

REPORT SUMMARY

REFERENCE NO - 20/02070/FULL
APPLICATION PROPOSAL Proposed new house; landscape enhancements; associated works
ADDRESS Land East Of Water Lane Hawkhurst Cranbrook Kent
RECOMMENDATION GRANT subject to conditions (see section 11 of the report for full recommendations)
SUMMARY OF REASONS FOR RECOMMENDATION <ul style="list-style-type: none">• The design is considered to wholly comply with Para 79 (e) of the NPPF in the design is of exceptional quality, in that it:<ul style="list-style-type: none">• <i>'is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and</i>• <i>would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.'</i>• The proposal would result in the delivery of sustainable development and therefore, in accordance with Paragraph 11 of the NPPF, permission should be granted, subject to all other material considerations being satisfied. The proposal is considered to accord with the Development Plan and Local Policy in respect of these material considerations;• The proposal is considered to comply with Paragraph 172 of the NPPF in terms of its impact on the Area of Outstanding Natural Beauty (AONB) and would deliver a significant enhancement to its setting through the restoration of a former shaw, plus enhanced woodland connections and hedgerow boundaries;• The proposal would deliver significant gains for biodiversity and ecology through a scheme of ecological mitigation and enhancement plus a Landscape and Ecological Management Plan (to be secured by condition) which would allow for ongoing monitoring of ecological enhancement of the whole site;• This would include management within and protection of the parts of the Robins Wood Site of Special Scientific Interest within the site (which are also designated as Ancient Semi Natural Woodland) and appropriate buffers to those designated areas;• The proposal would include a SUDS scheme which would reduce run off rates from the site;• The proposed development would be both "truly outstanding" in terms of its design, materiality and environmental sensitivity and is of the highest architectural standard, as well as being of innovative design – with reference to both the quality of the design process along with the outcome and its integrated use of sustainable features;• The development would not be materially harmful to the residential amenities of nearby dwellings;• The proposal can be satisfactorily accommodated around the trees on and off site;• The proposal would have no impact on the setting of the nearby Grade II listed building;• The traffic movements generated by the development can be accommodated without detriment to highway safety and the proposal includes adequate car parking provision;• The proposal would deliver a betterment in terms of surface water run-off rates from the site through a SuDS scheme;• Other issues raised have been assessed and there are not any which would warrant refusal of the application or which cannot be satisfactorily controlled by condition.
INFORMATION ABOUT FINANCIAL BENEFITS OF PROPOSAL The following are considered to be material to the application:

Contributions (to be secured through Section 106 legal agreement/unilateral undertaking): N/A

Net increase in numbers of jobs: N/A

Estimated average annual workplace salary spend in Borough through net increase in numbers of jobs: N/A

The following are not considered to be material to the application:

Estimated annual council tax benefit for Borough: £178.75

Estimated annual council tax benefit total: £1787.55

Annual New Homes Bonus (for first year): £1000.00

Estimated annual business rates benefits for Borough: N/A

REASON FOR REFERRAL TO COMMITTEE

Referred by Head of Planning Services

WARD Hawkhurst & Sandhurst	PARISH/TOWN COUNCIL Hawkhurst Parish Council	APPLICANT Mr and Mrs Hamlyn AGENT Mr Rob Hughes
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DECISION DUE DATE 03/11/20	PUBLICITY EXPIRY DATE 11/09/20	OFFICER SITE VISIT DATE Various
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RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):

17/03596/FULL	<p>Proposed new dwelling, landscape enhancements and associated works</p> <p>Reason:</p> <p><i>The proposal is located in an unsustainable location outside the Limits to Built Development of any settlement, and fails to conserve and enhance the rural landscape and scenic beauty of the Area of Outstanding Natural Beauty. Similarly it would have more than a minimal impact upon the landscape character of the locality. The overall proposal is not considered to be of exceptional quality or sufficiently innovative nature of design to amount to special circumstances to overcome the unsustainable location or the identified harm. It is therefore contrary to the National Planning Policy Framework (2012), Core Policies CP4 and CP14 of the Tunbridge Wells Borough Core Strategy (2010), saved Policies LBD1, EN1 and EN25 of the Tunbridge Wells Borough Local Plan (2006) along with the aims and objectives of the Tunbridge Wells Landscape Character Assessment.</i></p>	Refused	31/01/18
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07/00942/ELEC	The refurbishment of the existing 132,000 volt overhead line from Hartley in Kent to Hastings in East Sussex	Granted	16/05/07
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MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 This application relates to land to the east of Water Lane, north of Hawkhurst. The site consists of approximately 6.7 hectares of open arable land with surrounding mature native hedgerows and woodland shaws. The topography of the site descends from north-west to south east. The site is located within the High Weald Area of Outstanding Natural Beauty.
- 1.02 The wider area is characterised by dispersed farmsteads and open agricultural land within a rural landscape. The site is of an irregular shape and extends eastward from Water Lane. Whilst the internal parts of the site are open, the boundaries of the site are formed by mature trees and hedgerows. There is also a belt of trees along the western boundary of the site, adjoining Water Lane.
- 1.03 The eastern part of the site comprises woodland, forming part of a much larger area of gill woodland (Waterland Gill) including a small stream that runs broadly North West to South East. The gill woodland to the east of the application site is part of the Robins Wood Site of Special Scientific Interest. High voltage power lines pass above the eastern part of the site.
- 1.04 There is a rifle range to the west of the site, alongside a brick-built former agricultural building which is used for B1/B8 purposes and associated hardstanding which accommodates some open storage. On the opposite side of Water Lane are a series of polytunnels used for fruit production together with a Grade II listed farmhouse (Bare Tilt Farm).
- 1.05 Entrance to the site is from a shared Water Lane access with the neighbouring B1/B8 building. There is a public right of way beyond the southern boundary.

2.0 PROPOSAL

- 2.01 Planning permission is sought for the erection of a new dwelling which is put forward as one of exceptional quality (with reference to paragraph 79(e) of the NPPF). It is argued to be highly sustainable and of truly outstanding quality of design to a level that would be acceptable in an area where residential development would normally be unacceptable. The house is sited within a part of the site that follows an identified landscape characteristic of dwellings and farmsteads dispersed along a ridgeline.
- 2.02 The dwelling is arranged over two floors and is located towards the eastern end of the site. The overall footprint represents a distorted 'H' shape, with two connected 'wings' of accommodation. The ground floor contains a lounge, kitchen and dining areas on one side, with a study, WC, boot room, guest bedroom, an internal workshop in the other half (which would be partly subterranean). The two would be connected by an entrance hall. Also at ground floor level is a subterranean garage and workshop area.
- 2.03 The first floor is divided in to four bedrooms (two on each side of the house), snug and bathroom with an internal stairway in the centre. The main bedroom includes

outdoor balconies/terraces. East of the house (above the garage/workshop area) is a solar panel array and a biodiverse roof.

- 2.04 Externally, the dwelling would appear as a timber clad structure with a clay tiled 'band' roof draped around it. This is supported by timber props at various points but is partly a decorative feature, which drops and rises at various points to provide both light/shade to the rooms and long distance views.
- 2.05 External materials are proposed to be locally sourced clay tiles with different sand content to provide variation in tone; light red clay bricks; naturally weathered vertical cedar cladding; black stained vertical cedar cladding and dark grey powder coated aluminium for the windows.
- 2.06 There is a parking and turning area to the immediate SW of the dwelling. This would be accessed by a curved track (surfaced with porous aggregate) leading from the existing shared access with the B8 storage building. A small defined residential curtilage (described as a sunken terrace) is shown to the SE, with a further terraced area leading to a larger garden orchard is shown to the north of the building.
- 2.07 The proposal also relates to landscape conservation and enhancement works that seek to conserve and enhance the site's landscape and biodiversity value. This would be through the long-term protection and restoration of important existing landscape features; and re-creation of new landscape features and natural habitats. These are set out in considerable detail in the supporting documents but the main points are;
- Extension of the gill woodland on the eastern side of the site to connect the woodland boundaries to the north and south. This would amount to managed naturally regenerated habitat to create a buffer to Robins Wood SSSI at a point where the ancient wooded gill valley is narrow to reflect the species and genetic matrix of the SSSI Ancient Woodland;
 - Establishment of natural habitat buffers around the field boundaries to the north and south of the largest field to enhance weak links between the fragmented ancient woodland blocks, reversing further decline. This is also argued to improve the robustness and resilience to climate change of the woodland network plus safeguard veteran trees and the historic woodland pond;
 - Management design, sensitive active management, outcomes and monitoring of the ancient woodland and gill extension to proactively be made available as a reference for educational benefit and to help increase awareness and inform best practice management for the many privately owned ancient woodlands throughout the High Weald. This would include an information website, linked webcams and social media feeds to create information access to help raise the standard of design and management in rural areas, ideally partnered by relevant groups such as the High Weald Project and the Woodland Trust.
 - Restoration of a previously lost woodland shaw towards the east of the site to reinforce the distinctive small scale irregular shaped field pattern in response to historic mapping evidence.
 - Veteran and mature trees and the setting to the existing woodland pond to be safeguarded within ancient woodland buffers and enhanced tree lines. Establishment of succession trees and woodland pond enhancement.

- A reconnected western boundary formed from new woodland which references the contextual landscape and enhances the ecological connectivity of the west boundary, also concealing the rifle range and B1/B8 building from the east and enhancing the backdrop to the dwelling.
- A line of mature oak trees (remnants of a field boundary hedgerow) lie on the north-east boundary and are to be preserved and safeguarded, with native planting to enhance it so creating a woodland shaw character and reinforcing an important ecological link. This would involve traditional hedge laying, cyclical management and 'gapping up' of the existing field boundary hedgerow to increase species richness and functionality of this link.
- Creation of a species diverse spring and summer flowering meadow within the large agricultural field to maximise the availability of an insect food source throughout the year. It would be seasonally grazed to remove the potential effects of pesticide and fertiliser run-off to Robins Wood SSSI.
- The sunken terrace residential curtilage to the SE would be bounded by a combination of native hedge and post and wire fence, controls the domestic curtilage of the dwelling whilst allowing for conservation grazing of the meadow;
- The proposed traditional orchard to the north is intended to respond directly to the scale of the 'domestic' orchards associated with dwellings in the local landscape. It is also relates to the applicants' wish to grow apples to press juice for their personal use and enjoyment and is intended to benefit site biodiversity.
- Additional field trees are proposed to the south of the site, to re-introduce a declining feature;
- The access uses the existing historic access, shared with the existing buildings with agricultural gates set back from the historic routeway that is Water Lane. The dwelling would be concealed from the historic routeway by roadside trees /shaw and the existing buildings. The access drive is intended to interpret examples of meandering drives and tracks leading to isolated dwellings in the local context. The access track, dwelling arrival area and sections of the external terraces adjacent to the dwelling will have a porous natural aggregate locally sourced surface. Adjacent grassland habitats will be allowed to naturally encroach where the surface is less well trafficked to create an agricultural character to the track.

