

**22/00757/OUT Outline Planning Permission (Access Not Reserved) - Erection of 15No. residential dwellings, including affordable housing provision, additional car parking for Matfield Village Hall, the provision of open and children's play space, sustainable urban drainage systems (SUDs), new vehicular access and associated works. OS Plot 6860 West Side Of Maidstone Road Matfield Tonbridge Kent**

## **REFUSE**

**The PC requests that this application is dealt with under 4.8 (d) category Y of the Tunbridge Wells Agreement 2020, noting also that part of the land concerned is the property of the Parish Council and some belongs to the Matfield Village Hall Charity.**

1. The application includes some land owned by the Parish Council and some owned by the Matfield Village Hall Charity. This was not shown in the application form when the application was validated on 14 March, but the Parish Council received the necessary formal notification on 31 March. An amended application form reflecting the correct land ownerships has now appeared on TWBC's website, though some of the writing on the amended form is garbled owing, presumably, to some sort of IT problem.

2. Allocated site AL/BM2 in the Submission Local Plan does not include the PC's triangle of land that is included within this application. However, a presentation by Clarendon Homes' consultant James Chapman to the PC in September 2021 suggested using this triangle of land. Without prejudice to the PC's eventual response to any planning application that might be going to come forward, representatives of the PC agreed the attached plan for the possible community areas, including the PC's land, with the Trustees of Matfield Village Hall. This plan was sent to James Chapman on 20 January and to the Borough Council.

3. While noting the efforts made to produce a scheme to comply with the draft Local Plan, the draft Neighbourhood Development Plan and the High Weald AONB housing design guide (perhaps together with the covenants on the land), the PC also notes that the proposed layout of the housing has changed substantially from that envisaged in the Local Plan, to be much closer to the road, thereby losing most of the proposed landscape buffer. The PC notes the uncertainties and the apparent conflicts between some of the documents, especially as regards the proposed access and its effects on the trees along Maidstone Road. The PC agrees with TWBC and KCC officers that a considerable amount of further information is required. Therefore the application should not be approved as it currently stands.

4. The PC notes and agrees with the conservation officer and the heritage statement that the development would have little to no impact on the listed buildings within the area. However, the PC notes that the impact of this development on the eastern approach to the village has hardly been pointed out by the applicant and has not been adequately mitigated in the plans. The PC is especially concerned about the possible removal of hedging on the south-east corner of the boundary and lower east boundary – especially in views of proposed elevations for the two front plots (8 & 9) – without which the approach to the village will be drastically modified. The PC is also concerned that

in the illustrative layout, house 8, the tallest building, is proposed to be at the front of the site, where it will be more dominant in the landscape than it would be if it were one of the buildings set further back.

5. With this in mind, the PC notes that the intentions stated in the planning statement and the pre-application advice might be conflicting. The planning statement references the intention to “secure a strong frontage along Maidstone Road” (para 5.32, page 29), while the pre-application advice advocated the “retention of the majority of frontage hedgerow and trees providing a good set-back for those dwellings fronting Maidstone road” (planning statement, 2.9, page 7).

6. Further to this, the PC notes the options presented in section 5.46 of the planning statement with regards to hedging:

- a) Remove vegetation to provide access but retain remainder of existing hedgerow; or
- b) Remove entire hedgerow and replace with new low-level native hedging and fencing, neither of which is deemed satisfactory.

7. The PC appreciates that the planning statement acknowledges the need for a landscape buffer between the Village Hall and the proposed development (planning statement, section 3.9, page 11); however the PC is concerned about a possible lack of buffer with neighbouring properties along the site. The removal of the G006 group of trees which forms a buffer with the neighbouring property especially is a concern. While trees remain on the neighbouring property on the eastern side, some buffer should be retained on site rather than relying on the neighbouring properties to provide it. This group of trees has been referenced in the survey as needing to be partially removed for the purpose of development, while the site plans appear to show that none would be retained. The PC would like to point out that the following condition was also part of the pre-application advice: “the proposed treatment of the southern boundary should include a landscape buffer” (planning statement, page 8).

8. The PC notes and supports the comments of KCC Highways, particularly regarding visibility splays, the speed of traffic in the vicinity of the site, land drainage and the need for a safe pedestrian link from the site to the village. As regards public transport, KCC is currently consulting on cutting the no.6 Sunday service to Pembury. Traffic is already heavy on the Maidstone Road and is bound to increase further with the very large amount of new development taking place and planned at Paddock Wood. The recent and current housing developments at the other end of the village are also adding to the traffic outside this site. Councillors are aware, from Community Speedwatch sessions and observation of the Speed Indicator Device that have sometimes been situated nearby, that a considerable proportion of the traffic exceeds the 30mph limit. Provision of a pavement area on the boundary with Maidstone Road should not come at the detriment of the hedges and trees which are deemed necessary as outlined above.

9. The PC notes and supports the conditions requested by KCC Flood and Water. It also notes and supports the comments made by neighbours concerning flooding of the road and sewage pipes backing up. It is essential that these concerns should be addressed before any outline permission is granted, since these issues could affect the access and whether an acceptable layout can be provided.

