

- a) **DOV/16/00986 - Erection of 12 dwellings, construction of vehicular access, with associated car parking and landscaping - Land between Homeleigh and Lansdale, Northbourne Road, Great Mongeham**

Reason for report: Because of the number of objections (25)

b) **Summary of Recommendation**

Planning permission be approved.

c) **Statutory Requirements, Planning Policies and Guidance**

Section 38(6) of the Planning and Compulsory purchase act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

Dover District Council Core Strategy (2008).

Policy CP1 states that the location and scale of development in the District must comply with the settlement hierarchy. The hierarchy should also be used for infrastructure providers to inform decisions about the provision of their services.

Policy CP2 Outlines the provision for jobs and homes from 2006-2026 and a breakdown of land allocations and uses.

Policy CP3 Relates to policy CP2 and gives a breakdown of where the allocated sites will be distributed in the District.

Policy CP4 Housing allocations in the Site Allocations Document and planning applications for residential development for 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 develop an appropriate housing mix and design taking account of the guidance in the Strategic Housing Market Assessment and the need to create landmark, foreground and background buildings, vistas and focal points.

Policy CP6 seeks to ensure that development that generates a demand for infrastructure will only be permitted if the necessary infrastructure to support it is already in place, or there is a reliable mechanism to ensure that it will be provided at the time it is needed.

Policy DM1 states that development will not be permitted outside of the urban/village confines unless specifically justified by other development plan policies, or if it functionally requires such a location.

Policy DM5: Provision of affordable housing

Policy DM11 states that planning applications that would increase the travel demand should be accompanied with a suitable assessment of this increase. This again reiterates that development outside of the urban/rural confines will not be permitted unless justified by development plan policies.

Policy DM13 states that parking provision should be design led and based on the characteristics of the site, the locality the nature of the proposed development, and

its design objectives. Provision for non-residential development, and for residential cycle provision, should be informed by Kent County Council guidance SPG4, or any successor.

Policy DM15 Development which would result in the loss of, or adversely affect the character or appearance, of the countryside will only be permitted if it is:-

- In accordance with allocations made in Development Plan Documents, or
- justified by the needs of agriculture; or
- justified by a need to sustain the rural economy or a rural community;
- it cannot be accommodated elsewhere; and
- it does not result in the loss of ecological habitats.

Policy DM16 Development that would harm the character of the landscape, as identified through the process of landscape character assessment will only be permitted if:

- i. It is in accordance with allocations made in Development Plan Documents and incorporates any necessary avoidance and mitigation measures; or
- ii. It can be sited to avoid or reduce the harm and/or incorporate design measures to mitigate the impacts to an acceptable level.

Provided that measures are incorporated to reduce, as far as practicable, any harmful effects on countryside character.

Dover District Council Local Plan Saved Policies.

N/A

Land Allocations Local Plan (LALP).

Policy LA37: Land allocated for residential development at land at Northbourne Road. This policy states that the following should be provided:

- Frontage Development Only
- Retention of Hedgerows
- Creation of boundary to north west and north east.
- Provision of new footway fronting the site and connecting with existing footway on Northbourne Road

The Policy also states that there should be approximately 10 units provided within the application site.

Worth Neighbourhood Plan.

N/A

National Planning Policy Framework (NPPF) 2012

- Paragraph 7 sets out the three dimensions to sustainable development. These are set out as follows:

- (i) an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
 - (ii) a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
 - (iii) an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
- Paragraph 8 states that these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.
 - Paragraph 14 states that there is a presumption in favour of sustainable development, and where the development plan is absent, silent or out of date this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the framework as a whole
 - Paragraph 17 outlines the overarching role that the planning system ought to play, and a set of core land-use planning principles which should underpin both plan making and decision taking.
 - Paragraph 47 Refers to the responsibility of each LPA to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. It goes onto to state how the LPA should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% to ensure competition in the market for land.
 - Paragraph 49 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.
 - Paragraph 50 states that the local planning authorities should seek to deliver a wide choice of high quality homes, widen opportunities for home ownership

and create sustainable inclusive and mixed communities through plan making and decision taking.

