the development. Where there is a lack of five year housing land supply, the relevant test is to grant permission unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits". In this instance, it is not considered that the disbenefits significantly and demonstrably outweigh the benefits. It is therefore considered that the development represents 'sustainable development' and is supported by the provisions of paragraph 14 of the NPPF.

Overall Conclusions

- 2.49 The site lies outside of the settlement boundaries of Eastry and is not allocated for development. The development is therefore contrary to Policy DM1 of the Core Strategy. However, Dover District Council cannot demonstrate a five year housing land supply, providing significant weight in favour of the application, which would provide an additional twelve dwellings. Whilst the development would result in the loss of Grade 1 agricultural land, this disbenefit would not significantly and demonstrably outweigh the numerous benefits of the development. As such, the principle of the development is supported by the NPPF.
- 2.50 The development would cause no significant harm to the character and appearance of the area, the setting of heritage assets, the local highway network or the living conditions of neighbours. The development would be acceptable in all other material respects and would provide the requested contributions in respect of

Open Space and affordable housing. For these reasons, it is recommended that planning permission be granted.

- g) **Recommendation**
- I Subject to the submission and agreement of a s106 agreement to secure contributions, PERMISSION BE GRANTED subject to conditions to include:
- (i) approved plans, (ii) samples of materials to be used, (iii) landscaping, (iv) provision and retention of car parking, (v) provision and retention of cycle parking, (vi) provision and retention of access, (vii) construction management plan, (viii) provision and retention of visibility splays, (ix) provision of off-site highway works, (x) archaeology, (xi) removal of permitted development rights relating to extensions, enlargements, alterations (including windows) to Unit 1, (xii) details of ecological enhancements, (xiii) full details of surface water drainage scheme, including maintenance, (xiv) full details of foul water drainage scheme, including maintenance, (xv) provision of refuse storage.
- II Powers to be delegated to the Head of Regeneration and Development to settle any necessary planning conditions and to agree a s106 agreement, in line with the issues set out in the recommendation and as resolved by Planning Committee.

Case Officer

Luke Blaskett