

Land at Barham Court Farm Barham

**Planning and Design & Access Statement
On behalf of Roma Homes**

**Residential development comprising twenty-two houses with
associated access roads and parking.**

HPPC Ref: 31303

Date: November 2021



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1 INTRODUCTION

- 1.1 This planning statement is to support the planning application made on behalf of Roma Homes to Canterbury City Council for the redevelopment of existing farmstead at Barham Court Farm, Barham with twenty-two dwellings.
- 1.2 In the statement we outline and discuss the relevant planning considerations, including a description of the site, planning history, the relevant planning policy context for the proposal, details of the development, design and access considerations, the key planning issues and from this draw our conclusions in support of the proposal.

2 SITE AND LOCATION

- 2.1 Barham is an historic and attractive village located at the head of the Elham Valley. The historic core of the village centred around the Church of St John the Baptist, and The Street, is located upon the higher parts of the eastern valley side and Barham Court Farm is located immediately to the south of this part of the village. The remainder of the village has a linear form being set predominantly to the southern side of Valley Road and either side of Derringstone Hill. The village is located in the Kent Downs AONB and is well served by its own facilities, including a public house, school, village hall and shop.
- 2.2 Barham Court Farm consists of a range of twentieth century farm building which have been developed from the 1920's onwards. The site which extends to 1.36 hectares is accessed from Church Lane and sits at a lower level to the road. Levels also fall southward across the site. The site contains a number of indigenous tree but the main screening of the buildings on the site is provided by non-native species. There is a farm track leading from the site westward providing access to Valley Road.

3 PLANNING HISTORY

- 3.1 In 2012 applications were submitted under reference CA12/01275 and CA/12/01276 proposing the redevelopment of the farmstead for residential purposes with 22 dwellings. The applications were subsequently withdrawn prior to determination, however the site was subsequently put forward for inclusion in the emerging local plan and was allocated for residential development with a notional capacity of 25 dwellings in the Canterbury District Local Plan adopted in 2017. Prior to that an application for ten dwellings on the site was refused planning permission under reference CA/98/00939 in December 1998.
- 3.2 The council is currently considering an application for planning permission under reference CA/20/02642 and listed building consent under reference CA/20/02643, to convert the listed barn adjacent to the northern boundary of the application site to a dwelling. The large building adjacent to the southern boundary of the application site, a part of the Simpson Wine Estate, was accepted as appropriate to convert from agriculture to class B8 storage and distribution use in July 2014, CA/14/01080 refers. The large agricultural style buildings further to the south are also used in conjunction with the Wine Estate.

4 PROPOSAL

- 4.1 The application proposed the development of twenty-two houses on the site of the farmstead, consisting of seven terraced houses, two pairs of semi-detached houses and 11 detached houses. Nine of the houses are accessed from Church Lane and the remaining 13 from Valley Road, with the site providing a pedestrian link from Church Lane to Valley Road. It is proposed that 30% of the houses, totalling seven dwellings will be provided on an affordable basis in line with the council's policy requirements, it is proposed that these will be provided on the basis of rental, shared ownership and purchase, the mechanics of which will be agreed with the council as part of the consideration of the planning application.

5 PLANNING POLICY

National Planning Policy Framework

- 5.1 The National Planning Policy Framework (the Framework) was published in July 2021. At the heart of the Framework is a 'presumption in favour of sustainable development' and promotes 'approving development proposals that accord with the development plan without delay' (paragraph 11).
- 5.2 Paragraph 11 addresses both decision making and decision taking; from allocating sites to granting planning permission for a scheme and requires consideration of three objectives of sustainable development (economic, social and environmental).
- 5.3 Where relevant policies are out of date, the Framework is clear that planning permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework when taken as a whole or specific policies in this Framework indicate development should be restricted'.
- 5.4 Paragraph 38 of the NPPF requires Local Planning Authorities to approach decisions on proposed developments in a positive and creative way and should seek to approve applications for sustainable development where possible. In accordance with paragraph 47 planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions should be made as quickly as possible.
- 5.5 The NPPF advocates the delivery of a sufficient supply of homes. Paragraph 60 supports the Government's objective of significantly boosting the supply of homes, it is important that sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed. Furthermore paragraph 69 identifies the role small and medium sized sites can make in contributing to meeting the housing requirement of an area. It is also expected that local authorities will provide at least 10% of their housing requirement on sites no larger than one hectare. In addition, in accordance with paragraph 119 it is required to promote an effective use of land in meeting the need for homes and other uses and make as much use as possible of previously-developed land. Paragraph 120 c) specifically supports appropriate opportunities to remediate derelict land.
- 5.6 The NPPF seeks to build a strong, competitive economy and to promote healthy and safe

