

REPORT SUMMARY

REFERENCE NO - 14/504795/FULL – Management Plan review for the ecology park and woodland			
APPLICATION PROPOSAL Erection of 30 no. open market homes and associated garaging, and erection of 20 no. affordable homes, construction of access road and bridge, and provision of open space, ecology park and new public footpath. Demolition of 24 bay garage court and redevelopment to provide a 16 bay garage court and amenity storeroom.			
ADDRESS Land to the South of Cross Keys, Bearsted, Kent			
RECOMMENDATION – Application Permitted			
SUMMARY OF REASONS FOR RECOMMENDATION The long term management plan for the open space, woodland and ecology park has been reviewed by the Council’s Landscape Officer and meets the requirements for designation as a Local Nature Reserve. To seek the agreement of Members of the Planning Committee to amend the S106 contributions being sought and amend the resolution in respect of the Heads of Terms to include a contribution of £25,000 for the future management and maintenance of the ecology park and woodland area.			
REASON FOR REFERRAL TO COMMITTEE Planning application 14/504795 was resolved to be approved at the planning committee meeting on 16 th April 2015 with the Head of Planning and Development being given delegated powers to grant permission subject to the prior completion of a S106 legal agreement including, inter alia: <ul style="list-style-type: none"> • Affordable housing • Contributions • Details of a long term management plan for the open space, woodland and ecology park <p>The committee further resolved: That the details of the long term management plan for the open space, woodland and ecology park referred to in the heads of terms of the S106 legal agreement be reported to the Planning Committee for approval prior to completion of the S106 legal agreement.</p>			
WARD Bearsted	PARISH/TOWN COUNCIL Bearsted	APPLICANT Country House Developments AGENT Mr Guy Osborne	
DECISION DUE DATE N/A	PUBLICITY EXPIRY DATE N/A	OFFICER SITE VISIT DATE N/A	
RELEVANT PLANNING HISTORY			
App No	Proposal	Decision	Date
14/504795/FULL	Erection of 30 no. open market homes and associated garaging, and erection of 20 no. affordable homes	Resolved at Planning Committee subject to S106	16/04/2015

1.0 APRAISAL

- 1.1 Planning application 14/504795 was resolved to be approved at the planning committee meeting on 16th April 2015 subject to the prior completion of a S106 legal agreement.
- 1.2 The committee resolved to grant planning permission subject to a S106 agreement, and conditions and, further resolved:
 - That the details of the long term management plan for the open space, ecology park and woodland, referred to in the heads of terms of the S106 legal agreement be reported to the Planning Committee for approval prior to completion of the S106 legal agreement.
- 1.4 The application site is effectively formed of two parts, the housing development and the woodland and ecology park.
- 1.5 During the planning committee meeting there was a desire from Members that the woodland and ecology park is designated as a Local Nature Reserve (LNR).
- 1.6 Following the committee meeting on 16th April the applicant has submitted a Management Plan for the housing estate and the woodland / ecology park.
- 1.7 The Management Plan demonstrates:
 - How the two management areas will be owned
 - How they will be laid out prior to being taken over by the managing organisations
 - The extent of envisaged maintenance
 - The expected future cost of managing the two parcels of land
- 1.8 A number of enhancement works for the woodland and ecology park are set out in the Management Plan and the Plan has been developed with the intention that the woodland and ecology park area could be designated as an LNR in the future. The Management Plan also sets out future on-going maintenance of the woodland and ecology park.
- 1.9 It should be noted that the process for designation as a Local Nature Reserve is a separate process from the requirements of the S106 and planning permission. In order to designate the land as a Local Nature Reserve the council will be required to formally declare the LNR to Natural England who will then assess whether the site meets the requirements of an LNR.
- 1.10 The council's landscape officer has reviewed the Management Plan and confirms that the enhancements, future management and on-going maintenance of the site would all meet the requirements for designation as a LNR.
- 1.11 The developer has held initial discussions with Maidstone Borough Council and with the River Len Nature Reserve Trust. It is envisaged that the developer will retain ownership of the land and enter into a pepper-corn lease agreement with Maidstone Borough Council who in turn will hold a management agreement with the River Len Nature Reserve Trust.
- 1.12 It is envisaged that the existing River Len Nature Reserve will be extended to include the sections of the application site referred to as the woodland area and ecology

park. The process of extending an existing Nature Reserve is more expedient and simpler than seeking to designate a new one.

- 1.13 The Management Plan advises that a maintenance fund of £25,000 will be provided to ensure sufficient management and maintenance of the woodland and ecology park, for an initial 21 years, a timescale which is in accordance with Natural England guidance for LNR designation. The £25,000 will be paid in accordance with the details contained within the legal agreement. The previously agreed Heads of Terms will be amended to include the £25,000 management contribution.
- 1.14 The Management Plan also sets out the proposed long term management and maintenance for the housing development.
- 1.15 The housing development will be a privately owned estate with all common parts of the estate being owned by the residents and controlled by a managing agent. The developer has appointed Premier Estates to manage the common parts of housing estate.
- 1.16 Premier Estates have produced a report which outlines the level of the expected costs to each homeowner. The Management Plan advises that that the smallest property will have a monthly charge of some £25 and that the largest property will have a monthly charge of some £63. It is considered that these monthly costs would be achievable by future occupiers.

2.0 CONCLUSION

- 2.1 Overall the details within the Management Plan are considered to be accurate and acceptable and successfully demonstrate that the proposed enhancements, management and maintenance of the ecology park and woodland are acceptable and would meet the requirements for future designation as a Local Nature Reserve.

- 3.0 **RECOMMENDATION** - GRANT details of the Management Plan and include the following amendments / additions to the Heads of Terms of the S106 agreement as previously agreed by committee members on the 16th April meeting, with DELEGATED POWERS TO GRANT subject to the prior completion of a legal agreement with the addition of the following:

- *A contribution of £25,000 towards the future enhancement, management and maintenance of the open space, woodland area and ecology park.*
- *Inclusion of the agreed management plan within the s106 agreement (removal of reference to details of a long term management plan for the open space, woodland and ecology park from the heads of terms).*

Case Officer: Andrew Jolly

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