2.08 The application also includes outline details of SUDS scheme measures (supported by a Flood Risk Assessment);

- All surface run-off water is proposed to be fully attenuated on site with no impact on off-site watercourses or potential increased flooding risk to the Robins Wood SSSI.
- Foul water sewerage would be treated with an on-site water treatment plant with secondary filtration achieved by means of a 'reed bed bio-filter' in the new pond;
- Clean, treated water would then be attenuated on-site as part of an integrated water management and habitat enhancement system to preserve water quality;

- Surface water run-off and clean treated water is conveyed via a pipe (directed towards the new pond in the SW corner of the site) the alignment of which is intended to respond to the natural topography and drainage pattern of the site;
 - The new attenuation pond is located to respond to the natural topography of the site and an existing wet-lying area;
 - Water conservation measures such as light flushing and water harvesting for irrigation purposes are also included (referred to in the SUDS statement).
- 2.09 The construction of the dwelling is intended to incorporate various energy efficient measures which include high levels of insulation, high airtightness, high performance triple glazed 'Passivhaus' windows and Mechanical Ventilation Heat Recovery. The construction is also intended to maximise opportunities from passive solar gain through the majority of the glazing facing towards the sun; shade the high summer sun through use of overhangs to reduce overheating; and high thermal mass to create resilience to outside temperature fluctuations.
- 2.10 The principle behind this is termed 'fabric first' and is based around a combination of solar and biomass technology (with other energy sources evaluated and then ruled out based on their suitability for the site). The walls and the roof are proposed to be constructed from 300mm engineered timber framed panels, with the use of recycled newspaper insulation, Panelvent external cladding and 'Actis multifoil' insulation to enhance insulation, airtightness & vapour barrier roles. Underfloor heating is also included. The intention is that all of these measures will reduce the heat required to heat the building and therefore use less energy.
- 2.11 The PV tracking array is intended to increase solar harness potential during the morning and evening. Various storage systems would hold electricity during the day for use at night, convert excess electricity (the National Grid supplies energy at a higher voltage than necessary) into heat for hot water and ultimately reduce dependence on the National Grid. Biomass systems are also proposed supplement the above.

Changes from last application

- 2.12 The previous application for a Para 55 (as it was then under the previous iteration of the NPPF) dwelling on this site differed from the current application in a number of ways;
- A large amount of tree and hedgerow planting in the fields and to the north of the house has been removed, with a consequent greater emphasis on a managed flowering meadow across the site and subtler woodland connections;
 - The orchard area has been reduced in size and re-located;
 - A drainage swale intended to carry water from the house to the main swale in the SW corner has been removed (water is to be carried by underground pipe) - the design of the swale has also been amended;
 - The internal layout and external appearance of the house has been amended and refined. In particular the roof is less of a decorative 'band' draped around the top and more as a functional part of the structure;
 - A more detailed analysis of the landscape components of the site and development of a bespoke enhancement strategy for each with reference to the High Weald AONB Management Plan.

- Closer examination of the historic landscape and visual context and clear landscape objectives of “restore, enhance and connect” which results in a series of landscape improvements that make a positive contribution towards AONB Management Plan Objectives and subject to appropriate management, outline proposals for which are already provided, greater biodiversity enhancements.
- More detail has also been provided regarding the design process.

2.13 These changes follow the refusal of the first application and subsequent pre-application advice; plus two reviews of the scheme by the South East Design Panel in March and October 2019.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area	6.74ha	6.74ha	None
Land use	Agricultural	1 x dwelling and rest to remain in woodland/ agricultural use	
No. of storeys	0	2	+2
Max height	0	6.9m	+6.9m
No. of residential units	0	1	+1

4.0 PLANNING CONSTRAINTS

- Agricultural Land Grade 3 and 4
- Ancient Woodland + 30M Buffer Area east, south east and north west sides of site
- Area of Outstanding Natural Beauty (*statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000*)
- Outside the Limits to built development (LBD)
- Within 250M Buffer Of TWBC Quarry / Landfill Site – this former landfill is off-site to the south and much of the application site is within the 250m buffer
- Potentially Contaminated Land + 50m buffer – southern end of site only
- Site Of Special Scientific Interest (Robins Wood) includes part of east end of site
- Public Footpath to south and east of site
- Grade II listed building (Bare Tilt Farmhouse) to NW of site on the opposite side of Water Lane (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF) (2019)
National Planning Practice Guidance (NPPG)

Site Allocations Local Plan Adopted 2016

Policy AL/STR 1: Limits to Built Development

Tunbridge Wells Borough Core Strategy 2010

Core Policy 1: Delivery of Development
Core Policy 4: Environment
Core Policy 5: Sustainable Design and Construction
Core Policy 6: Housing Provision
Core Policy 8: Retail, Leisure and Community provision
Core Policy 14: Development in Villages and Rural Areas

Tunbridge Wells Borough Local Plan 2006

Policy LBD1: Development outside the Limits to Built Development
Policy EN1: Development Control Criteria
Policy EN13: Tree and Woodland Protection
Policy EN16: Protection of Groundwater and other watercourses
Policy EN18: Flood Risk
Policy EN25: Development affecting the rural landscape
Policy TP4: Access to Road Network
Policy TP5: Vehicle Parking Standards

Hawkhurst Neighbourhood Development Plan

Policy HD1 (a): Site Selection Criteria
Policy HD2: Future Housing Mix
Policy HD3: Modern Living
Policy HD4: Design Quality
Policy LP1: Views to Open Countryside
Policy LP2: AONB Support
Policy AM1: Highgate Hill Junction

Supplementary Planning Documents:

Landscape Character Area Assessment 2018: Benenden Wooded Farmland
Renewable Energy SPD

Other documents:

Kent Design Guide Review: Interim Guidance Note 3 (Residential parking);
High Weald AONB Management Plan

6.0 LOCAL REPRESENTATIONS

- 6.01 Three site notices were displayed along Water Lane in August 2020. The application was also advertised in the local press. No local representations have been received.

7.0 CONSULTATIONS

Hawkhurst Parish Council

- 7.01 **(15/09/20)** - This is an application for a large isolated house on a greenfield site, well outside the LBD and beyond walking distance of facilities. Therefore, it does not comply with either HD1 or HD2 of the NDP. However, the application relies on paragraph 79e of the NDP in that the design is of exceptional quality being truly outstanding or innovative (in this case both), reflecting the highest standards in architecture, and helping to raise standards of design more generally in rural areas.
- 7.02 It is evident that the applicants have given careful consideration to the landscape setting within the AONB and has taken on board the policies of the NDP. The environmental credentials of the design are impressive. The inclusion of a guest suite

on the ground floor means that property will be able to meet the future needs of residents in line with HD3.

- 7.03 HD4 allows for careful innovation in design. The use of traditional materials in an innovative design is welcomed by the Parish Council.
- 7.04 HPC does have reservations about the use of such a big greenfield site for one house. However, the location of the house within the site has been carefully considered to have minimal impact on the surrounding landscape. Welcome the reinstatement of the field boundary and the creation of seasonally-grazed wildflower meadows, together with the other landscape and biodiversity enhancements.
- 7.05 It seems clear that the landowners value the landscape setting of this site. However, can this be guaranteed with changes of ownership in the future. Therefore, HPC would like to see a condition that requires the land to be managed appropriately in perpetuity and prevents any further development of this site. Similarly, the unique design is a key factor in the application. Therefore, request a condition that removes any permitted development rights.
- 7.06 HPC remains extremely concerned about the impact on the traffic through the crossroads. Appreciate that as a development of a single dwelling, it would be inappropriate to expect the applicant to have undertaken a transport assessment. However, HPC's view is that it is the cumulative impact on the crossroads that needs to be considered. This month alone, HPC have applications for six new dwellings within the village. KCC Highways response on these smaller applications is that it does not warrant their involvement. Whilst this may well be the case for each application separately, it ignores the cumulative impact of each additional house. KCC Highways has already indicated that an additional 22 trips through the junction at peak times would amount to the residual cumulative impact on the road network being severe. However, this is not necessarily the threshold at which the impact would be considered to be severe. Therefore, HPC would request that TWBC satisfies itself that KCC Highways has properly considered the cumulative impact of each additional property.

Forestry Commission

- 7.07 **(01/09/20)** – standard advice given regarding impacts on Ancient Woodland

Natural England

- 7.08 **(09/09/20)** - Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Robins Wood Site of Special Scientific Interest (SSSI)

- 7.09 Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.
- 7.10 Robins Wood SSSI is a water quality sensitive ancient woodland with a diverse range of aquatic habitats and a rich assemblage of ferns, mosses and liverworts. A review of the documents associated with this planning consultation reveals some essential proposals in preventing damage to this SSSI. For example, the proposed sustainable drainage system (SuDS) aims to manage all surface water run-off in a way that protects and preserves the water-dependent SSSI. The Design and Access Statement (July 2020) summarises plans for gill woodland extension, an ancient woodland buffer and woodland management, which will prevent harm and present ecological opportunities where this development site borders with the designated

site. Additional proposed habitat restoration and enhancement in the land between the new house and Robins Wood will create further protections for the highly sensitive woodland. Advise that these plans are secured and managed in perpetuity alongside a commitment to best practice construction, as recommended by the Preliminary Ecological Appraisal (October 2016), in order to safeguard the aforementioned interest features.

- 7.11 In light of these associated and integrated works, therefore advise that this SSSI does not represent a constraint in determining this application.

Protected Landscapes – High Weald Area of Outstanding Natural Beauty (AONB)

- 7.12 The proposed development is for a site within a nationally designated landscape namely the High Weald AONB. It is acknowledged that a Landscape and Visual Impact Assessment (June 2020) has been undertaken and concludes that the proposal is acceptable. Natural England advises that the planning authority also uses national and local policies, together with local landscape expertise and information to determine the proposal. Further advice on designated sites/landscapes and advice on other natural environment issues also given.

Summary

- 7.13 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Southern Water

- 7.14 **(22/09/20)** - The Environment Agency should be consulted directly by the applicant regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation. Standard advice given regarding a SUDS scheme.

KCC Public Rights of Way & Access Service

- 7.15 **(07/09/20)** - Public footpath WC133 is south east of the site. The proposed house is approximately 300 metres from the public right of way. From the information supplied, do not believe the proposals will affect the public right of way which is outside the site boundary and approximately 300m from the proposed new house. Any visual impact from the public right of way would be for the planning officer/landscape officer to assess.

KCC Heritage

- 7.16 **(08/09/20)** - The site of proposed works lies in an area with potential for post medieval or earlier remains associated with the 16th century or earlier community here, including Tudor Hall and the Oak and Ivy inn. Remains associated with this activity may survive on the site and as such a condition is recommended.

KCC Highways

- 7.17 **(15/10/20)** - In recent months KCC Highways have been involved in a Judicial Review and an appeal regarding the impact of new development on the Hawkhurst signalised crossroads junction.
- 7.18 The Judicial Review for The White House TW/19/01271 centres around whether the cumulative impact of two additional trips in each of the peak hours alongside the committed development in the village would constitute a 'severe' impact at the signalised junction in Hawkhurst. The appeal at Land at Ockley Road and Heartenoak Road TW/18/03976 will consider whether trips from the proposed development added to committed development trips will result in the residual cumulative impact on the road network being 'severe'.

- 7.19 Neither the JR nor the appeal have been determined as yet. The complexity of the Hawkhurst junction has been evident in the JR hearing and the appeal statements over recent months. The results of these challenges will provide clarity from PINS and the High Court on how KCC Highways and TWBC Planning Authority should be assessing applications that impact on this junction.
- 7.20 The applicant has not assessed the impact of the proposed dwelling on the junction, but it can be assumed to be one or two trips in the both of the peak hours. Whilst the traffic generated by one dwelling is not normally considered significant, the situation outlined above means KCC Highways cannot comment on this application with confidence until the results of the JR and appeal are known. It is therefore recommended that a holding objection is placed on this application.
- 7.21 **(17/09/20)** - It is KCC Highways protocol that we comment on this site owing to its location on a classified road and that it would appear that the proposal will result in intensification of use of the existing access. Please can the applicant provide clarification as to what else it currently serves together with details of the visibility splays at the access.
- 7.22 Also in the light of the recent challenge it will be necessary for the development to estimate the likely number of trips that will pass through the crossroads junction.