communities, that are attractive and well-designed (paragraph 92) and to provide access to a network of high-quality open spaces and opportunities for sport and physical activity, (paragraph 98) and enhance public rights of way (paragraph 100).

- 5.7 In accordance with paragraph 110 promoting sustainable transport is central to all development proposals, with the expectation that development will give priority to pedestrian and cycle movement, the needs of people with disabilities and create, safe, secure and attractive places (paragraph 112)
- 5.8 The NPPF aims to ensure the creation of high quality, beautiful and sustainable buildings and places. (paragraph 126), whilst great weight should be given to outstanding or innovative design, while paragraph 134 states that development that is not well designed should be refused, specifically where it fails to reflect local design policies and government guidance on design. Importantly, it recognises that significant weight where such guidance and policies are met, paragraph 134 a) and where outstanding or innovative designs are proposed that offer high levels of sustainability or help raise the standard of design and are in keeping with the overall form and layout of their surroundings, paragraph 134 b).
- 5.9 Landscape and biodiversity must also be considered and the impact or benefits to these matters given due consideration (paragraph 174 onwards). In relation Areas of Outstanding Natural Beauty paragraph 176 advises that great weight should be given to conserving and enhancing landscape and scenic beauty. It goes on to state that the scale and extent of development within AONB's should be limited, sensitively located and designed to avoid or minimise adverse impact on the designated area. Paragraph 177 states that applications for major development in AONB's should be refused, other than in exceptional circumstances and where the development is in the public interest. In this instance it is noted that the site has been allocated for development by the adopted local plan and its development is therefore clearly accepted due to the need for the housing it provides as being in the public interest.

Canterbury District Local Plan

- 5.10 The Canterbury District Local Plan was adopted in July 2017 and contains NPPF compliant policies, including policy **SP1** which requires a presumption in favour of sustainable development unless material considerations indicate otherwise and **SP4** which guides development primarily to the urban areas.
- 5.11 In accordance with policy **SP4** the plan identifies a rural settlement hierarchy, for settlements

below the main urban centres of Canterbury, Whitstable and Herne Bay. Within this rural settlement hierarchy Barham is identified as a village, as such in accordance with policy **SP4** it is considered appropriate for infill development of an amount appropriate to the size of the settlement, in a location appropriate to the form of the settlement and of a design and scale that respects and enhances the character of the village.

- 5.12 The local plan requires the provision of 16,000 houses (800 per year) over the plan period (2011-2031). Of these 11,360 are provided on the strategic allocation sites, leaving some 4,640 houses to be provided by windfall development and the minor allocations in policy **HD1**. Barham Court Farm is identified as a residential development site by policy **HD1** and therefore clearly has an important role to play in meeting the delivery of the council's housing needs. The site allocation identifies an estimated capacity of the site for 25 dwellings.
- 5.13 Policy **HD2** requires 30% affordable housing on sites that fall within the applicable criteria for its delivery. Affordable housing is expected to be provided on sites with an area of 0.5 hectares or more or that provide for more than 10 units. This proposal therefore exceeds the requirement for affordable housing. The policy also allows for a financial contribution to be made where off-site contribution is not possible. The affordable housing requirement is set at 30% so in this instance would require for a scheme of 22 houses the provision of 7 affordable units.
- 5.14 Policy **T1** identifies the Transport Strategy for the district, Policy **T9** relates to the adherence with parking standards and **T17** identifies the need for Travel Assessments for proposals that have significant transport implications. The proposed development is not considered to raise significant issues regarding traffic generation on the local highway network.
- 5.15 Policy **CC2** and **CC11** provide a framework for ensuring new development reduces carbon emissions and provide sustainable drainage systems. The site is within Flood Zone 1 so is land at least risk of flooding, the requirements of policy **CC4** are noted.
- 5.16 Policy **DBE1** seeks to ensure appropriate sustainable design and construction levels are achieved in new build development. General amenity and development management considerations are set out in policy **DBE3**. Policy **DBE4** requires national residential space standards to be met and **DBE7** requires the public realm to be reinforced or enhanced. While policy **DBE9** sets out a framework for the consideration of outdoor lighting.
- 5.17 The site is located within an Area of Outstanding Natural Beauty, within which Policy **LB1**

