

Representations

One further letter from a resident of the village has been received. This expresses concerns regarding highway safety. Concerns are raised regarding the eventual width of Grigg Lane being inadequate to accommodate the increased traffic when the proposed new footpath is constructed but also objects to the lack of a continuous footpath along the north side of Grigg Lane and the lack of a footpath along Oak Lane to serve the development. The letter also states that the footpaths should be provided with street lighting.

Officer comment

Members will be aware from the report that Kent Highway Services have raised no objections to the proposals on the grounds of principle or highway safety. A number of highway improvements have been agreed between the developer and Kent Highways which will be secured through a s278 agreement. These are set out in paragraph 5.26 of the report.

A footpath is to be provided along Grigg Lane and this will be supported by the provision of street lighting.

As the report states at paragraph 10.3, it is not considered necessary in highway safety terms to require a pavement to be constructed along Oak Lane due to the lack of personal injury accidents within a ten year period.

If planning permission is granted no occupation of the development will be permitted until the package of highway improvements has been completed.

Officer comment

I would advise Members that an additional area of land has been included within the application site and notice served on the current landowner. This land forms part of the proposed mitigation for the development and its future management will be secured through the s106 agreement.

A revised landscape proposals plan (attached) has also been submitted. This more clearly shows the proposed landscaping and mitigation strategy for the site and also the location of the additional land to be utilised as a wildlife corridor as part of the mitigation for the development.

The proposed mitigation is divided into areas within the main development site and proposals outside the development area what might be termed 'on-site' and 'off-site' mitigation.

On-site mitigation includes a commitment to ban the use of pesticides on the site, the provision of managed meadow areas, the provision of a pond, new hedgerow and shrub planting areas, three secure reptile hibernacula and a

compost area as well as the retention of the existing ditch along the Grigg Lane frontage and the existing hedgerow and hedgerow trees along the eastern boundary of the site.

Off-site mitigation includes the additional land along the western boundary adjacent to the northwest corner of the site and along the northern site boundary. These areas will be secured from the remainder of the development and managed as connecting corridors maintaining the existing ditches and connections to the pond lying north of the site. An east-west uncultivated connection across the north boundary of the site but outside the development area will also be secured connecting the western and eastern site boundaries and existing planting to be retained.

The current application was supported by both great crested newt and reptile surveys which contained outline proposals for the mitigation strategy. The scheme has been designed with the impact on reptiles and newts in mind.

The scheme, whilst clearly resulting in development of the current field, will maintain connectivity to ditches and ponds for all boundaries of the development. The western boundary and the north western corner of the site in particular will be protected from encroachment from within the adjoining development. Areas within the site will be formed as meadows, managed and cut in the interests of reptiles and newts. These will clearly connect to the eastern site boundary.

Members will have noted from the report that Natural England have not raised objections to the proposals. They have considered the ecological surveys which contained outlines of the extent and type of mitigation measures proposed. These did not include the area along the western boundary or the north west corner of the site that have now been included. Natural England clearly concluded that the proposals appear sufficient to mitigate any potential impacts on both great crested newts (para 2.2.1 of the committee report) and the local reptile populations (para 2.2.2 of the committee report).

I can also advise Members that the applicants have agreed to the installation of bird and bat boxes around the site and swift/bat bricks on the buildings. This can be secured by means of an appropriate condition. In addition, the applicants have also agreed to ensure that the drainage design for the site will be 'wildlife friendly' as well as the design of kerbs and crossing points within the site. Existing conditions 5 and 8 can be amended to achieve this.

I remain of the view that appropriate account has been taken of the impact of the development on protected species and that the proposals will be sufficient to mitigate against any possible impacts on great crested newts and the local reptile population.

Amendments to recommendation

Amend condition 5 to read

5: The development shall not commence until details of the proposed materials to be used in the surfacing of all access roads, parking and turning areas and pathways within the site, and the design of kerb-stones/crossing points which

shall be of a wildlife friendly design, have been submitted to and approved by the local planning authority. The development shall thereafter be undertaken in accordance with the subsequently approved details.

Reason: To ensure a high quality external appearance to the development pursuant to PPS1.

Amend condition 8 to read

8: The development shall not commence until details of foul and surface water drainage have been submitted to and approved by the local planning authority. The submitted details shall incorporate inter-alia wildlife friendly drainage gullies and design features. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interest of pollution and flood prevention pursuant to policy NRM4 of the South East Plan 2009 and biodiversity pursuant to policy NRM5 of the South East Plan 2009.

Amend Condition 12 to read

The development shall not commence until, details showing the provision of 1.8m high privacy panels for a distance of not greater than 2m from the rear wall of each dwelling unit and thereafter 1.2m high stock-proof or chain-link fencing along the remaining flank and rear garden boundaries of the residential units and for 1.2m high chain-link fencing to the boundaries of the childrens' nursery and doctors' surgery where provided, have been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details before the first occupation of the buildings or land and maintained thereafter;

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers pursuant the advice in PPS1.

Amend Condition 13 to Read

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 and the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Classes A, B, C, D, E, F and G and Part 2 Class A to that Order shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character, appearance and functioning of the surrounding area pursuant to policy CC6 of the South East Plan 2009 and the advice in PPS1.

Amend condition 14 to read

14: The development shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species. The scheme shall be designed using the principles

established in the Council's adopted Landscape Character Assessment and Landscape Guidelines and be based on the strategy shown on drawing no. HS40/revA received 18/05/2010. The submitted scheme shall include the following;

- i) details of all existing trees and hedgerows on the site clearly indicating those to be removed and those to be retained,
- ii) details of the retention and location within the site of a proportion of the cordwood arising from the felling of any trees
- iii) details of the planting specification and long term management of the meadow areas within the site in the interests of ecology and biodiversity
- iv) details of the proposed hibernacula and compost areas
- v) details of the species, size, density and location of all new planting within the site
- vi) details of the specification and species proposed for the grass roofs of the surgery and nursery buildings and a long-term management programme
- vii) details of the provision of bird and bat boxes and the provision of bat and swift bricks within the development
- viii) details of the design and planting specification of the proposed pond

Reason: No such details have been submitted and to ensure a satisfactory visual appearance to the development pursuant to policy ENV6 of the Maidstone Borough-wide Local Plan 2000 and in the interests of biodiversity and ecology pursuant to policy NRM5 of the South East Plan 2009.