KCC Economic Development

- 7.23 (23/09/20) – following S.106 contributions sought;

Request Summary

	Per House (x 1)	Total	Project
Primary Education	£4642.00	£4,642.00	Contribution to be applied towards Hawkhurst Primary School expansion
	Per Dwelling (x1)	Total	Project
Cranbrook Hub	£419.63	£419.63	Towards Cranbrook Community Hub to accommodate increased demand for Libraries, Adult Learning and Social Care generated from the development
Youth Service	£65.50	£65.50	Contributions towards additional resources for the Kent Youth Service in the Hawkhurst area
Social Care	All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2)		
Waste	£167.45	£167.45	Towards Tunbridge Wells Waste Transfer Station and new MRF
Broadband:	<p>Condition: Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mb) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.</p> <p>Reason: To provide high quality digital infrastructure in new developments as required by paragraph 112 NPPF.</p>		
Highways	<i>Kent Highway Services will respond separately</i>		

Mid Kent Environmental Protection

- 7.24 **(21/08/20)** - Land Contamination: recommend a contaminated land condition due to there being an area of unknown, made up former quarry land roughly 20 metres from the edge of the site.
- 7.25 Air quality: The site is outside any Air Quality Management Area, and do not consider the scale of this development and/or its site position warrants either an air quality assessment or an Air Quality Emissions Reduction condition applied to it. However, do consider that installation of an Electric Vehicle charging point would be a useful promotion of a sustainable travel option.
- 7.26 Noise: consider that it is unlikely for there to be any noise impacts of the development on existing local residences other than during the construction phase. Traffic noise is unlikely to be a significant problem for this particular site.
- 7.27 Drainage / Sewage: Full details regarding how foul sewage will be dealt with should be provided as a planning condition.

- 7.28 Private Water Supplies: note that there are no known private water supplies in the vicinity.
- 7.29 Radon: There is no indication of any significant chance of high radon concentrations.
- 7.30 Construction Demolition: Any demolition or construction activities may have an impact on local residents and so the usual conditions/informatives should apply in this respect.
- 7.31 Waste: Details of waste storage and disposal should be provided.
- 7.32 RECOMMENDATIONS: No objection, subject to comments above plus conditions (land contamination, hours of construction, foul drainage and refuse storage) and informatives (Mid Kent Code of Environmental Practice).

TWBC Client Services

- 7.33 **(12/08/20)** - Bins to be purchased from TWBC by the developer or their client prior to the property being sold or occupied. Containers to be placed adjacent to the highway for collection

TWBC Landscape & Biodiversity Officer

- 7.34 **(13/08/2020)** – comments addressed in report appraisal section

TWBC Principal Conservation Officer

- 7.35 **(16/09/20)** – Having reviewed the application in respect to the setting of near by listed buildings, the setting of these buildings will not be impacted by the proposals and that specialist advice from the Built Heritage Team is not, in this case, necessary for the determination of this application.

TWBC Urban Designer

- 7.36 **(16/09/20 - summary)** – Although the criteria to achieve a para 79 scheme are very demanding, in their considered view this is a scheme has met them and is one they can fully support (*rest of comments addressed in report appraisal section*)

South East Design Review Panel

- 7.37 In addition, the proposal has twice been presented to The Design Review Panel by the applicants. The Panel is not a LPA consultee, but provides impartial expert advice to applicants and local authorities on design issues in relation to important new development schemes and proposals for important public spaces, including significant minor applications, major planning applications and pre-application development proposals. The aim of The Design Review Panel is to improve design quality in the built environment. Its role is to review development proposals and provide feedback to developers, clients and local authorities.
- 7.38 Projects will be presented to an independent Panel with at least 50 years combined experience with a different range of current experience and expertise in design and construction. As a prerequisite to joining the panel, these practitioners will have demonstrated a track record of good design in their own projects and the skills to appraise schemes objectively.

- 7.39 The March 2019 Review raised a number of concerns about the project;
- It may be beneficial for the landscape proposals to specifically prove how the scheme has responded to the stated 'design considerations';
 - A proposed management timeline may be helpful;

- The proposed woodland areas may benefit from being reduced in scale;
- The proposed SUDS should be demonstrated as a response to the LVIA;
- The proposals should further consider & demonstrate how domestic paraphernalia will be controlled;
- The landscape design proposals may benefit from another layer of detail being provided; a detailed landscape plan may be beneficial;
- The quality of the external workshop space is questioned.
- It is felt that currently there is little connection between form & function for the garage / workshop space;
- There is a concern regarding the quality of the garage / workshop space in terms of daylight as well as the positioning of structural columns;
- There may be an opportunity to provide separate roofs over the two separate built forms that connect centrally;
- There may be an opportunity to further consider the materiality of the proposed roof structure;
- The wall of the proposed garage may benefit from conveying a greater sense of solidity;
- The proposed conversation pit results in an awkward space around it, & this may benefit from further consideration;
- A 3D printed model of the building within the site would be an extremely useful presentation tool.

7.40 The recommendations of the October 2019 Review were;

- It is considered the design proposals have evolved well following the previous design review session;
- The Panel considers that the design of the proposals has met the criteria set out in Paragraph 79 (e) of the National Planning Policy Framework, (NPPF);
- It is considered the proposals are truly outstanding, are reflective of the highest standards in architecture and would help to raise standards of design more generally in rural areas;
- It is felt the proposals have demonstrated they would significantly enhance their immediate setting; and are sensitive to the defining characteristics of the local area;
- The reduced orchard area, subtler woodland connections & closer reinstatement of the historic field pattern are all beneficial;
- The proposed landscape design & building design enjoy a symbiotic relationship with each other;
- There may be an opportunity for the design of the entrance 'hide & reveal' to be more clearly explained;
- The clients' supporting document "What makes us tick" is felt to be extremely useful;
- It may be useful to prepare an overall contextual image from a distance that shows the completed project in its wider context.

7.41 As stated within the National Planning Policy Framework (NPPF) at Para 129, the Design Review Panel's feedback is a material consideration for local authorities when determining planning applications.

8.0 APPLICANT'S SUPPORTING COMMENTS (taken from conclusion of Design & Access Statement)

8.01 The design team is delighted to present to Tunbridge Wells Borough Council our revised proposals for the erection of a new dwelling of exceptional quality of design +

landscape enhancements within the open countryside of Hawkhurst, Kent, specifically formulated under the policy provisions of paragraph 79(e) of the National Planning Policy Framework.

- 8.02 The proposal is for a new dwelling in the countryside. Paragraph 79 of the Framework states that isolated new homes in the countryside should be avoided unless there are special circumstances. The site lies within an isolated location within the countryside. The fifth criterion is the only relevant one to this proposal and this requires an exceptional quality or innovative nature of design of the dwelling. The passage continues, such a design should *“be truly outstanding or innovative, helping to raise standards of design more generally in rural areas; reflect the highest standards in architecture; significantly enhance its immediate setting; and be sensitive to the defining characteristics of the local area.”*
- 8.03 The requirement in the Framework to ‘enhance’ is predicated on there being a new dwelling placed where none existed.
- 8.04 Having regard to the above, the design team submits that the development proposals exhibit the level of quality in both landscape and architectural design terms to be considered a house of exceptional quality and innovative nature of design.
- 8.05 The design team’s submissions in respect of the design quality of the proposals is supported by independent analysis by The Design Review Panel. The Panel is supportive of the design approach and considers that the submitted proposals have responded to the suggestions and comments made in their initial feedback.
- 8.09 The Panel consider that the proposals meet the requirements of paragraph 79e) of the NPPF insofar as the proposals:
- Have demonstrated that they are truly outstanding and innovative, and that they may help to raise the standard of design more generally in rural areas;
 - Do reflect the highest standards in architecture, have demonstrated that they significantly enhance the immediate setting, and are sensitive to the defining characteristics of the local area.
- 8.10 Having regard to the above, it is submitted to the Council that the multi-faceted nature of the proposed development represents a truly outstanding and innovative design, reflecting the highest standards in architecture that will significantly enhance its immediate setting, whilst being sensitive to the defining characteristics of the local area, thereby helping to raise consciousness of high quality sustainable design and construction and of standards of design more generally in rural areas.
- 8.11 For the aforementioned reasons, it is submitted that the quality of the design, incorporation of sustainability concepts from the start, together with ecological benefits and a sensitivity to the defining characteristics of the local area are sufficient to justify the scheme when considered against the criteria set out in paragraph 79e) of the Framework, the relevant policies of the development plan, and supplementary planning guidance. Taken as a whole, the proposal constitutes sustainable development. The applicants respectfully request that Tunbridge Wells Borough Council continues to adopt its support for the objectives inherent within the proposals, as outlined at the pre-application stage, and gives substantial weight to the benefits that would only flow from the grant of planning permission.

9.0 BACKGROUND PAPERS AND PLANS

- 9.01 Application form
Design & Access Statement
Arboricultural Impact Assessment (ref: SY-101-16-03-02)
Tree Survey Report and Tree Constraints Plan (ref: SY-101-16-03-01)
Design Review Panel 12.03.19
Design Review Panel 16.10.19
Evolution of Interseasonal Heat Storage Technologies document
Joined up thinking in practice document
Flood Risk Assessment (23/11/16)
Great Crested Newt Survey Report October 2016
Historic landfill analysis
Preliminary Ecological Appraisal October 2016
SUDS scheme details
'What makes us tick' document
Existing Site Plan
Proposed Site Plan
Proposed north, south, east and west elevations
Site location plan

10.0 APPRAISAL

- 10.01 The site is outside the LBD and within the AONB countryside. The main issues are therefore considered to be the principle of the development at this site, which centres on whether the proposal complies with NPPF Para 79 (e) (which includes design, the impact on the AONB/landscape, sustainability matters, ecology, drainage etc); residential amenity, highways/parking, impact on heritage assets, and other relevant matters.

Principle of development Housing land supply

- 10.02 The site is outside the Limits to Built Development (LBD) and within AONB countryside. The adopted Development Plan policies seek to direct new residential development to the most sustainable locations, which are indicated by the LBD. The fact that the Council cannot demonstrate a 5 year housing land supply - the April 2020 monitoring work indicates only 4.83 years. This is relevant to this application, however owing to the nature of the proposal it does not carry the weight it would in ordinary housing applications.
- 10.03 Where a Local Planning Authority cannot demonstrate a five year housing supply, Paragraph 11 (d) of the NPPF is engaged. This states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
- “i. the application of policies in this Framework (listed in footnote 6) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*
- 10.04 Footnote 7 to the NPPF states that this includes (for applications involving the provision of housing) situations where the LPA cannot demonstrate a five year supply

of deliverable housing sites with the appropriate buffer, as set out in paragraph 73. Footnote 6 states these policies include AONBs and heritage assets.

- 10.05 NPPF AONB policy does not create a blanket presumption against new housing in the AONB, but does require detailed consideration of the impacts of new development in such locations. Para 172 also restricts major development within AONBs, however this proposal is not considered to fall into that category.
- 10.06 Therefore the relevant test is whether or not the proposal would represent a sustainable form of development, having regard to local planning policies and the NPPF, and particularly whether specific NPPF policies within para 11 and Footnote 7 indicate this development should be restricted. Para 8 of the NPPF explains that there are three dimensions to sustainable development:

“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;

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

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.”