seeks to ensure high priority is given to the conservation and enhancement of natural beauty. The policy identifies the need to ensure development proposals are sustainably and appropriately located and designed to enhance the character of the AONB and have regard to the advice set out in the Kent AONB Management Plan and its supporting guidance. The impact on the setting of listed buildings and the designated conservation area should be considered with regard to the following local plan policies relating to heritage assets; **HE1**, **HE5**, **HE6** and **HE8**. While archaeological matters have been addressed in accordance with policy **HE11**. The ecological reports provided in accompaniment of the application address the issues required by policies **LB9** and **LB10**.

- 5.18 Overall the proposals are considered to accord with these policies, more detailed assessment on how this is contained within the further supporting information to the application.

Kent Downs AONB Planning Guidance

- 5.19 National and Local planning policies are very clear that highest priority should be given to the conservation and enhancement of the Area of Outstanding Natural Beauty. The Kent Downs AONB unit is association with the local planning authorities which host the area has produced Kent Downs AONB Management Plan 2014-2019 and is seeking the adoption of its successor the Kent Downs AONB Management Plan 2021-2026. Whilst the overall aim of the designation of the AONB is to “conserve and enhance natural beauty,” this document seeks to provide a framework to protect the special characteristics and qualities of the Kent Downs AONB, but with recognition that it is a living, working environment within which people live their lives, and which as a result will create development pressures. The plan aims to ensure that the natural beauty of the landscape and vitality of the communities in and around the Kent Downs AONB are recognised, valued and strengthened well into the future. The AONB legislation specifically states;

“In pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry, and other rural industries and of the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment”

The aim of the designation is not therefore to stop new development but to ensure that it is necessary and carried out in an appropriate. Local Authorities are expected to adhere to the policies of the management plan in their decision making for planning applications (MPP2). As well as local character and sustainability, consideration must be given to design and the setting of development and for mitigation. The management plan also seeks to promote

sustainable development, primarily through the provision of a landscape led approach, the plan identifies the specific landscape characteristics of the different parts of the AONB and seeks to enhance local character and qualities. In terms of setting of the AONB the management plan states;

Proposals which would affect the setting of the AONB are not subject to the same level of constraint as those which would affect the AONB itself. The weight to be afforded to setting issues will depend on the significance of the impact. Matters such as the size of proposals, their distance, incompatibility with their surroundings, movement, reflectivity and colour are likely to affect impact. Where the qualities of the AONB which were instrumental in reasons for its designation are affected by proposals in the setting, then the impacts should be given considerable weight in decisions.

Kent Downs AONB Landscape Design Handbook

5.20 The AONB Unit has also published design guidance for the AONB aimed at ensuring that new development is carried out in a manner that will contribute to the conservation and enhancement of the special characteristics of the AONB as a whole, and the distinctiveness of its individual character areas. The AONB wide landscape design principles contained within this document provide guidance on the integration of development within the landscape of the AONB, including the need to reflect and respect the settlement character and form and its relationship with the surrounding landscape. The design principles identified are as follows;

- Ensure new development respects and complements rural settlement form, pattern, character and its landscape setting, reinforcing local distinctiveness.
- Conserve sensitive parts of settlement settings. Maintain a direct relationship between the old settlement core and the surrounding landscape, allowing views in and out.
- Use native woodland, shaw, hedgerow planting as appropriate to local character and open space to integrate new development. Use advance planting of native local trees and shrubs.
- Avoid the introduction of features such as close board fencing, suburban style walls and fast growing conifers, particularly on the boundaries with rural lanes or with the wider landscape (see Detailed Guidance for alternatives).
- Seek the use of appropriate local materials.
- Seek to minimise the impact of new residential accesses by retaining existing hedgerows or traditional walls where possible. Use new native hedge species and sympathetic grass mix verges where new sight lines are necessary. Where

possible, use local provenance wildflower/grass seed mixes.