- Paragraph 56 states that The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Paragraph 65 states that local Planning Authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns are mitigated by good design.
- Paragraph 117 seeks to ensure that planning policies minimise impacts on biodiversity and geodiversity.
- Paragraph 118 states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles.
- Paragraph 139 states that non designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.
- Paragraph 203 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

National Planning Policy Guidance (NPPG)

This provides guidance on matters relating to the main issues associated with development, and how decision making should take place.

Other Documents

The Kent Design Guide sets out design principles of development.

d) Relevant Planning History

PE/15/00168- Pre-application advice.

The principle of development is something that could be supported, however there are a number of issues that's would need to be addressed prior to submission.

e) Consultee and Third Party Responses

KCC Highways and Transportation made the following comments on the application

"I refer to the above planning application and note that the majority of the site is allocated for residential development in the Dover District Land Allocations Local

Plan, the principle of development therefore being acceptable. I would comment further as follows:

1. Visibility splays of 43 metres x 2 metres x 43 metres are required at the proposed access points, unless measured vehicle speeds indicate a lesser requirement. There should be no obstructions over 1 metre above carriageway level within the splays and they should be over land within the control of the applicant and/or the highway authority. It should be demonstrated that appropriate splays can be achieved.
2. There should be a pedestrian route available for proposed residents along the frontage of the site. This can be a footway adjacent to the carriageway or a route behind the proposed boundary hedge, but details need to be shown on the plans. Ideally this would continue along Northbourne Road to the junction with Willow Road however, it does not appear possible to provide a footway between the site and Willow Road due to the land ownership and highway boundary issues. On balance this is acceptable bearing in mind this is only a short section of the lane within a low speed environment; it has good visibility (the lane is straight); the lane is not heavily trafficked; and there is unlikely to be a significant number of pedestrians.
3. It is not clear if plots 1-4 have the necessary two independently accessible parking spaces each. Spaces should be 5 metres long x 2.5 metres wide, increased to 2.7 metres where bounded by walls/fences/landscaping on one side. It should be demonstrated that such parking spaces are available."

Amended plans were submitted, however KCC Highways responded stating that the concerns raised had not been appropriately addressed.

Environment Agency raise no objection to the development, subject to the imposition of relevant conditions.

Natural England made the following comments on the application:

"Statutory nature conservation sites – no objection based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes."

In addition to the above, Natural England have also published their recommendation in relation to protected species, local sites, biodiversity enhancements, landscape enhancements; and sites of special scientific interest impact zones.

Environmental Health raise no objection subject to conditions.

Southern Water responded to the consultation, stating that they require a formal application to be made by the developer/applicant for a connection to the public sewer. Should the application be approved they also asked that a number of conditions be imposed on the permission.

Kent Police (CPDA) stated that if the planning application is granted permission and no contact has been made to the Crime Prevention Design Advisors (CPDA) by the applicant/agent, then we suggest that a condition should be included as part of the planning approval to ensure that crime prevention is addressed effectively.

KCC Archaeology raise no objection subject to conditions.

Southern Gas Networks made comments on the application submitted in relation to safe digging practices and safety risks associated with poor digging practices. It is stated that it is the responsibility of the applicant/developer to ensure that safe practice is carried out and that damage to any pipes will be charged to the liable organisation.

Great Mongeham Parish Council made the following comments on the application:

“Great Mongeham Parish Council supported the application in principle, however should DDC be of a mind to grant planning permission they would like conditions added to deal with the following issues: -

- Parking- it was felt that there is insufficient parking allocated on site for residents and visitors, the existing residents in Northbourne Road already park on the road making it difficult to pass. The Council would like the road widened to allow sufficient room for vehicles to pass parked cars, they would also like parking restriction on the north east side of the road to prevent parking on both side of the road leading to obstructions.
- Footpath- they would like to see a footpath installed on the site to allow pedestrian access from the site towards the main village.
- Flooding- there is already a major issue with surface water runoff in the vicinity of Sparrow Court where the road regularly floods during heavy rain. Arrangements should be made to help with the existing issue and prevent additional water adding to the problem.