- 10.07 It can be seen that sustainability is thus a multi-faceted and broad-based concept. It is often necessary to weigh certain attributes against each other in order to arrive at a balanced position. The following paragraphs of this report assess the proposal against the three roles as defined by the NPPF.

NPPF Para 79 and whether the dwelling is ‘isolated’

- 10.08 The NPPF at para 79 provides policies on “isolated” new homes in the countryside. It states that Local Planning Authorities (LPAs) should avoid new isolated dwellings there. This is reflected in adopted Development Plan policy, including the spatial strategy of Tunbridge Wells Borough (as reflected in Core Policies 1 and 14 of the Core Strategy (CS), which seeks to focus new residential development within the LBD of the towns and villages of the Borough). Whilst the LBD as a restraint on new housing development in itself is not “up-to-date” with the NPPF (for the reasons set out above), the sub-text to Policy LBD1 in the Local Plan (para 3.39) sets out that the LBD’s purpose is to direct development to built up areas to ensure sustainable development patterns.
- 10.09 The site is distant from the LBD (1.45km from the Hawkhurst Business Park LBD, although this is only an industrial site; 2.6km from the Hawkhurst village LBD and 3.3km from the Cranbrook LBD. The application site is thus in an unsustainable location, a significant distance from facilities and with no public transport available. The occupiers will be highly likely to be dependent on use of the private car.
- 10.10 However, simply because a proposed dwelling would be poorly related to services and village/town centres does not necessarily make it ‘isolated’. The dwelling would be close to a building currently in use as a rifle range, which is open to members of

the public who belong to the local Tubslake Shooting Club between 9am and 11pm (10.30pm Sunday). The adjacent building - currently in use - benefits from planning permission granted in 1985 (85/01554/FUL) for a mixed use of storage and B1 light industry (a workshop and store with an ancillary office).

10.11 On the other side of the road from the proposed site of the dwelling, approximately 130m away, is Bare Tilt Farm (a dwelling with accompanying farm buildings and an open, working farmyard). A small settlement (Four Wents) based around the crossroads of Water Lane, Potters Lane and Attwaters Lane is 400m to the south and includes seven dwellings, various farm buildings and a private equestrian facility attached to Four Wents House. There are further groupings of dwellings and farm buildings within 500m of the site at Potters Farm in Potters Lane to the SW; Attwater and Rowan Cottages to the SE and Tubslake Farm to the NW. Furthermore the site is less than 1km from the busy A229. Water Lane is designated as the C109, a classified road and the dwelling is located close to it. The proximity of the nearby buildings are part of the reasoning behind the dwelling's siting.

10.12 The overall location is nonetheless very rural and distant from services. It was considered in the Officers' report to the previous application (January 2018) that the area was not 'isolated' as it was not considered sufficiently remote or distant from other buildings. However in July 2019 an appeal decision on a similar scheme was dismissed (APP/M2270/W/18/3210068 - *Fairman's Meadow, Land to the east of Brattles Grange, off Fairman's Lane, Brenchley, Kent TN12 7AP*) in which the Inspector stated at Para 9;

'The appeal site is substantial in size. The dwellings along Spout Lane and Fairman's Lane are sited mostly in dispersed groups along road frontages or in isolation, with visible undeveloped areas in between. There is little development beyond the other boundaries of the site. As a result, this pattern of development would give little sense of connection or cohesion, and as a result, the area is considered isolated.'

10.13 Development around this Water Lane site is far more scattered and considerably less in quantum than in the Fairmans Lane scheme - the site is similarly distant from the nearest villages. Thus, taking in to account all of the above, the site is considered 'isolated' given the sparse, scattered nature of nearby development, the overwhelmingly rural nature of the site along with its separation from other buildings and dwellings and centres of activity.

10.14 Compliance with Para 79 overrides the requirement within Para 78 for new rural housing to be located in places where it will enhance or maintain the vitality of rural communities. Nevertheless it is considered that the proposed location of the dwelling would, in a minor way, support services in Cranbrook and Hawkhurst.

10.15 In these particular circumstances, there is scope for a new building to raise the general standard of architecture and the quality of the local environment.

'Major' development in the AONB

10.16 The NPPF at paragraph 172 also relates to major development in the AONB and states that "*Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.*" Footnote 55 states that "*whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.*"

10.17 In this case, given that the proposal comprises a single dwelling and a comparatively limited amount of new built development within the AONB; despite the large site area (6.74 ha), it is not considered that this should be considered as a 'major' development. The majority of the site will not be 'developed' with buildings, hard surfacing or similar interventions.

NPPF Paragraph 79 (e)

10.18 Para 79 specifically states that special circumstances which could amount to a departure from the general policy of avoiding new isolated homes in the countryside, one of which is where;

e) the design is of exceptional quality, in that it:

- *is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
- *would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

10.19 All of the criteria are required to be met for the case of "exceptional quality" to be made. In this context 'design' does not apply exclusively to the architecture of the dwelling itself but the design of the whole project, including landscape enhancements and the way in which the dwelling relates to its surroundings. The exception has been a part of national planning policy, albeit worded in different ways, since the late 1990s.

10.20 This report will subsequently assess the degree to which the proposal can be considered to accord with/satisfy these requirements. They also overlap - for example, the degree to which a proposal is sensitive to the defining characteristics of the local area and would significantly (or otherwise) enhance its immediate setting is also integral in assessing whether the proposal will protect or enhance the character and scenic beauty of the AONB, which is a material consideration in its own right (and accordingly will be addressed below). It is also considered to be an integral facet in developing high quality design and architecture. As such, although the report will attempt to reach conclusions on each individual matter, it is important to have regard to them in combination when reaching an overall conclusion in design terms.

10.21 This is to be read in conjunction with NPPF Para 124, where it is set out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. It also states that good design is a key aspect of sustainable development. Para 129 states that LPAs should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include design advice and review arrangements. In assessing applications, LPAs should have regard to the outcome from these processes, including any recommendations made by design review panels. Para 131 states that great weight should be given to outstanding or innovative designs which help to raise the standard of design more generally.

10.22 Para 170 which states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services; minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; and minimising

impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 10.23 Para 172 states that great weight that should be given to conserving landscape and scenic beauty in, among others places, Areas of Outstanding Natural Beauty. Para 175 seeks to avoid development that causes a harmful impact towards SSSIs, ecological interests and loss of irreplaceable habitats.

Sensitive to defining characteristics of the local area

- 10.24 An approach for a new dwelling under NPPF paragraph 79 (e) will be unique for each proposal and there is no size which would fit all solutions. This is reflected in the limited number of approved para 79 (e) (previously 'Para 55' and 'PPS7'/'PPG7') houses elsewhere in the country. They range from grand houses in parkland settings where the house should be seen as part of the landscape, to ones where the new dwelling is disguised and attempts to be invisible so as to not compromise the openness or views or to impose itself on the landscape.

- 10.25 Adopted Development Plan Policy (including Core Policies 4 and 14) requires the conservation and enhancement of the AONB and rural landscape. Policy EN1 requires new development to achieve a design that respects the context of the site. Policy HD4 of the Hawkhurst NDP (Design Quality) requires the design, form and detail of new developments to principally be informed by the traditional form, layout, character and style of the parish's vernacular architecture.

- 10.26 Objective S3 of the High Weald Area of Outstanding Natural Beauty Management Plan which seeks to enhance the architectural quality of the High Weald and ensure development reflects the character of the High Weald in its scale, layout and design. The High Weald AONB Design Guide (November 2019) seeks to ensure higher quality and landscape-led design that reflects intrinsic High Weald character, and is embedded with a true sense of place, without stifling innovation and creativity.

- 10.27 The High Weald AONB Management Plan details that the AONB as a whole is;

“characterised by dispersed historic settlement, ancient routeways, an abundance of woodland, wooded heaths and shaws, and small irregularly shaped fields. These are draped over a deeply incised and ridged landform of clays and sandstones with numerous gill/ghyll streams, and are closely related to socio-economic characteristics that have roots extending deep into history”.

- 10.28 The Council's Landscape Character Assessment details Wooded Farmland areas (of which the application site is one) at para 4.1 as;

“Extremely varied and complex landscape. Distinct , high ridges with weathered sandstone outcrops intersected by ravine woodland, beech and holly hedges and sunken lanes. These contrast with unimproved pasture and common land. Other characteristics include rolling upland areas, incised by valleys, with small settlements and pastures hidden within a framework of deciduous, ghyll and shaw woodlands.”

- 10.29 Landscape Character Area 6 (Benenden Wooded Farmland, which includes this site) is defined at p.111 as;

‘A peaceful rural landscape of rolling hills with scattered farmsteads and rural dwellings, often concealed by woodlands and the topography, but representing a rich built heritage. The interconnected wooded framework, created by the ecologically-valuable incised ghylls and field boundary shaws, is one of the defining

features of the area. The landscape also has an 'ornamental' overlay created by the formal parklands, which can be glimpsed from the public roads.'

10.30 Valued features and qualities (as relate specifically to this site) are;

- 1) The scenic rolling hills and wooded ghyll valleys. The ridgelines and gently undulating hills permit intermittent and glimpsed views within the area, which occasionally stretch for considerable distances across the High Weald.*
- 2) The pattern of dispersed historic farmsteads and hamlets and locally distinctive buildings which add important local character to the landscape and a sense of history.*
- 3) Ancient routeways that form a clear network of rural lanes, footpaths and tracks, lined by hedgerows or woodland which add historic interest and local distinctiveness to the landscape.*
- 4) Woodland, providing a strong landscape framework– particularly ancient woodlands, ghylls and shaws. This is of value for many reasons including historic, aesthetic, biodiversity and recreation interest.*
- 5) The intact historic landscape pattern of small and irregular fields bounded by woodland, shaws and ghylls, closely related to the presence of historic farmsteads and the network of ancient routeways.*

10.31 Landscape detractors within the area are the general detractors as set out in Chapter 3 of the LCA introduction. These include;

- Increasing suburbanisation of the wider rural landscape;
- Dilution of the strong local vernacular with sometimes poor interpretation of traditional building styles and layouts;
- Loss of sense of remoteness and the special perceptual qualities of peacefulness and tranquillity;
- Loss of landscape features due to development - existing landscape features should be conserved within development schemes;
- Increasing artificial light pollution which results in the loss of dark skies, the loss of the sense of remoteness and adverse effects on wildlife;
- Neglect of the landscape, particularly small parcels, as a possible prelude to development;
- Loss of unimproved and semi-improved grassland.

10.32 Key local objectives are to maintain the essentially wooded and rural agricultural character of the area; Ensuring that the well-managed, small-scale agricultural character remains intact, preventing hedgerow loss and ensuring that the existing pattern of settlement (small-scale dispersed rural buildings) is protected.

10.33 The local landscape is significantly influenced by the wooded gill valleys traversing the north east of the site. This is designated as the Robins Wood SSSI and is also classified as Ancient Woodland. The humid conditions prevailing in such places support a rich assemblage of ferns, mosses and liverworts including species which are rare in Kent. Gills hold a special significance both to the cultural landscape patterning of the High Weald and represent the residue of woodland left un-cleared due to 'inferior soils and difficult topography' during the period of clearance up to the 14th Century. Gills are central and distinctive features signalling the cultural development of the landscape, whilst simultaneously constitute an enduring element of wildness within the landscape.