- Avoid the introduction of urban bollards, concrete block paving and highly coloured signage.
- Use local stone, and 'conservation' kerbs and surface dressings to complement local materials for carriageways and pavements.
- Consider the need for lighting and minimise the impact, using high pressure sodium lights. Lighting should be mounted on buildings.
- Refer to Village Design Statement if there is one available.

5.21 The guidance also seeks to categorise the historic character of traditional farmsteads. Although in the case of this site, the farmstead is a twentieth century construct The implications of which are considered in more detail within the submitted Historic Impact Assessment. In terms of landscape character the site falls within the East Kent Downs Landscape Area where the design guidance seeks to reinforce and enhance the historic character of farmsteads and link them to their surrounding landscapes.

Kent Downs AONB Rural Streets and Lanes: A Design Handbook

5.22 The guidance contained in the handbook seeks to ensure that streetscape within the AONB is protected and enhanced, particularly in terms of street furniture, signage, planting, open spaces and materials

5.23 It is considered that the proposed development broadly adheres to the development principles and accords with the policy and design requirements identified in the policy documents referred to above and is otherwise policy compliant with the applicable planning policies. The grounds for justifying this are set out below and the accompanying technical reports.

6 Planning Benefits

- 6.1 The purpose of this section is to set out the benefits of the development proposals in relation to the three dimensions of sustainability: social, economic and environmental.

Social Benefits

Provision of Market and Affordable Housing

- 6.2 The provision of housing will boost the supply of land for housing, providing for high quality market family housing within a sustainable location, identified for development by its allocation in the CDLP. The development proposals will make a valuable contribution to the council's 5-year supply. The proposals will assist in helping to maintain and enhance the vitality of the community and support local services. In addition to the 15 market houses the scheme will provide 7 houses on an affordable basis which will significantly contribute towards meeting the local housing need requirements.
- 6.3 The proposed development will provide a pedestrian link from Church Lane to Valley Road providing residents of the village in the area of the development improved pedestrian access to the services available in the centre of the village and for those in the Valley Road area improved access to the church and graveyard.

Economic Benefits

- 6.4 The economic benefits of the proposed development will be apparent from both the construction and the operational impacts of the subsequent occupation of the houses. The construction will involve spend on the works and provide employment opportunities. Whilst the housing once completed will add to the district's economically active population and add to the gross household expenditure which in turn will support further local employment. On top of this the additional housing will provide additional council tax income to the borough council.

Environmental Benefits

- 6.5 The existing unattractive farm buildings and the associated non-native planting will be removed from the site, following which the proposed development will add to the ecological biodiversity of the site. The proposal aims to conserve and enhance biodiversity through the enhancement of the habitats through the provision of significant areas of planting as well as ecology and wildlife benefits. Habitat creation measures to ensure biodiversity is retained with enhanced hedgerow planting. These measures will ensure a net biodiversity gain in accordance with requirements of NPPF. In addition, the provision of domestic gardens which provide an opportunity to improve biodiversity over and above limited ecological diversity

provided by the current use of the majority of the site.

- 6.6 Further material environmental benefits are obtained from providing surface water drainage designed to attenuate water run-off to less than the existing greenfield run-off rate and take account of future climate change in accordance with National Planning Policy Guidance.

7 Planning Considerations

7.1 The key issues for consideration of this application are considered to be;

- Need for the development;
- Appropriateness of Location;
- Character and Appearance;
- Heritage and Landscape impact;
- Highway Matters;
- Air Quality
- Ecology
- Drainage and Flood Risk;
- Affordable Housing
- Residential Amenity and Noise
- Other Matters.

Need for the Development

7.2 As set out earlier in this statement (paragraph 5.12 and 5.13) the CDLP identifies a significant need for new residential development to meet the districts housing need over the local plan period, in accordance with policies SP4 and HD1 this site is located within the village of Barham which has been identified as being suitable for meeting a part of this need, with this site being allocated for development for up to 25 dwellings.. There remains a clear demand to provide new housing across the district to meet the population's requirements and the houses proposed by this development will positively contribute towards this need and the implementation of the requirements of the local plan. In this respect it is noted at the recent appeal decision for Land to the rear of 51 Rough Common Road, APP/J2210/W/20/3259181, the Inspector agreed with the appellant that the council could not demonstrate a robust argument in support of being able to demonstrate a 5-year land supply and agreed with the appellants assertion that a figure of only 4.7 years could be relied upon. This adds further weight for the need for housing including that provided by this development.