10. A full biodiversity net gain scheme will need to be provided and approved before full permission can be granted. While the documents supplied at this stage mention achieving biodiversity net gain on site easily several times throughout the application (tree survey, page 8; section 5.68 of the planning statement, page 34), no hard evidence has yet been supplied of this.

11. If TWBC is minded to approve this application, the PC would like to ensure not only that conditions requiring mitigation measures are put in place within this application to help restore the greenery and habitats possibly destroyed as part of this development, but also that strong enhancement measures are provided in order to achieve the 30-year biodiversity net gain, together with appropriate monitoring. The PC would like TWBC and the applicant to explore alternatives to the destruction of the mature and moderate BRP trees which have been labelled as needed to be removed to “facilitate the proposed development access” and “facilitate the proposed development” (tree survey page 5, bat scoping report, page 5). The preliminary ecological assessment survey report dated Jan 2022 (based on surveys conducted in December 2021) says that a desk study identified 6 species of bat within a 5 km zone over the past 20 years. However, the PC notes that the protected species report prepared for a site in Matfield on the Maidstone Road developed by Rydon Homes (17/01142/FULL) identified eight, and possibly nine, species of bat on that site in September 2016.

12. While understanding the intention to replicate a farmstead, the PC believes that the proposed post and rail fencing at the front of the houses and along the Maidstone Road would be inappropriate: this development adjacent to the Conservation Area will be seen as part of the village rather than as part of the rural area, and consequently low picket fencing for the gardens would be far more appropriate, and a hedgerow without post and rail along the Maidstone Road. The proposed flint panels in brick garden walls are also not typical of this parish and should be omitted or replaced with ragstone.

13. The PC supports the proposed materials for the houses and car barns but the quality and colour of the bricks and tiles will be important, so if TWBC are minded to approve, the PC would request a condition requiring prior approval of materials.

14. If development on this site is approved, a condition concerning external lighting will be required. The PC would be strongly opposed to overhead lighting of the roads and paths in the development as suggested by Kent Police: this would completely alter the character of the village which is generally unlit. Any provision of street lighting should also be evaluated as part of the biodiversity mitigation and enhancement measures, as hinted in section 5.66 of the planning statement.

15. Additionally, while the PC fully supports the move to green energy, we would like to understand the potential noise impact of the proposed air source heat pumps to be installed on site.

16. The PC agrees with the applicants that a playground in the area proposed for it in this application would be preferable to one within the main part of the housing development, since it would be more accessible to the public and as a community facility it would be better if it was sited close to the village hall. However, the PC is concerned that some of the application drawings do not appear

to provide a large enough playground area, which in the Parish Council's view should cover the entire area shown for it on the plan attached to this response (paragraph 2 above). This would allow for a variety of play equipment to suit both older and younger children, together with a margin to include some seating for supervising adults and an area for buggy parking within the playground fence, and a verge between the playground fence and the parking area. The Parish Council opposes the proposed retention, that is shown on some of the plans (though not in the tree survey and impact assessment) of the poor quality self-sown sycamore trees T004 and T005 that are on/ immediately adjacent to the playground, as these would both restrict the equipment that could be provided and obscure the public visibility of the playground that is necessary for security. Suitable trees could, perhaps, be planted at the western end of the playground to replace them and the PC would be happy to discuss this with the applicant and TWBC.

17. The PC also notes that trees T006, T007, T008 and T009, three of which have been assessed as showing signs of possible early failure, would need to be removed in order to provide access to the proposed car parking on the PC's triangle of land (and indeed are shown in some of the plans as having been removed), yet are shown in the tree survey and impact assessment as to be retained.

18. While the proposed additional parking that would largely be on the Parish Council's land may provide some overspill parking for the village hall, the PC would not accept its being reserved for or given to the village hall because it is also needed to help to address the areas of parking stress within the village (see Policy AM 4 and Figure 31 on page 73 of the draft Neighbourhood Plan), and to provide some parking for visitors to the proposed public playground, especially if any of the playground users or their carers have mobility difficulties. Therefore the parking area should be owned and controlled by the PC in the interests of the community and the PC understands from James Chapman that this would be acceptable to the applicants. However, the suggestion that around the northwest of the site there could be a vehicular through road to the housing, past the playground and parish parking area, would in the Parish Council's view present a safety concern for the users of those facilities and should be rejected, though a footpath and cycle route there might be desirable.

19. If TWBC is eventually minded to approve the application, it is essential that in order to comply with the requirements of Policy AL/BM2 in the Submission Draft Local Plan, any outline permission is subject to a condition requiring a S106 agreement concerning the community facilities in the north of the site to be signed before full planning permission is granted. The S106 agreement should be between TWBC, the Parish Council, the Trustees of Matfield Village Hall, the applicants and the landowners of the main site & the access driveway to the Village Hall. With the exception of the small number of additional parking spaces proposed to the south of the village hall, which would be for the village hall charity trustees to justify, the S106 agreement should provide the community areas and facilities as shown on the attached plan, including a fenced, surfaced and equipped playground and a parking area with a permeable surface.

20. The PC understands from an email dated 22 April from James Chapman that estimates and designs from playground suppliers are being assessed. The PC will forward information on its preferred design and supplier to Mr Chapman and TWBC shortly, as per request.