- 10.34 The interconnected wooded framework is created by the ecologically valuable incised gills and field boundary shaw and imparts a strong sense of pattern, orientation and subdivision within the local landscape. The field pattern is predominately characterised by small-scale, irregularly shaped fields bounded and strengthened by woodland shaws and hedgerows, and typically used for sheep grazing; small holdings; and a non-dominant agriculture. Fruit orchards are a significant component of the local landscape character to the north and west of the site.
- 10.35 Settlement has over time developed along the ridge top roads and radiating driveways within the landscape. Built features are widespread within the landscape and it is not uncommon to see farm buildings and dwellings in short and long distance views. Buildings within the landscape have a strong identity to the local vernacular, particularly in the use of locally sourced materials. Dispersed isolated farmsteads, including individual farmsteads and houses along ridge-tops, create the impression of a settled landscape but which does not detract from rural quality. Houses and farmsteads are common in mid to long distance views situated upon the ridge lines. A network of rural lanes which follow ancient routeways and ridgelines and which dip into the intersecting wooded valleys and cross the open pasture areas.
- 10.36 Timber and clay are the predominant building materials as they are historically sourced from the local area. Timber is used as timber framing, weatherboard cladding, decorative barge boards and window frames. The timber is often treated or painted to extend its life expectancy. Clay is formed into bricks and tiles, these tiles are both used as a roof finish and hung on the facade. The clay tile roofs are often steeply pitched and tile hanging extends towards the floor through use on the upper elevations. The higher floors of the house are often concealed within the roof and are apparent through the dormers. The eaves and ridges of the buildings rise and fall with the movement of the timber frame beneath. This movement is argued by the applicant to have generated a language of undulating lines within the local landscape character.
- 10.37 The application site is set within a rural landscape interspersed with isolated settlement. The site is of an irregular shape and extends eastward from Water Lane, with which it shares a boundary. Whilst the internal parts of the site are open, the boundaries of the site comprise mature trees and hedgerows. In addition, there is a belt of trees along the western boundary of the site, adjoining Water Lane. The eastern part of the site comprises woodland, forming part of a much larger area of Gill Woodland surrounding a small stream that runs broadly in a north west to south east direction at this point. There are dispersed historical farmsteads in the surrounding area. Hedgerows and extensive woodland cover provide a mosaic of intermingled semi-natural habitat. High voltage power lines pass above the eastern part of the site.
- 10.38 In summary, the defining characteristics of the local area are;
- The 'conceal and arrive' entrance experience, where dwellings remain concealed at the entrance and are then glimpsed as part of an approach sequence to the dwelling in the wide landscape;
 - Winding access drives through parkland, with field trees and small copses;
 - Field trees which create a distinctive pastoral character and are part of the transition between the dwelling and the working agricultural land, plus enhance parkland character;
 - Woodland and high levels of tree cover as a backdrop;

- Connecting views, where the dwelling responds to key views that connects the dwelling with the local landscape features;
- Formal transitional spaces between dwellings and agricultural land bounded by hedges or terracing;
- Produce or kitchen gardens to the side or rear of the house;
- Side/rear courtyards upon arrival at the dwelling, the access to which often pass ancillary outbuildings;
- Ridgeline woodland settings;
- Accesses at breaks in hedgerow or woodland, extending through woodland shaw;
- Access tracks extending out of view.

10.39 The site comprises one large arable field whose scale is argued to be out of context to the small scale irregular field pattern of the local landscape. Robust field shaws that formerly connected the two mature Oak trees and areas of ancient and semi-natural woodland have been lost from the site over time. The revised proposals would restore the landscape pattern of the site through the reinstatement of the lost boundary shaw and hedgerows and enhance the distinctive and historical small scale irregularly shaped fields bounded by hedgerows and woodlands, in accord with the High Weald AONB Management Plan. The intimate landscape pattern and diversity to enhance the character and local distinctiveness of the site and its contribution to the immediate and surrounding area would be recreated. It is not a case of planting areas of trees and woodland to add to benefits of the scheme. The planting needs to be appropriate, reflective of the surroundings and replace historic planting

10.40 The existing gill woodland would be extended over an area contiguous with the area of sandy soil characteristics which form the gill valley. The new robust field boundary shaw defines this change and coincides with the noticeable change in the topography at the eastern side of the site which responds to similar soil characteristics and the pattern of the gill woodland.

10.41 The precise siting of the dwelling toward the western part of the site has been influenced by the site's landform, topography and opportunities for enhancement, and in turn its effect upon the wider landscape, taking account of physical 'enhancers' (as described by the applicant) including the field boundary shaw, semi-mature oak trees, woodland ponds, wooded gill valley; and 'detractors' including open storage areas associated with the adjacent building.

10.42 The dwelling location responds to and controls views over its landscape and beyond, being sited towards the ridge line as other dwellings/farmsteads are. The enhanced woodland backdrop together with the rising topography beyond the dwelling reinforces local setting characteristics. The location enables the existing vehicular access to be used, avoiding the need for a new access so preserving the rural character of Water Lane and minimising intervention in the landscape. This location also protects the ecological value of the Robins Wood SSSI and the Ancient Gill Woodland and provides opportunity to reinforce and enhance the structural landscape qualities of the site and in turn to enhance the immediate setting of the dwelling.

10.43 The building itself has been purposefully sculptured into the contours of the site with the form and massing of the building designed not to be readily apparent from any one angle. Aspects of the dwelling that may otherwise be detractors, such as garaging, are hidden below ground. The orientation of primary windows and outlook

is away from the neighbouring buildings and across the 'private' landscape to the south and east.

- 10.44 The dwelling is anchored to two key views of the surrounding landscape and key feature trees within the site. In the first, the building orientation focuses on the mature Oak to the north boundary, connecting the dwelling to this natural heritage feature, whilst in the second a strong visual axis through the house to the long distant view locks the house into its landscape. The dwelling's location is therefore considered to respond to and control views over its landscape and beyond. The dwelling is also argued to be distanced from and purposefully not address what the applicant sees as the crude vernacular of the oast and shooting range building. This position would also enhance the isolated nature of the dwelling.
- 10.45 The informal layout created by a free-flowing building form is argued to be complementary to the natural environment within which the dwelling lies. The building's articulation, composition, materiality and detailing are devised to create a comfortable relationship between 'architecture' and 'landscape' creating the impression that the dwelling appears to have risen out of the ground and reducing the perception of its bulk and scale. Through these means, although the dwelling is necessarily of a different style and appearance to those buildings that surround it, it is entirely of its place, taking design cues from the undulating landscape and ultimately be sensitive to the defining characteristics of the local area.
- 10.46 As set out earlier the house has been presented to two Design Panels and refined following feedback, as well as seeking pre-application advice from the Council on which the Landscape & Biodiversity Officer commented in February 2020. The LBO's comments on the architectural elements are limited to placement in the landscape, building/landscape relationships and elements that are related to the AONB such as materials and general appearance. As previously stated, some overlap exists with architectural matters in terms of the landscape element in that the scheme is required to 'significantly enhance its immediate setting and be *sensitive to the defining characteristics of the local area*'. In this context the High Weald AONB itself sets a high bar for design.
- 10.47 The LBO considers there is a detailed analysis of the landscape components and each has its own enhancement strategy with reference to the AONB Management Plan objectives, with this element enhanced since the pre-application stage and the earlier submission. The examination of the historic landscape and visual context has in their view resulted in an approach with clear landscape objectives of 'restore, enhance and connect' which results in a series of landscape improvements that make a positive contribution towards AONB Management Plan objectives and subject to appropriate management, outline proposals for which are already provided, will improve biodiversity.
- 10.48 At the pre-app stage the LBO objected to the proposal to treat the main field as an amenity landscape. This has now been amended to use as a meadow with a grazing regime, which is supported.
- 10.49 The LBO considers the scheme includes significant enhancements and restoration of important landscape features in a sensitive manner. They remain of the view that it has the prospect of appearing very much part of the landscape and the placement within the landscape is appropriate. The landscape masterplan is then, subject to appropriate details and management being secured 'sensitive to the defining characteristics of the local area' through having apposite effect on the AONB

landscape and is likely to result in the enhancement of the immediate setting of the proposed dwelling.

10.50 The placement of the building in the landscape follows a traditional archetype of an isolated house with commanding views over fields and valley with rising land behind. The approach is not unduly complicated or fanciful but in the view of the LBO provides for controlled and interesting views of landscape and house. They deem the arrangement suggests a successful modern interpretation of the picturesque. The building is an interesting form that would reflect the rolling landscape of the High Weald and is nestled gently into the sloping land and has strong connections to it. The chief materials of clay brick and timber are part of the local vernacular, which further enhances the local distinction of the property. The use of entirely local timber for cladding would be a considerable positive feature that weighed in favour of the scheme as many schemes refer to local timber but few in their view deliver on it. The poles that support outer elements of the roof reflect hop poles and LBO considers it would be preferable if these too were timber. The proposal then has the prospect of appearing very much part of the landscape.

10.51 The TWBC Urban Designer considers the proposed design is a contemporary take on the Kent vernacular. The main form is articulated into two main elements which they feel are of a similar scale to the typical vernacular tradition. It then sits under a distinctive undulating roof. The proposal respects the rural vernacular but re-interprets it in a contemporary way for modern living needs. The layout and design though is bespoke to the site and its immediate setting. They consider the vocabulary of materials is of the locality. The setting and context has now been addressed and in their view, this design of the building is in harmony with the architectural vernacular of the area and sensitive to the Wealden landscape.

Significantly enhance its immediate setting

10.52 NPPF Para 79(e) specifically requires that a proposal significantly enhances its immediate setting. As detailed above, planning policy requires that developments conserve and enhance the AONB. Para 79(e)'s requirement for significant enhancement exceeds that which would usually be expected for development within the AONB.

10.53 The application sets out in detail that the proposal, including the woodland planting and habitat creation, enhance the immediate setting of the site in both landscape and ecological terms. Many of the issues this criterion raises have already been addressed above.

10.54 In its present form, the site consists of a large-scale arable field whose historic field pattern has been particularly eroded since the 1960s (largely as a result of intensive agricultural practices) and whose wider boundary enclosures are in decline. The applicant argues the immediate setting is limited. The neighbouring buildings to the west of the application site are seen as detracting features in the landscape setting of the site, whilst the natural features on the site, nearby SSSI and Ancient Gill Woodland are however positive features for which planning policies seek to protect and encourage enhancement. Neither Natural England nor the Landscape & Biodiversity Officer has identified any harmful impacts from the development towards the nearby SSSI or Ancient Semi Natural Woodland.

10.55 The application is informed and accompanied by a Landscape and Visual Impact Assessment (LVIA). The LVIA summarises that the proposed development would only be visible from two of the thirteen assessed viewpoints. The appearance of the proposed entrance would be slightly altered but are considered to comprise

qualitative improvements to the low sensitivity view. Changes here are restricted to slight changes to boundary and surface treatments. The proposed dwelling would not be visible from this point. The proposed dwelling could also be discernible from a distant viewpoint, however its proximity to existing buildings, proposed materiality of the dwelling and primary planting are argued to cause the proposal to be indiscernible in the medium to long term. The LVIA summarises that the overall anticipated effect upon visual amenity is considered to be negligible with no additional mitigation measures being required.