Appropriateness of Location

7.3 The site is located in a highly sustainable location close to the centre of the village. The proposal involves the use of land previously developed as a farmstead and containing a range of large utilitarian twentieth century farm buildings that provide limited contribution to the character and appearance of the village. It also avoids expansion of the built area of the

village outward beyond the built confines of the village and into open countryside.

- 7.4 All the main services available in the village, including the school, shop, village hall, church, village sports and recreational facilities and the Duke of Cumberland public house are all within easy walking distance. A similar range of services are provided in the surrounding villages of Elham, Aylesham and Bridge. Additional development would help to support these services and maintain the sustainability of these settlements
- 7.5 The village is also served by regular public transport, with the Stagecoach 17 service operating an hourly connection to Canterbury and Folkestone from Valley Road throughout the day and the 16 service to Hythe and Canterbury from the bus stop to the north of the village at the junction of Gravel Castle Road with the A290.
- 7.6 As demonstrated by the accompanying Contamination Report, the site is not known to have any constraints, such as from contamination by its former use that would preclude its development.

Character and Appearance

- 7.7 The approach to the design, character and appearance of the development are addressed in the Design and Access Statement that accompanies the application. The scheme will seek to use a design approach and materials that are complimentary to the historic character and setting of the village. The form and layout of the scheme is guided by the assessment of the site and its surroundings and the need to respect, compliment and enhance the historic environment and heritage assets surrounding the site.

Heritage and Landscape Impact

- 7.8 The Heritage Impact Assessment that accompanies the application provides a detailed assessment of the impact of the proposals on both designated and non-designated heritage assets, including the listed buildings surrounding the application site and the Barham Conservation Area. The assessment has been carried out in accordance with National Planning Policy and Historic England's Good Practice Advice notes.
- 7.9 The report finds that the proposed development does directly affect the setting of Barham Court Farm Barn and St John's Church as well as the potential to affect the setting and significance of other listed buildings. The Barham Conservation Area would also be affected.
- 7.10 In terms of impact on the conservation area when viewed from the immediate area, taking

into consideration the contribution and impact of the existing buildings on the site and the form and character of the scheme proposed for the site's redevelopment the report states that the proposed development will preserve the architectural interest of Barham Conservation Area by contributing new and visually attractive buildings and boundary features that are expressed in sympathetic materials. The massing of the scheme would be less than the existing buildings and the setting of St John's Church and Barham Court Farm Barn and the associated group would be notably enhanced by the renewed boundary treatment, replacement of hard standings and the introduction of carefully modulated built form within the site.

- 7.11 In relation to longer range views the report states that views of the conservation area from the south the proposed development would greatly enhance views towards St John's Church. While views from the church yard looking outwards across the open fields in which the site forms and important framing element would also be enhanced. The result of any impact on these views would be moderate to major and also beneficial. The historical and artistic interest of the setting of the listed buildings and conservation area would not be changed. Overall, the effect of the proposal on the conservation area's significance would be positive resulting in a modest but appreciable enhancement of its significance.
- 7.12 In terms of the impact on the listed buildings, the report confirms that the scheme will have a significant and beneficial impact on the arrangement and setting of Barham Court Farm Barn, resulting in a notable enhancement of the building's immediate environment. The demolition of the existing buildings within the Site would remove unsightly and visually incoherent structures which presently detract from the setting of the Barn. These would be replaced by smaller scale housing which, in the case of Plots 19, 20 and 21, is modelled on or references traditional agricultural building types, materials and detailing. The architectural response is sympathetic to the historic character of the farmstead. The plots neighbouring the listed building (19, 20 and 21) will read in harmony with the heritage asset and result in an enhancement of its principal setting. Based on the proposed layout and scale of new development within the area of the Site that currently includes the largest of the former farm buildings (the southern half), the effect of the new development on the setting of St John's Church, in terms of longer-range views from the south and south facing views from the churchyard, would be notably beneficial.
- 7.13 The report comes to the conclusion that on the basis of a positive, enhancing effect on the significance of Barham Court Farm Barn, St John's Church and associated group, there would be no erosion of their significance or respective heritage values. These would be

sustained in compliance with paragraph 197 of the NPPF. Accordingly, Paragraphs 201-203 of the NPPF are not engaged and there would be preservation for the purpose of the decision maker's duty under Section 66(1) of the Act.