In addition to the above the Council had been asked to raise two issues relating to the existing Land Allocation Document, as the proposed development extends further than the allocated site and the proposal is for 12 properties not the 10 listed in policy LA37.”

DDC Regeneration Delivery No objection.

KCC Development Contributions Comments from KCC development contributions were sought in relation to the proposed development. These contributions will be discussed within the body of this report.

Kent Wildlife Trust no response.

National Grid Plant Protection no response.

EDF Energy no response.

Fire Safety Service no response.

Tree and Horticultural Officer No trees are affected by the proposed development.

Ecology Officer Not a local wildlife site or priority habitat site.

Representations

Neighbouring occupiers were notified of this application and 25 letters of objection have been received. The concerns raised within these letters are summarised below:

- Very narrow lane which is not suitable to accommodate the level of development proposed.

- Pressure on off street parking.
- Concerns over highway safety
- Application site extends beyond the village confines
- Road not widened enough and no provision of footpath
- The development would appear crowded and incongruous in the street scene which would not be adequate in terms of amenity or adhering to existing area character.
- Erosion of rural character
- Unsatisfactory affordable housing provision/ contribution.
- Concerns over increased flooding and surface water.
- Lack of shops and facilities in the area to serve the new development.
- Environmental concerns over the impact on wildlife, local habitats.
- Development would detract from openness and view of countryside (conservation of the hedgerow).
- Gas and water supply issues.
- Development on grade 1 agricultural land.
- Ribbon development
- Development could be accommodated elsewhere that could also provide a better level of affordable housing.

There are also 2 letters of support. The reasons for support are summarised below:

- Broadly support the principle
- The development is in keeping with the area and well designed.
- Concerns over proposed highways works and parking.

1 of the public comments neither supported nor objected to the proposal.

f) The Site and the Proposal

The Site

Most of the site is allocated and falls within the defined settlement boundaries and the other is beyond the settlement boundaries and therefore by definition in the countryside. Approximately, two thirds of the application site is allocated for housing and the other third is beyond the settlement boundaries.

The site consists of agricultural land and adjoins residential dwellings (Homeleigh and Lansdale) at the east and west ends of the site. These are well contained within the hedgerows and trees. There are no features along the north-eastern boundary that delineate the line indicated on the plan submitted.

Northbourne road runs along the south west boundary. This is a single width rural lane which is derestricted. There is a hedgerow running the length of the boundary with telegraph poles located within it. There are residential properties to the east, west and south of the site, whilst beyond the northern boundary is open countryside.

The Proposal

This application seeks full planning permission for the erection of 12no. dwellings and the construction of a new vehicular access with associated parking and landscaping.

The proposed development comprises 2no. 4 bedroom detached dwellings, 6no. 3 bedroom semi-detached dwellings and 4no. 3 bedroom terraced properties. The

combination of 3 and 4 bedroom dwellings offers living areas, bathrooms and bedrooms, large private gardens, parking space for at least two cars per dwelling, refuse storage facilities and two cycle parking spaces are also provided.

The proposed development has been amended on two separate occasions to address the concerns of officers and statutory consultees. Further to ongoing consultation with the DDC the material palette has been changed to be red stock brick, weatherboarding in a composite cladding in a dark brown timber finish and pitched grey slate rooves.

Main Issues

The main issues in the determination of this planning application are:

- The principle of development.
- Countryside and landscape impact
- Design and appearance and impact on street scene
- The impact upon highway safety.
- The impact upon residential amenity.
- Ecology.
- Planning Obligations/Contributions.
- Archaeology.
- Other matters.

Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The NPPF states that any development that accords with an up-to-date development plan should be approved and that which conflicts should be refused unless material considerations indicate otherwise.

At the heart of the NPPF is a presumption in favour of sustainable development and for decision making this means approving development that accords with the Development Plan.

Policy LA37 states that the site (part of) is allocated for residential development. It states that planning permission will be permitted provided that; the proposal reflects the characteristics of the surrounding built form both in terms of density and rural character.