- 10.56 The LVIA sets out that the zone of visual influence (ZVI - the general area from which the proposed dwelling may be seen) is constrained by undulating topography and extensive woodland and hedgerows. The application site is almost entirely surrounded by tall hedgerows or woodland and in many of the views from nearby public footpaths and from Water Lane, the LVIA concludes proposed dwelling would not be readily visible. There is no reason to disagree with the LVIA findings, but it is to be remembered that this is only one aspect of the assessment (the extent of the visibility from public viewpoints). Officers consider, having visited the site, that the LVIA is a correct assessment.
- 10.57 Primarily, the development seeks to create a highly sustainable house of truly outstanding quality of design that will further the Government's design and sustainability objectives by assisting in meeting the challenge of climate change through high quality sustainable design and construction, thereby helping to raise the standards of design more generally. The previously described landscape conservation and enhancement works follow a principle of 'conservation first' followed by enhancement. The enhancement to the setting could not (and probably would not) occur without the presence of the house.
- 10.58 The applicant argues that the requirement in paragraph 79(e) of the Framework to "enhance" is predicated on there being a new dwelling introduced into an isolated countryside location where none may exist. In other words, any harm caused by the presence of the dwelling (regardless of its design quality) such as a new residential presence, lighting in the countryside etc needs to be outweighed by compliance with Para 79 (e).
- 10.59 In terms of ecological net gain the LBO considers the scheme would result in a significant net gain that is likely to be so great that there is no need to require a net gain calculation at this stage. However as measuring net gain is likely to be a future requirement as it is important to quantify and manage into the future what is being achieved. Thus there should be a clause within a LEMP requiring pre construction and periodic post construction assessments using the DEFRA metric to demonstrate what gains are achieved where.
- 10.60 The LBO advises that further advice on the LEMP and enhancements proposals can be obtained from the AONB Unit and Natural England and owing to the proximity of the SSSI this should be a requirement. The condition securing the LEMP can be worded to include this requirement. Natural England also support the plans for the extension of the gill woodland and associated buffer to the SSSI plus the other enhancements.
- 10.61 The LBO has only one concern with regards to the ecology report - it recommends a dormouse survey which has not been provided. Disturbance to this species is more likely to come from management rather than in the development stage and therefore in this case can be addressed by condition.

- 10.62 The LBO points out that Para 79 is however not the only policy that applies and so even if it meets all the tests of that policy it must also be judged against para 172 and the statutory requirement have regards to conservation and enhancement the AONB. On the question of 'conserve and enhance' whilst a wholly new dwelling in an isolated area on a green field site will inevitably give rise to significant overall effects on the landscape, it is in this case appropriate to consider the whole of the project in the round including the extensive scheme of landscape enhancements. The LBO suggests that it is possible for this scheme (subject to various details being secured by condition including the landscape management being secured for the lifetime of the development) for it to result in the AONB being conserved and enhanced.
- 10.63 The Urban Designer last time saw the proposed design as a contemporary take on the Kent vernacular. The main form is articulated into two main elements which are of a similar scale to the typical vernacular tradition. It then sits under a distinctive undulating roof. The proposal was seen as respecting the rural vernacular but re-interprets it in a contemporary way for modern living needs. The layout and design though is bespoke to the site and its immediate setting. They also set out that the materials are of the locality - the use of brick and tile and timber which can be locally sourced. Overall, they consider the design of the building is generally in harmony with the architectural vernacular of the area and sensitive to the Wealden landscape. The scheme is designed to be a contemporary interpretation of a farmhouse. The use of vernacular materials in in principle sensitive to the defining characteristics of the surrounding area, however their use in a contemporary form is not unknown.
- 10.64 The dwelling has been located on a part of the site where the slope is gentler. It has also been located close to a cluster of existing buildings and on the ridgeline that passes through the site. This is certainly is preferable to siting the building elsewhere within the plot where the slopes are steeper and there would be greater need for retaining walls and a greater amount of earthworks.
- 10.65 The TWBC Urban Designer now suggests that 'significantly enhances its immediate setting' has been one of the key improvements to this submission and now integrates the landscape and the development as a cohesive scheme. The analysis and siting is in their view still valid and acceptable. They agree that a stronger landscape led approach has now been applied to this submission, which has resulted in more open parkland approach rather than the introverted field pattern of the refused scheme. This also justifies the isolated country house typology in their view. The immediate setting has been restricted and clearly defined, which harmonises with the adopted architectural approach.
- 10.66 Ultimately the proposal consists of a two-storey innovative dwelling built into sloping ground in the western side of the site, close to existing buildings. The building has been designed utilising vernacular materials albeit with modern application, and modern sustainable materials and glazing. The design of the building is arranged for functionality with distinct geometry. Landscape and architecture are blended in the development proposal with careful arrangement of the topography around the building and configuration of the building into the landscape. This enables the volumetric size of the building to be hidden within the landscape. The landscape proposals, apart from grading around the building, include large-scale restoration of historic landscape features that have been gradually eroded over time and intensifying agricultural usage of the site. The landscape proposals restore habitat connectivity and ecological resource across the site with considerable investment in native landscape infrastructure.

10.67 The LVIA concludes that the proposal will not adversely affect the character of the High Weald Area of Outstanding Natural Beauty, a conclusion the LBO does not challenge. The proposals will meet several objectives of the High Weald AONB Management Plan by enhancing the natural beauty of the site and its immediate setting and reversing historic loss of small scale field pattern. Architectural incorporation of vernacular materials and large amounts of restorative native planting are argued to support traditional landscape management and strengthen the character of the AONB. Ancient Woodland and the SSSI will be protected through the establishment of broad buffer zones. The ZVI is limited given the surrounding topography and hedgerow.

10.68 Development Plan Policy overall requires the conservation and enhancement of the AONB and rural landscape;

- CP4 requires that the Borough's urban and rural landscapes, including the AONB will be conserved and enhanced and that the Borough Landscape Character Area Assessment will be utilised to manage, conserve and enhance the landscape as a whole.
- Core Policy 14 (6) and (7) require that the countryside will be protected for its own sake and a policy of restraint will operate in order to maintain the landscape character and quality of the countryside; plus that the interrelationship between the natural and built features of the landscape will be preserved, enhanced and, where necessary, restored, this being the principal determinant of the character of the rural areas. Development is also required to maintain the local distinctiveness of particular localities.
- Local Plan Policy EN1 (3) requires the design of the proposal, encompassing scale, layout and orientation of buildings, site coverage by buildings, external appearance, roofscape, materials and landscaping, to respect the context of the site and take account of the efficient use of energy; (4) requires that the proposal would not result in the loss of features important to the character of the landscape;
- Policy EN25 requires that (1) The proposal would have a minimal impact on the landscape character of the locality; (2) it would have no detrimental impact on the landscape setting of settlements and; (3) would not result in unsympathetic change to the character of a rural lane;
- Policy HD4 of the Hawkhurst NDP (Design Quality) requires the design, form and detail of new developments to principally be informed by the traditional form, layout, character and style of the parish's vernacular architecture.

10.69 Owing to the above considerations the proposal meets NPPF para 79 (e)'s requirements as it would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. It would also meet the above listed Development Plan policies given the compliance with the second limb of Para 79 (e).

Is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas

10.70 In the report to the last application, the opening paragraphs under the heading '*reflecting the highest standards in architecture*' (which was a separate criterion under Para 55) read as follows;

In respect of this point the Urban Designer emphasises the need for an integrated approach to the design and considers the commitment of the client and the design team has laid a sound foundation for this to be achieved and does demonstrate good practice. A dwelling of exceptional quality or innovative nature of design will often result from a combination of a well designed client brief, appropriately skilled design team, with a clear analysis and logical, fully integrated approach to the design of the development: the dwelling is likely to exhibit integrity in the whole design approach with a coherence particularly between the architecture, the landscape and their sustainability aspects. They emphasise that this criterion is as much about the quality of the process which leads to the quality of the outcome; and that the evolution and refinement through the design process exhibits a high level of consideration by the design team.

The Urban Designer feels the location of the building and the layout of the site have been carefully considered; that the orientation of the building and its design genuinely attempts to respond to the individualities and the potentials of the site; and that there has generally been a proficient attention to detailing even at this planning stage and this demonstrates an understanding of how the design could actually be implemented. They feel the applicants have carefully considered the technologies and the performance of the building which will be sustainable and comfortable.

They also feel that the internal spatial arrangement is well considered, the orientation and arrangement of spaces within the building is good and from the users perspective it will be an agreeable building. The lobby and vertical circulation is a particularly complex and spatially interesting space. With the various natural lighting sources and views, they feel it has the potential to be an exciting space.

On this basis, this criterion is considered to be met with regards to the design of the house however the lack of coherence with the landscaping scheme is such that the highest standards of architecture are not considered to be met.

- 10.71 The requirement to reflect the highest standards in architecture was considered to have been fully met last time. The plan form has undergone some minor changes which is part of the normal evolution of a scheme. The Urban Designer considers the roof form has clearly been refined with shallower curves and is better proportioned. This in their view has significantly improved it from what previously appeared as more of a ribbon of tiling. The shallow curves are more responsive to the landscape and visually the relationship between built form and landscape is more obvious and in that regard the scheme has also improved. Also, greater attention has been given to the eaves which now gives a stronger visual edge. Other refinements in cladding and walling which in their view results in a more cohesive piece of architecture.
- 10.72 The TWBC Urban designer has re-iterated on this application that having an integrated approach with the client and various disciplines working together demonstrates accomplished practice. It is as much about the quality of the process which leads to the quality of the outcome. They feel the further considered refinements also demonstrate an ongoing commitment and a high level of attention by the design team; and there has been careful consideration of the technologies and the performance of the building. The Urban Designer believes it will be a well-considered, sustainable and comfortable building and that the approach and the quality of the outcome is commendable.
- 10.73 They add that the current proposals have retained the original integrity of the design approach. They are still of the view that the design development of the built form has

been rigorous, as is the exploration of local distinctiveness and materiality. These aspects are reflected in the submitted proposals. With the additional material and amended plans they are still satisfied that generally there has been a clear journey with a high standard of design rigour and a considered evolution leading to the latest proposals.

- 10.74 With regards to *'being truly outstanding or innovative, helping to raise standards of design more generally in rural areas'* the applicants have made a detailed case that the dwelling is both "truly outstanding" in terms of its design and environmental sensitivity and is of the highest architectural standard, as well as being of innovative design. These two limbs are stated as alternatives, and innovation is of necessity a moving target; what was innovative at one could become a mainstream expectation sometime later.
- 10.75 As detailed above, any approach must be informed by analysis and a clear understanding of context. The application includes a weighty document which traces the evolution of the design and highlights the individual characteristics of the site and wider locality which have informed the location of the dwelling and the associated landscape works. Evidence of this process from the very beginning, where the applicants completed the architect's questionnaire setting out their personal requirements for the dwelling, is included. The Urban Designer set out in their comments on the previous application that the commitment of the client and the design team has laid a sound foundation for a high quality outcome to be achieved and does demonstrate good practice. This approach can be said to raise design standards generally.
- 10.76 There is a degree of subjectivity in terms of design and architecture and its analysis. The proposed dwelling is an interesting design, and as a stand-alone piece of contemporary architecture is of high quality, and could assist in raising standards of design more generally in rural areas. The applicant has cited a combination of design features (outlined earlier) which they consider to be truly outstanding. The dwelling has clearly been designed with flair and imagination.
- 10.77 What makes this project uniquely interesting and innovative in design terms is the 'draping' of the tiled area around the dwelling. Last time the feature did not seem to form any specific function other than to aid light flows and provide shading to the dwelling. It now forms part of the roof and is a more integral part of the dwelling's design. It is a free-flowing form that partly reflects the way in which traditional clay tiled roofs sink in to their timber supports over time and could be seen as a contemporary interpretation of a historic rural roof form. It responds to the topography and orientation of the dwelling, as it elevates (where desirable) for the internal functions and outward views, and drops where those considerations do not apply and where a more immediate link with the ground level is appropriate.
- 10.78 Last time the Urban Designer felt there were a number of issues that were not quite fully resolved or are missing the expected level of consideration for a (then) Para 55 scheme. The following were some areas of concern on the previous scheme;
- The access and entry from Water Lane,
 - The approach and arrival to the dwelling forecourt, and
 - The immediate context to the dwelling.