- 7.14 Overall the Heritage Impact Assessment including at para 5.20-5.24, provides a detailed assessment of the impact of the development on Heritage Assets including the context in which the site is viewed from the surrounding area. The site sits within the built form of the village which in turns sits within the wider AONB. The context in which the site is viewed is within the context of the built form of the village and not within the wider landscape, in longer views of the site it is seen with built development as its backdrop. It is also noted that the views of the site are seen in the context of the significant buildings on the site and that the development also proposes to reduce the scale and mass of buildings on the site. In considering the impact of the development site on the AONB, there would be no harmful change in terms on impact on the wider landscape's character and appearance, as the site is not viewed in this context, rather it is viewed in the context of the village's overall contribution to this landscape, which is defined by the historic contribution of the heritage assets, listed buildings and the conservation area, which will result in a beneficial change occurring for the reasons stated in the Heritage Assessment. Given the assessments of long-range views of the proposed development's impact on the landscape and the subsequent conclusions set out in the detailed Heritage Report, a further Landscape Visual Assessment was considered as excessive and subsequently unnecessary.
- 7.15 The potential archaeological merits of the site are examined in the desktop archaeological appraisal for the site prepared by Canterbury Archaeological Trust. This identifies the need for an archaeological evaluation to be undertaken before development is commenced. As the site will need to be cleared of the existing agricultural buildings before the evaluation can be reasonably be undertaken and because this will not happen unless planning permission is forthcoming, it is considered that this matter would be most appropriately dealt with by way of a pre-commencement condition attached to the planning permission and this approach is recommended in the archaeological evaluation.

Highway Matters

- 7.16 The Highway implications of the proposal have been subject to pre-application discussions with the Highway Authority, these have concluded that the overall approach set out in the scheme would be acceptable in principle. No significant changes to the overall approach to highway matters has been made following the pre-application discussion with KCC, however specific aspects of the scheme have been amended in line with the detailed comments

received and the highway works have now been subject to a Road Safety Audit, which is submitted as part of the application.

- 7.17 The Transport Statement prepared by Considine that accompanies the application sets out the highway considerations for the development in more detail. It demonstrates, through the provision of service vehicle tracks that the proposed development access, internal layout and parking provision are all satisfactory and that the proposal would have no adverse impact on the highway safety of the surrounding area and overall the improvements proposed to the site accesses will result in an overall improvement of highway safety and are sufficient to deal with the level of traffic the development will generate. The intention is that some of the internal roads will be adopted by the Highway Authority, the remainder will be private roads. The extent of road adoption will be subject to further discussion and agreement with the highway authority.

Air Quality

- 7.18 The proposal is not considered to be either the cause nor to be unacceptably impacted by any air quality issues either as a result of the schemes construction or its subsequent occupation.

Ecology

- 7.19 The Preliminary Ecological Assessment that accompanies the application provides a detailed review of the ecological potential of the site, this confirms the site to be of low ecological value and that development allows the majority of existing habitats to be retained. No significant restrictions on development are identified by the assessment which also sets out the appropriate mitigation strategies that are required to address the ecology of the site, to allow it to be protected during the construction phase and enhanced post development. The reptile survey identifies the presence of reptiles in the area around the Valley Road access into the site and provides a mitigation strategy to ensure these reptiles are translocated from and restricted from re-entering this area during construction works.
- 7.20 The development is identified as not having any negative impact on surrounding statutory and non-statutory sites and designated sites. The Bat Emergence Survey found no evidence of bats within the buildings to be demolished, measures are proposed to provide habitat protection and enhancement for bats foraging and commuting around the site. In addition, it is proposed that some existing hedgerows to the site will be retained and that the proposals will safeguard the ecological value of these hedgerows and enhance overall enhance the biodiversity of the whole site through the provision of additional planting.