The key issues highlighted for this site include:

- Frontage Development.
- Retention of Hedgerows Creation of boundary to north west and north east.
- Provision of new footway fronting the site and connecting with existing footway on Northbourne Road.

Officers note that the application site comprises land which is not included in Land Allocation 37. The site area extends beyond the western boundary of the allocated site area and adjoins the residential curtilage of Homeleigh. This means that part of the site also falls outside of the existing settlement confines of Great Mongeham. However, pre-application discussions took place with officers of the Council who agreed that subject to the submission of a suitable design, the further infilling of the site would be acceptable, and make best use of land.

Policy DM1 of the Core Strategy states that development will not be permitted outside of the settlement confines unless it is justified by any other development plan policies.

Whilst in part the proposal this might be viewed as a departure from the development plan, this larger application site area has allowed for a lower density development to occur and does not result in an unacceptable level of harm to the openness of the countryside and character of the area.

In addition, the number of residential units provided (12) is in keeping with Great Mongeham's status as a village, suitable for a scale of development that would reinforce its role as a provider of services to its home community, in accordance with Policy CP1.

Countryside and Landscape Impact

The land allocations document indicates that development within this site should be designed sensitively in order to ensure that it reflects the characteristics of the surrounding built form and development density. The policy also states that any proposal should be 'frontage development only', to ensure that it is consistent with the characteristics of the surrounding built environment and also to ensure that a sense of openness is retained.

Policy DM15 states that development that would result in the loss of, or adversely affect the character or appearance, of the countryside will only be permitted in very specific cases, one of which being when development is in accordance with allocations made in the Development Plan. The proposed development would result in the loss of some countryside, however it was established during pre-application discussions that further infilling would be acceptable subject to design. Therefore, the loss of countryside is permitted in this case as long as there is not an adverse impact on the character of the landscape or appearance of the street scene. These will be addressed in the body of this report.

Policy DM16 of the Core Strategy states that Development that would harm the character of the landscape, as identified through the process of landscape character assessment will only be permitted if; it is in accordance with allocations made in Development Plan Documents and incorporates any necessary avoidance and mitigation measures; or it can be sited to avoid or reduce the harm and/or incorporate design measures to mitigate the impacts to an acceptable level.

Pre-application advice was sought prior to submission. Within the written response, emphasis is placed on retaining the character of the area through good design and a low density development. The retention of the hedgerow was mentioned explicitly as making a huge contribution to the open character of the area. Following some extensive amendments, officers are now satisfied with the design, layout and landscaping scheme proposed.

In this instance, extending the area of the site allocation to provide a high-quality development in a sustainable location is considered appropriate in this case to outweigh the minimal harm (the loss of countryside) that would be caused, subject to the other material considerations discussed below.

The hedgerow that runs along the southern boundary of the site is a key design feature of the site, which functions to preserve a sense of openness and the rural

character of the area. The dwellings are all situated behind this hedge, meaning that it still makes a significant contribution to the street scene of this edge of settlement location whilst also acting as a privacy buffer. Officers are pleased that the hedge has now been integrated into the design approach.

A full landscaping scheme will be secured by condition to ensure that the edge of the site facing onto the Northbourne Road will be hedged and tree/shrub planting carried out to create natural screening which will enhance the setting of the development.

Subject to the imposition of appropriate safeguarding conditions, it is considered that the design of the proposed dwellings and the associated landscaping scheme is now acceptable for the site and would not have an adverse impact upon the character of the countryside or wider landscape.

Design and Appearance and Impact on Street Scene

The NPPF identifies that good design is indivisible from good planning (paragraph 56) and section 7 of this document sets out how policies should not seek to impose architectural styles or tastes, and should not stifle innovation (paragraph 60).

The proposed development includes a mix of dwellings types, which have all been designed to respond positively to the architectural style prevalent in the local area. Whilst this architectural style is by no means consistent or identifiable to a certain period, certain features such as hipped roofs and the dominant use of stock brick work, contribute toward upholding the areas rural appearance. Whilst slightly larger than some of the properties in the immediate vicinity, the scale and form of all 12 no. dwellings are in keeping with the parameters and would not appear incongruous in the street scene.