They consider these have been addressed, and either rationalised or more clearly defined. Boundary treatments and landscape details would need to be subject to conditions however.

- 10.79 They also considered the building could well be deemed outstanding as it will be noticed (particularly its roof form) and therefore will be memorable - it will be something that may well draw attention, generate a reaction and prompts a debate on the design agenda. If poorly executed however, it could generate a reaction that in the future results in less challenging designs and a more cautious approach.
- 10.80 The Urban Designer considers the architecture of this proposal is undoubtedly of high quality, has been designed with flair and imagination and the form is carefully and skilfully conceived. It is a considered building that reflects the client's needs and their high aspirations. Its design is sensitive to the context but also challenges and explores the built form and the use of traditional materials. This is quite pioneering and will undoubtedly prompt a debate on what is 'appropriate' design in rural areas.
- 10.81 The Urban Designer summarises that whilst many of the dwelling's sustainability features on their own are already good practice, collectively they provide an argument that they would contribute to the raising of the standard of design in rural areas. As to the innovative aspects, as previously, they consider that the range of sustainability features would raise the standards of design in rural areas. Sustainability factors have clearly driven the design of the dwelling from the initial concept. Particularly many of the passive measures could be part of the design and fabric of rural buildings, rather than relying heavily on the add-on technologies for energy generation. By integrating the sustainable and design measures into a design which is in sympathy to the character of the area, it would demonstrate that high design standards can be achieved in rural areas.
- 10.82 The proposal has been approached in a way that seeks to integrate the architecture, landscape and sustainability aspects, and exhibits integrity. Unlike in the last application, the result is something where the design of the building is clearly connected to the proposed landscape enhancements and the landscape itself. The limited harm from the changes in levels associated with the dwelling can be argued to be part of the design out of necessity (to accommodate the dwelling in to the site) and that the resulting heat retention benefits result from the need to 'bury' part of the structure in to the ground. That limited harm is outweighed by the other positive factors associated with the project.
- 10.83 The building is not sited in a particularly publicly accessible location where many people would be able to clearly view it (the LVIA concludes that wider views would be largely negligible), although as set out above the design would be subject to the publicity that often follows such developments, in both technical and lay press, where there is every opportunity for the publication of the theories and practices employed.
- 10.84 Officers have also considered whether the proposal is truly innovative: in assessing this, the dwelling must include such credentials or matters which are almost unique, and not replicated at other locations. One aspect that is also clearly innovative and of exceptional quality is the process that the architect has undertaken to arrive at the chosen design. The dwelling has not been designed in order to maximise financial return or to satisfy a 'wish list'; rather it is designed around the individual requirements of the applicants' lifestyle, their personal interests, work patterns, the level of maintenance they are able to undertake etc. In this respect the proposal would reflect the highest standards in architecture and help to raise standards of design more generally.

Summary of Para 79 (e) assessment

- 10.85 The comments of the Urban Designer and the Landscape & Biodiversity Officer, along with the considerations of the South East Design Review Panel are given significant weight as part of this assessment. The proposals are considered to meet the demanding, rigorous and exacting standards of Para 79 (e). The fact that the site is an unsustainable location outside the LBD (contrary to NDP policies HD1 and 2), does not count against the proposal as Para 79 (e) specifically permits development as an exception in such locations.
- 10.86 The last application was refused principally because whilst the scheme was considered to be of high quality and had much to be admired, the Para 55 criteria (as they were then) were not deemed to have been met and the overall proposal was not deemed to be of exceptional quality or innovative nature of design. These centred around the extent of the landscaping and lack of historic precedent for it plus various question marks about the access (which was seen as convoluted) and entry from Water Lane, the approach and arrival to the dwelling forecourt, the need for greater clarity regarding links to the AONB Management Plan objectives and a clearer alignment of the dwelling with the surrounding landscape. Because the Para 79 (nee 55) criteria had not been met this, along with the inevitable impact that a new residential presence in the countryside would create, was judged to have the counter effect of harming the landscape and AONB. All of these matters have been overcome.

Highway and footpath safety

- 10.88 The KCC Public Rights of Way Officer has not objected to the application on the grounds of safety matters or any other reasons.

Crossroads

- 10.89 HPC raise concerns over the impact on the Hawkhurst crossroads. KCC advise that in the light of the recent Judicial Review challenge against the 2019 grant of planning permission for 43 dwellings at The White House, Highgate Hill Hawkhurst (partly on grounds of the assessment of traffic impacts upon the junction) it will be necessary for the development to estimate the likely number of trips that will pass through the crossroads junction. The White House case has yet to be determined by the High Court, following a hearing in July 2020. Neither has an appeal for residential development in Ockley Road which is also expected to address this issue.
- 10.90 The applicant replied, but only to detail their personal daily vehicle use which cannot be given weight. The issue with the crossroads is the capacity at peak times. KCC then estimated that the proposal could generate 1-2 trips through the junction in both of the peak hours.
- 10.91 The NPPF test is whether the residual cumulative impacts on the road network would be 'severe'. KCC have not advised it would be 'severe' and advise that this number of movements would not normally be considered 'significant' – a lower standard than 'severe'. They instead advise that they cannot confidently advise on the matter until the JR/appeal are determined. However, there are no timescales for this yet and the LPA cannot reasonably decline to determine or delay an application for a single house that is distant from the village centre pending the JR/appeal decisions.
- 10.91 HPC agree it would be inappropriate to expect the applicant to have undertaken a transport assessment for a single dwelling. TWBC concur with this view. HPC do not specifically object to the application on the grounds of traffic movements through the crossroads, but instead ask that TWBC satisfies itself that KCC Highways has properly considered the cumulative impact on the Crossroads of each additional property.

- 10.91 KCC have asked for a 'holding objection'. This carries no weight in law as the County Highway Authority cannot prevent an application from being determined through a holding objection, in the manner that a small number of other consultees can.
- 10.92 Typically one dwelling generates approximately 5-7 vehicle movements per day. In this case the site is distant from the centre of Hawkhurst and the proposal is for a single dwelling, albeit one where the occupiers will be car-dependant. Potters Lane to the SW connects Water Lane to the main Cranbrook Road (A229) leading between Hawkhurst and Cranbrook so it is clearly linked to Hawkhurst, albeit Potters Lane is a narrow, winding country lane which is little more than a single vehicle's width in places. The probability of additional trips through the junction at peak times is considered limited owing to the distance, poor connections to the village centre and the way Water Lane is oriented - vehicles are more likely to travel northwards towards Cranbrook where there are also services and shopping facilities (and where there is not a known congestion problem in the settlement centre). Schools can be accessed without the need to travel through the crossroads.
- 10.93 In addition, even if occupants were to use a car at peak times the site to the north of the village centre means that trips could be taken (north to Cranbrook, Staplehurst railway station with links to London, Maidstone; or to the Primary school in Hawkhurst without using the crossroads. In addition, based on historic school catchment area data, any primary school age children in the house are more likely to be eligible to attend Benenden Primary School rather than Hawkhurst (as the latter draws the majority of its pupils from the built up part of the village and only has a entry roll of 30 pupils). Therefore, following analysis of the routes to settlement centres, train stations with links to London and nearby education it is considered that the likely number of vehicle movements through the Hawkhurst junction would in officer's view be less than 1-2 per peak hour per day.
- 10.94 It is also noted that the objection is only triggered because the site accesses onto the C-class road. Had it not, KCC Highways would have simply advised the scheme was below their threshold for comment and not considered highways or the crossroads impacts any further. However, the nature of the classification of the road the site accesses does not and should not indicate that the impact on the crossroads will be greater. On this basis and given the above it is considered that there is insufficient evidence that the residual cumulative impacts on the road network at the crossroads would be severe and therefore would amount to a refusal reason.

Visibility splays

- 10.94 KCC Highways also sought visibility splay details which have been provided. The new dwelling would share an existing access on to a C-class road with The Oast. That building was permitted in 1986 (ref: 85/01554/FUL) for use as a light industrial workshop with an ancillary storage/office use amounting to 77sqm in floorspace.
- 10.95 The rifle range also has an adjacent access (permitted in 2000 – ref: 99/01493/FUL and limited to use by the Tubslake Shooting Club) which amounts to 180sqm and would also generate a degree of traffic.
- 10.96 Neither building has any controls over the frequency of use. Both permissions require visibility splays at their respective accesses to be kept clear of obstructions by condition. This aspect of the application has been discussed with KCC Highways on 15/10/20 who consider the new dwelling would have a limited impact on the access point given its shared nature and are unlikely to sustain an objection in those terms. On this basis and given the application also includes a plan showing splays to be

kept clear of obstructions it is not considered that refusal under Paras 108-9 of the NPPF or Local Plan Policy TP4 could be justified.

Other matters

- 10.95 The proposed dwelling would not be harmful to the residential amenity of nearby properties, nor impact the significance of the nearby Grade II listed building.
- 10.96 Mid Kent Environmental Protection have raised no objections and agree that land contamination issues can be addressed by condition.
- 10.97 There is not a need for any further tree protection information as the development does not materially affect the RPAs of any existing trees, nor are any required to be felled to facilitate the development. The standard tree protection condition can be used.
- 10.98 The application includes a Flood Risk Assessment which identifies two alternative drainage strategies and concludes there is no risk of flooding from the development, given it is sited wholly within EA Flood Zone 1. Details of the drainage strategy have been provided but further details would be necessary as the submitted document at 5.19 – 5.20 of the supporting statement appears to refer to the previous scheme that used a connecting swale between the house and the main swale (as opposed to the pipe which is now proposed).
- 10.99 Purely in terms of ecological impact of the development itself (as opposed to the enhancement work/strategies) a Phase 1 ecological survey has been submitted. This emphasises the need for an agreed lighting strategy to minimise impact upon ecology from artificial lighting and this can be reflected in a condition. Further surveys are recommended for;
- Great Crested Newts: An additional survey has been included which reports that water samples were taken from three waterbodies on and within 500m of the site for e-DNA with respect to GCN. All of the samples were analysed successfully and resulted in 'negative' for e-DNA, indicating that GCN are likely absent from these waterbodies. As such, the potential impact of the proposed development on GCN aquatic and terrestrial habitat is likely to be negligible. No mitigation or enhancements are recommended.
 - Badgers: Two active and four disused badger setts were identified in the woodland strip to the west of the site and a further survey is recommended however no development is proposed here.
 - Hazel Dormice: It is recommended that a dormouse survey is undertaken along the woodland strip to the west of the site and its adjoining hedgerow to the south-west to establish presence / likely absence. The LBO advises this can be secured by condition.
- 10.100 KCC Economic Development have sought developer contributions from the scheme. The trigger for this is because the site area exceeds 0.5ha. Requests for S106 contributions have been made by KCC. The Written Ministerial Statement of 28 November 2014 (which precluded seeking Affordable Housing (AH) and Developer Contributions (DC) from developments of ten or less) has been superseded. Current PPG advice is that whether to seek DC/AH from developments of less than 10 units is a judgement call for the LPA – this indicates a change of stance from the Government. The weight to be attached to S.106 / AH requests is a material consideration, but it is a matter of planning judgement for the LPA as decision maker

as to whether to seek monies. This is because the PPG is guidance and not policy - it is for the decision maker to decide how to apply it. As the starting point in determining any planning matter is the DP, Core Policy 6's threshold of ten dwellings applies – therefore AH will not be sought. In the interests of consistency with CP 6 (4) developer contributions will not be sought either.