- 7.21 The need to consider the impact of the development on the Stodmarsh Protected sites is addressed in the accompanying Nutrient Assessment. This identifies the extent of Nutrient deficiency caused by the development together with outlining a scheme of mitigation sufficient to restore the development to a position of nutrient neutrality. The mitigation strategy identifies a mitigating drainage area of wetland to be created on farmland in close proximity to the application site and is considered sufficient mitigation to allow the council to make their appropriate assessment of the impact of the scheme on the protected site achieving full nutrient neutrality and allow for planning permission to be issued.

Drainage and Flood Risk

- 7.22 Full details of the measures to be incorporated into the development are outlined in the Drainage Impact and Flood Risk Assessment which accompanies the application. The site is within flood zone 1, areas at least risk of flooding. This document demonstrates in detail how both foul and surface water drainage for the site will be dealt with. The drainage solutions proposed will result in no increase in the risk of flooding or other adverse impacts on the surrounding area. In summary foul water will be connected to the existing public sewer. In accordance with S106 of the Water Industry Act, connection to Southern Water's network is obtained via requisition and through a charge to allow for any network reinforcement. On this basis satisfactory foul sewerage disposal is assured.
- 7.23 It is though noted that as the site falls within the Little Stour and Wingham catchment of the River Stour and is served by the Newnham Valley Waste Water Treatment Works (WwTW) which discharges into this catchment. This WwTW is affected by concerns raised by Natural England in respect of rising nitrate and phosphate levels within the Stodmarsh European Designated Sites. In order to demonstrate that new development will not add to the adverse impact on the Stodmarsh protected sites through further increase of nutrient levels, all new residential development within the Stour catchment is required to demonstrate that it can achieve nutrient neutrality. The nutrient budget for a scheme is calculated in accordance with Natural England's standing advice. Where nutrient neutrality cannot be demonstrated, development cannot be allowed to proceed without a scheme of mitigation being proposed and implemented to off-set the increased nutrient output caused by the development taking place.
- 7.24 In accordance with the requirements of Natural England's standing advice, the application is accompanied by a Nutrient and Neutrality Assessment prepared by Herrington Consulting Ltd. This document identifies the scheme as being nutrient positive, thereby increasing levels

of nutrients being discharged into the watercourse. A scheme of mitigation is therefore required to address the impact of the increased nutrient load on the protected sites. In order for the scheme to achieve nutrient neutrality mitigation works will be required to address the increase in Total Nitrogen and Total Phosphorous that occurs. The report identifies the need to provide wetland to offset the impact of the development and also that whilst there is potential to provide some on site, there will also be a need to provide this off site to achieve the requirement for nutrient neutrality. Once clear guidance is provided by the LPA on mitigation options an appropriate mitigation strategy can be prepared. On this basis any impact of the development on the Stodmarsh protected sites is wholly mitigated in accordance with the council's preferred approach.

- 7.25 The Drainage Impact and Flood Risk Assessment which accompanies the application provides an assessment of the flood risk, identifying most of the development site, including all the new built development to be within Floodzone 1 and therefore appropriate for more vulnerable development, that includes residential. Overall, the flood risk for the site is low. The drainage systems for the site are designed with the aim of ensuring that flood risk is not increased. It is proposed to connect the foul water drainage from the site into the existing public foul sewer within Valley Road. Surface water is proposed to be infiltrated into the ground using an array of geocellular soakaways, permeable pavements and catch pits suitable to deal with a 1 in 100 year storm event and with a 40% allowance for increased rainfall intensities as a direct result of climate change. The report concludes that is evident that the site can be drained satisfactorily in accordance with Local and National Planning Policy Guidance. The details of the drainage systems should be the subject of suitably worded Planning Conditions which would require the schemes to be submitted to the local authority for approval prior to construction work commencing.

Affordable Housing

- 7.26 As set out in paragraph 5.13 above, it is intended to provide 30% affordable housing on the site in accordance with policy H2 of the CDLP. With a total provision of 22 dwellings, 7 affordable dwellings are required to achieve this 30% requirement. In accordance with the council's requested tenure requirements, the following units are proposed to be provided within the scheme.

- | | |
|---|-------------------|
| • First Homes for sale to local people at 70% of market value | Plots 6 and 8 |
| • Shared Ownership | Plots 7, 9 and 12 |
| • Affordable Rent | Plots 10 and 11 |

- 7.27 The applicant is talking to registered providers (RP) regarding the delivery of the shared ownership and affordable rental units, however as yet no agreement has been reached on which RP will take on and manage these units.