The proposed development includes a mix of dwellings types, which have all been designed to respond positively to the architectural style prevalent in the local area. The dwellings are of a high quality and comparatively modern design, whilst still of a form and design that would not appear as out of keeping. The proposed materials reflect the architectural style and materials used within Great Mongeham, including plain slate tiles, local red stock brickwork, and composite cladding.

Northbourne Road is characterised by a mix of detached and semi-detached residential dwellings which are set back from the highway and interspersed by open countryside. There is adequate spacing between the dwellings, which adds to the sense of openness in the run up to the edge of the settlement boundary. Moreover, whilst there is no architectural style there is a fairly consistent pattern of development seen within the confines of Great Mongeham, which defines area character more so than the architectural style of the dwellings.

The proposed development seeks to retain most of this hedgerow, with the exception of 3 small areas which would be removed to allow access onto the site. Officers consider that the retention of this landscape feature has contributed to preserving the character of the area, whilst also ensuring the development site is functional and safe from a highways perspective. The dwellings all front Northbourne road and conform to the pattern of development in the area, which is characterised by clusters of 2 storey dwellings, which occupy larger plots on the periphery of and outside of the settlement confines.

The proposed development comprises 2no. 4 bedroom detached dwellings, 6no. 3 bedroom semi-detached dwellings and 4no.3 bedroom terraced properties. This mix

of dwelling types reflects the dwelling mix in the locality. The dwellings proposed are all two storey form, and fit comfortably on the plot to form a coherent and well-structured development. The layout of the dwellings have ensured that the smaller terraced dwellings remain within confines to respond directly to the neighbouring properties, whilst the larger detached dwellings are located outside confines to the west of the site, where plot sizes and the size of dwellings are seen to increase.

Whilst no definite architectural style is prevalent in the wider area, the scheme has taken architectural influences from Great Mongeham, the wider Kent vernacular and barn/agricultural style buildings. The use of feature elements such as gable ends and defined changes in materials tie the site in with the surrounding built form.

Overall, the proposal represents a high quality development, which is suitable in terms of scale and form in this edge of village location. On balance, the small loss of countryside is negligible when weighed up against the positive benefits of providing housing in a sustainable location which responds to the rural character of Great Mongeham. To this end, the proposal is fully compliant with paragraph 14 of the NPPF, which outlines the presumption in favour of sustainable development.

In light of the alterations to the scale, layout and form of the dwellings, and the retention of the majority of the hedgerow, it is considered that the proposed development would be not lead to an unacceptable level of harm to the character of the area or an undue loss of countryside. To this end, officers are satisfied that the proposed development is compliant with policies DM15 and DM16 of the core strategy, as well as the NPPF.

Impact on Residential Amenity

Paragraph 17 of the NPPF outlines that one of the core principles of sustainable development is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The application site is relatively self-contained, insofar as it does not back on to any existing properties. There are a number of dwellings fronting the south side of Northbourne Road, opposite the proposed development. However there is ample separation between these dwellings and the ones proposed and the retention of most of the hedgerow along the southern boundary ensures there is an appropriate privacy buffer. The proposed building heights are no greater than the surrounding two storey properties and are set back from the road by approximately 17m, minimizing direct impact to the neighbours opposite.

The west and east end boundaries of the site adjoin existing residential properties (Lansdale and Homeleigh). However, there is adequate landscaping proposed to run along these boundaries, and the separation between the dwellings is considered entirely acceptable.

In light of the above, it is considered that the proposal would have no significant impact upon the residential amenity of the existing properties within the locality, in terms of overlooking, overshadowing, or the creation of a sense of enclosure.

The erection of these properties would give rise to an element of additional noise and disturbance, but this would not be of a level that would be considered inappropriate.

It is therefore considered that there would be no detrimental impact upon the existing amenities of neighbouring occupiers.