10.101 Pre-commencement conditions 5, 10, 17 and 19 listed below have been agreed by the agent in accordance with section 100ZA (8) of the Town and Country Planning Act (this provision excludes Outline applications).

11.0 RECOMMENDATION – GRANT Subject to the following conditions;

CONDITIONS to include

- Implementation condition*
- (1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements 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 permitted shall be carried out in accordance with the following approved plans:

Proposed site plan
Landscape Masterplan 5.1 and key 5.2
Roof Plan 5.3
First Floor Plan 5.5
Ground Floor Plan 5.7
Section AA 5.11
Section BB 5.12
South Elevation 5.14
North Elevation 5.15
West Elevation 5.16
East Elevation 5.18
189_DR_PL_2030 Site Location Plan
189_DO_PN_3004 Visibility and Access

Reason: To clarify which plans are approved.

- External materials*
- (3) Notwithstanding the submitted drawings and other documentation, no development beyond slab level shall commence until precise details of the materials to be used in the construction of the walls, roofs, windows and external doors of the development hereby permitted have been submitted to and approved, in writing, by the Local Planning Authority.

The development shall be carried out in accordance with the approved details and they shall not be varied thereafter without details first being submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and the ensure the build quality of the final development, in particular that reflects the basis on which it has been applied for under Paragraph 79 (e) as a design of exceptional quality

Details of surfacing, driveway and means of enclosure

- (4) Notwithstanding the submitted drawings and other documentation, no development in respect of the areas below shall take place until the following have been submitted to and approved in writing by the Local Planning Authority;

- All external surfacing materials (including photographic samples);
- Details of the entrance driveway (illustrated by a typical cross section);
- Means of enclosure (including height, materials and alignment)

The development shall be carried out in accordance with the approved details and they shall not be varied thereafter without details first being submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and the ensure the quality of the final development, in particular that reflects the basis on which it has been applied for under Paragraph 79 (e) as a design of exceptional quality

Drainage

- (5) Notwithstanding the submitted drawings and other documentation, no development shall take place until a drainage scheme detailing the proposed means of foul and surface water disposal or treatment and an implementation timetable has been submitted to and approved in writing by the Local Planning Authority.

The details of surface water and drainage shall be in line with the principles of the sustainable drainage strategy set out in the application. The drainage details should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme;
- Specify a timetable for implementation;
- Provide a management and maintenance plan for the lifetime of the development.
- The drainage swale (by way of cross sections and identification of exact position on site) and;

The development shall be carried out in accordance with the approved scheme and timetable.

Reason: To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 103 of the NPPF. In the interests of visual amenity and the ensure the quality of the final development, in particular that reflects the basis on which it has been applied for under Paragraph 79 (e) as a design of exceptional quality. This is a pre-commencement condition as it relates to an early operation in the build process.

Extent of residential curtilage

- (6) The residential curtilage shall be limited to that defined on the approved plan Landscape Masterplan 5.1 as 'Species-rich lawn (flower rich grassland adjacent to the dwelling)'.

Reason: To protect and enhance the appearance and character of the site. In the interests of visual amenity and to ensure the quality of the final development, in particular that reflects the basis on which it has been applied for under Paragraph 79 (e) as a design of exceptional quality

Landscape and Ecological Management Plan

- (7) Notwithstanding the submitted drawings and other documentation, a Landscape and Ecological Management Plan (LEMP) following the principles set out in British Standard 42020:2013 Biodiversity — Code of Practice for planning and development shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of above ground construction of the development.

The content of the LEMP shall accord with Council guidance and include the following:

- a) Description and evaluation of the landscape and ecological features to be managed and note any features or areas covered by other management agreements or prescriptions e.g. play areas or drainage schemes.
- b) Ecological trends and constraints on site and wider environmental issues that might influence management and in particular consider the likely effects of climate change.
- c) Landscape and ecological aims and objectives of the management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions for each identified habitat and feature covered.
- f) Evidence of further advice from the High Weald AONB Unit and Natural England being factored in to the overall document;
- g) Pre construction and periodic post construction assessments using the DEFRA metric to demonstrate what gains have been achieved;
- h) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period) with recommendations for periodic review.
- i) Details of the body or organization responsible for implementation of the plan and the resources both financial and personnel by which the LEMP will be implemented. This shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured post development with the management body(ies) responsible for its delivery.
- j) Ongoing monitoring and remedial measures including regular review by accredited professionals including setting out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning landscape and biodiversity objectives of the originally approved scheme.
- k) An undertaking that any existing trees or hedges retained on site which die or become, in the opinion of the local planning authority, so seriously damaged or diseased that their long term amenity value has been adversely affected, shall be replaced in the same location during the next planting season (October to February), with trees/hedgerow species of an appropriate species and size to mitigate the impact of the loss .

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure the development delivers ecological net gain in accordance with the requirements of the National Planning Policy Framework, to ensure the development meets the statutory requirement to conserve and enhance the High

Weald Area of Outstanding Natural Beauty and to assimilate the development in to the wider landscape

Dormouse survey

- (8) Prior to the commencement of any landscape enhancement works along the woodland strip to the west of the site and its adjoining hedgerow to the south-west, a dormouse survey shall be undertaken to establish presence / likely absence of the species and the development shall be carried out in accordance with the approved details.

Reason: To ensure the development delivers ecological net gain in accordance with the requirements of the National Planning Policy Framework, to ensure the development meets the statutory requirement to conserve and enhance the High Weald Area of Outstanding Natural Beauty and to assimilate the development in to the wider landscape

External lighting

- (9) Prior to the installation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show how and where external lighting will be installed and shall be demonstrated to have been formulated with an ecologist's advice to ensure the scheme is ecologically sensitive.

No external lighting shall be installed otherwise than in accordance with the specifications and locations set out in the approved scheme, and shall be retained and maintained thereafter. No other external lighting shall thereafter be installed unless agreed in writing by the Local Planning Authority.

Reason: To protect and enhance the appearance and character of the site by minimising light pollution. In the interests of visual amenity and the ensure the quality of the final development, in particular that reflects the basis on which it has been applied for under Paragraph 79 (e) as a design of exceptional quality

Sustainable design

- (10) Notwithstanding the submitted drawings and other documentation, prior to the commencement of development, full details of all proposed energy and sustainability measures as outlined in the submitted Part 6 (Energy and Innovation) updated to the point of submission of these details) shall be submitted and approved in writing by the Local Planning Authority. Development shall not take place otherwise than in accordance with the approved details.

Reason: In the interests of visual amenity and the ensure the build quality of the final development, in particular that reflects the basis on which it has been applied for under Paragraph 79 (e) as a design of exceptional quality. This is a pre-commencement condition as it relates to an early operation in the build process, due to the slab of the dwelling operating as an energy saving feature.

Refuse storage

- (11) Prior to the first occupation of the development hereby approved, details of accommodation for all necessary waste containers, recycling bins and wheelie bins shall have been submitted and approved in writing by the Local Planning Authority. The approved accommodation shall be provided before any buildings are occupied.

Reason: In the interests of visual amenity and the ensure the quality of the final development, in particular that reflects the basis on which it has been applied for under Paragraph 79 (e) as a design of exceptional quality

Removal of Permitted Development rights

- (12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development shall be carried out within Classes A-H of Part 1 of Schedule 2 of that Order (or any Order revoking and re-enacting that Order), without the prior planning permission of the Local Planning Authority.

Reason: In the interests of visual amenity and the ensure the development is not undermined by the exercise of permitted development rights so it continues to reflect the basis on which it has been applied for under Paragraph 79 (e) as a design of exceptional quality

- (13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no windows or similar openings shall be constructed in the roof or elevations of the dwellings hereby approved, other than as hereby approved, without the prior written planning permission of the Local Planning Authority.

Reason: In the interests of visual amenity and the ensure the development is not undermined by the exercise of permitted development rights so it continues to reflect the basis on which it has been applied for under Paragraph 79 (e) as a design of exceptional quality

- (14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other Order revoking and re-enacting that Order with out without modification), no fences, gates, walls, or other means of enclosure whatsoever shall be erected on the site other than those shown on the approved drawings.

Reason: In the interests of visual amenity and the ensure the development is not undermined by the exercise of permitted development rights so it continues to reflect the basis on which it has been applied for under Paragraph 79 (e) as a design of exceptional quality

Parking and turning area

- (15) The area shown on the approved drawings as vehicle parking space and turning shall be provided, surfaced and drained in accordance with the drawings approved under condition 4 before the first occupation of the development hereby approved.

It shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking/turning space.

Reason: In the interests of visual amenity and the ensure that parking is not displaced elsewhere on the site where it may undermine the quality of the final development, in particular that reflects the basis on which it has been applied for under Paragraph 79 (e) as a design of exceptional quality

Restrictions around the access

- (16) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary and any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that order), no access other than that shown on the approved plan shall be formed.

Reason: In the interests of highway safety

Visibility splays

- (17) The visibility splays shown on the approved drawings within which there shall be no obstruction in excess of 0.6m in height above the carriageway edge shall be provided at the access before the development commences and the splays shall be so maintained at all times.

Reason: In the interests of highway safety. This is a pre-commencement condition as it relates to an early operation that is necessary in the build process.

Tree protection

- (18) The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:
- (a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with the current edition of BS 5837. Such tree protection measures shall remain throughout the period of construction
 - (b) No fires shall be lit within the spread of branches or upwind of the trees and other vegetation;
 - (c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;
 - (d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation except as may be otherwise agreed in writing by the Local Planning Authority;
 - (e) Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.
 - (f) No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site. In the interests of visual amenity and the ensure the quality of the final development, in particular that reflects the basis on which it has been applied for under Paragraph 79 (e) as a design of exceptional quality

Archaeology

- (19) Prior to commencement of development, the applicant, or their agents or successors in title, will secure the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded. This is a pre-commencement condition as it relates to an early operation in the build process.

Land contamination

- (20) If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed.

Works shall not re-commence until an appropriate remediation scheme has been submitted to and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

- (21) The development shall be constructed at the levels indicated in the approved drawings.

Reason: To protect and enhance the appearance and character of the site. In the interests of visual amenity and to ensure the quality of the final development, in particular that reflects the basis on which it has been applied for under Paragraph 79 (e) as a design of exceptional quality

INFORMATIVES

- 1) As the development involves demolition and / or construction, broad compliance with the Mid Kent Environmental Code of Development Practice is expected.
- 2) It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where

required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at:

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

The applicant is advised that they will need to enter into an agreement with the highway authority under S278 of the Highways Act 1980 for works to the access. As the development is to remain private the developer should also Serve Notice under S.31 of the Highways Act 1980 declaring that the streets are to be privately maintainable in perpetuity.

- 3) Kent County Council (KCC) recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband. KCC understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer. For advice on how to proceed with providing access to superfast broadband please contact broadband@kent.gov.uk

Case Officer: Richard Hazelgrove

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

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.