Residential Amenity and Noise

- 7.28 The new dwellings have been designed to ensure that there is no unacceptable overlooking between the new dwellings or any overlooking, loss of privacy, daylighting or outlook to the occupiers of surrounding development. All the proposed houses meet with national space standards and are provided with appropriately sized areas of outdoor amenity space and car parking. Where courtyard parking is proposed this is accessible to the rear gardens of the properties so serviced. Each property will be provided with an amenity store within its garden area, this will provide outside storage for three cycles and refuse bins. The properties will all therefore have sufficient space for the storage of the bins for general waste, garden waste, food waste and recycling materials as collected by the local authority. The submitted drawings no.842-P05 shows the proposed collection points for each dwelling and the vehicle tracking for a refuse freighter is included in the Transport Statement.
- 7.29 The proposals have been discussed with the owners of the adjoining Simpson's Vineyard, as can be seen from their letter included as an appendix at the end of this report, they welcome the redevelopment proposals. Their use of the building immediately adjacent to the site is outlined in their letter. It will be noted that the building is proposed to be used for long term storage purposes, the day-time working hours of the site are highlighted and it is understood that no noisy or otherwise intrusive equipment is to be installed within the building or for it to be used for their operational purposes that would unacceptably impact on the residential amenity of the area.

Other Matters

- 7.30 A CIL Additional Information Form has been submitted with the application, it is also noted that as the site exceeds 0.5 hectares in size there is a requirement to contribute towards the provision of affordable housing. The affordable housing content of the scheme is outlined at paragraph 7.26 above The applicant will seek to reach agreement with the council on this point and any other contributions requested by the council during the course of the consideration of the application.

8 Conclusion

- 8.1 The proposed residential development of the site would be in accordance with government policy in the NPPF. The site is in a predominantly residential area clearly lies within a sustainable location, the proposal is therefore clearly consistent with the objectives of the NPPF. The site will contribute to the provision of housing to meet the needs of the district which currently does not have a 5-year supply of housing.
- 8.2 The proposed development is considered to comply with policies; SP1, SP4, DBE3, and DBE4, of the local plan in that the resultant dwellings will provide a suitable replacement for the existing buildings on the site by proposing development that is compatible with the form and scale of the site, without unacceptable harm to the privacy or amenity of neighbours. Overall, the development of the site will result in a positive enhancement to the character and appearance of the local area. The less than substantial harm that would be caused to the nearby heritage assets would be outweighed by the public benefits of the scheme including the boost of housing supply which would also create support for local services and facilities, plus the wider economic benefits of the construction and subsequent occupation of the dwellings.
- 8.3 The scheme has been assessed for its nutrient neutrality, and although this has been found to result in an increase in nutrient output, a satisfactory scheme of mitigation is proposed as a compensatory measure to ensure neutrality is achieved.
- 8.4 It is therefore considered that there are no grounds to resist granting planning permission for the proposal. The application is sustainable development that accords with the NPPF and local plan policies and should be approved without delay.



26th October, 2021

Josh Maasbach
Roma Capital
78 Sandgate High Street
Sandgate
Kent, CT20 3BX

Dear Josh,

It was a pleasure to meet you onsite last week and discuss your plans for residential development at Barham Court Farms. We look forward to seeing your project come to fruition as it will significantly improve the look and feel of the surrounding area by removing the rather derelict pig farm and replacing it with high quality housing. We would support your proposals to that end.

As you are aware we have recently renovated two agricultural barns on our northern perimeter that will boarder your proposed development. You have asked me to confirm the usage of the agricultural barns. I can therefore confirm the use will be entirely agriculture / and or viticulture in nature including the warehousing of equipment, long-term storage of wine in bottle plus movements to and from the building for distribution connected with our agricultural exploitation. Our normal hours of use will be weekdays from 08:00 to 18:00, although we retain to right to operate outside of these hours, during peak times for permitted agricultural activities like harvesting and bottlings.

I hope the above is helpful, but should you need anything further don't hesitate to get in touch.

Best wishes,

Charles Simpson (Co-Founder)

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