Parking, Access and Highways

Policy DM13 of the Core strategy states that provision for parking should be a design led process based upon the characteristics of the site, the locality, the nature of the proposed development and its design objectives.

The proposed development would provide a total of 24 car parking spaces, which breaks down into 2 spaces per dwellings. This adheres to the requirements of Policy DM13. Officers are also satisfied that the car parking spaces adhere to the design requirements outlined by KCC Highways in their comments dated 5th October 2016. A suitable pre-commencement condition will be imposed to ensure that car parking is provided in adherence with the comments made by KCC Highways in respect of car parking spaces.

There are 3 access points to the proposed development along Northbourne Road, which would be created by cutting into the existing hedgerow to form vehicle crossovers. Officers note the concerns raised by KCC Highways with respect to the visibility splays that need to be achieved (in the interests of highway safety), however, we are of the opinion that these could be achieved given that the road is straight and the vehicle speed limits along this stretch. A suitable safeguarding condition will be imposed to ensure that details of the visibility splays are submitted to and approved by the planning authority prior to commencement.

Whilst the development will inevitably increase the volume of traffic on the road, officers consider that this will not have a significant impact on highway safety and that the existing road network can accommodate the additional vehicle journeys that will be generated. Indeed, this was considered at the allocation stage when deciding on land which is suitable for residential development.

A public footpath is not being provided as part of this proposal, although it is a requirement outlined within the land allocation plan (policy LA37). Constructing a footpath would compromise the future of the hedgerow, which has been identified as a key landscape feature, central to upholding rural character and a sense of openness. In addition, KCC Highways have highlighted that it may not be possible to provide a footway linking the development along Northbourne Road to the shared junction with Willow Road to the east. Indeed, it is difficult to see where the footpath would connect to without carrying out substantial engineering works and officers consider that a heavily engineered feature would appear out of place in this edge of village location and would have an adverse impact on the rural character of the area and street scene.

On balance, not providing a footpath is considered acceptable bearing in mind this is only a short section of the lane, which has good visibility splays. The lane is not heavily trafficked and there is unlikely to be a significant number of pedestrians. Seeing as the proposed development would not be unsafe in highway terms, officers have given more weight to preserving the rural character of the area.

In light of the above, officers are satisfied that, subject to compliance with conditions, that the proposed development is acceptable with respect to parking provision, highway safety and the impact on highway capacity.

Ecology

Paragraph 109 of the NPPF outlines the importance of contributing to and enhancing the natural and local environment. Paragraph 118 states that's when determining application, local authorities should aim to conserve and enhance biodiversity at all times.

The hedgerow which aligns the southern boundary of the site is the main feature of ecological interest of the site. A hedgerow report was submitted to the local planning authority, confirming that this particular landscape feature is classed as an 'important' hedge in line with Part II of Schedule 1 of the Hedgerow Regulations, 1997. The hedgerow is also shown to be of biodiversity interest as it provides a green corridor for a range of species including birds, bats, invertebrates, flora and potentially reptiles.

The ecological scoping survey also submitted supported the application, which identified the species native to the site and the mitigation measures that might be imposed both to protect and enhance biodiversity opportunities in the local area. A number of recommendations are made including:

- *Flora* – Supplement planting schedules with garden plants to ensure a range of year-round flowering plants are available for invertebrates.
- *Birds* – Development to be carried out to disturb as little of the mature vegetation likely to support nesting birds as possible. Ten bird nest boxes to be incorporated into the scheme.
- *Bats* – Lighting to be designed with bat conservation in mind. Bat boxes to provide new roosting opportunities to be provided on new buildings.
- *Reptiles* – Identification of a suitable receptor site in the local area, create terrestrial sheltering places at strategic locations around the receptor site, carry out capture work prior to translocation under specific criteria.
- *Invertebrates* – Planting to provide a nectar source for insects as well as provision of invertebrate boxes in specific locations.

The hedgerow is being mostly retained to ensure that an ecological corridor is retained and continues to support native species in the vicinity of the site. Moreover, subject to compliance with the mitigation measures outlined in the ecological scoping survey and set out above, officers are satisfied with the impact that the proposed development would have from an ecological perspective.

Planning Obligations/Contributions

Any requests for contributions needs to be scrutinised in accordance with Regulation 122 of the Community Infrastructure Regulations 2010. These stipulate that an obligation can only be a reason for granting planning permission if it meets the following requirements:

It is:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

Paragraph 203 of the NPPF states that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

The applicant has agreed to enter into a section 106 agreement so that the necessary financial contributions can be secured to make the development acceptable in planning terms. Planning permission is subject to the completion of a Section 106 agreement.

Financial contributions are sought by KCC for the following:

- Extension to Primary School: £3,324 per house
- Extension to Secondary School: £2,359.80 per house
- Increasing the book stock for local library: £48.02 per dwelling

In addition to the above, there is an informative for the developer to work with the telecommunications provider at the early stage of development.

The proposed development is for 12 dwellings and is therefore below the 15 dwelling threshold that would require consideration to be given to the provision of on site affordable housing in line with Policy DM5. The applicant has submitted an affordable housing statement which agrees to make the appropriate financial contribution for off-site affordable housing, which is considered to comply with this policy. This will be secured through the provision of a suitable section 106 legal agreement.

Archaeology

KCC Archaeology have commented on the application saying that the site lies in an area of archaeological potential, associated with a rich archaeological landscape around the village of Great Mongeham. It is possible that construction of the proposed dwellings could affect remains of archaeological interest and therefore relevant safe guarding conditions have been imposed to the permission.

Other Matters

The general layout ensures good neighbourhood surveillance which in turn will assist in attaining a 'Secure by Design' accreditation. However, full details of crime prevention measures will need to be sought by condition.

In addition to the above, a number of safeguarding conditions will be imposed to ensure that the development is acceptable in planning terms, including various conditions sought in relation to highways and utilities including drainage and sewage disposal.

Conclusion

In light of the above, it is considered that the proposal is acceptable, and would comply with the requirements of Policy LA37 of the LALP (2015). The pattern and grain of development would be retained.

The proposal, whilst marginally incorporating land beyond the allocated site boundary, would not result in any significant harm to the countryside/landscape character residential amenity, highways or ecology and represents a highly sustainable and high quality development.

To this end, it is considered that the proposed development aligns with the requirements of Policies DM1, DM15, DM16 and CP1 of the Core Strategy. There is also appropriate provision in place to ensure that financial contributions/obligations are sought to make the development acceptable in planning terms, thus according with policies DM5 and CP6.

On balance, officers consider that the proposal accords with the requirements of the Development Plan and the aims and objectives of the NPPF, particularly with regards to sustainability. At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through plan making and decision taking (paragraph 14). In achieving sustainable development, the proposal would perform a social, economic and environmental role in line with the objectives of paragraph 7.

It is therefore recommended that the application be approved, subject to the imposition of the safeguarding conditions set out below.

g) Recommendation

GRANT PLANNING PERMISSION subject to conditions to include:

- I i) commencement within 3 years; ii) carried out in accordance with the approved drawings; iii) submission of Construction Management Plan; iv) submission of material samples; v) submission of details of proposed on-site highway works (including parking); vi) finished surfacing to vehicle and pedestrian access routes; vii) submission of details sight lines (private driveways); viii) submission of details related to vehicle parking; ix) submission of details of hard and soft landscaping; x) hard and soft landscaping carried out in accordance with approved details; xi) no damage to trees of hedgerows within phased development; xii) submission of external lighting scheme; xiii) submission of details of refuse storage areas and recycling facilities; xiv) programme of archaeological works; xv) contamination xvi) details of finished ground floor levels; xvii) carried out in accordance with ecological enhancements; xviii) drainage and infiltration surface water; xix) submission of sustainable water drainage scheme; xx) details of crime prevention; xxi) foul and surface water sewage details.
- II Powers be delegated to the Head of Regeneration and Development to settle any necessary conditions and legal agreement in line with issues set out in the recommendation and as resolved by Planning Committee.

Case Officer

Chris Hawkins