

20/501773

Additional Condition re. Ground Conditions

On further review it is considered that a condition requiring details relating to foundation designs and other infrastructure (roads, parking areas etc.) is appropriate. This is based on the mitigation of risk measures recommended in the 'Desk Study Site Investigation Report' which refers to design of the foundations, infrastructure and drainage.

With regard to drainage, and as outlined at paragraph 6.61 of the original committee report, condition 16 requires evidence to demonstrate that any water infiltration to the ground does not result in any unacceptable risk to ground stability.

With regards to foundation design, paragraph 6.61 outlines that this is dealt with under the Building Regulations which is correct. However, in view of the applicant's evidence recommending that the design of foundations and infrastructure needs careful consideration (which the applicant has confirmed will be done), and in order to adequately mitigate/minimise any risks relating to land stability as required under the NPPF and national guidance, it is considered appropriate for this to be demonstrated via a planning condition in this specific case.

The following additional condition is therefore recommended:

No part of the development shall take place until a detailed construction and engineering methodology for that part of the development (foundations for buildings and infrastructure) has been submitted to and approved in writing by the local planning authority. The methodology shall demonstrate that any risks to and from ground stability, have been suitably mitigated/minimised and include:

- a) intrusive site investigations;*
- b) assessment of land instability risks to and from the development; and*
- c) measures to adequately minimise any identified instability risks*

That part of the development shall be carried out in accordance with the approved details.

Reason: To ensure appropriate mitigation is provided in respect of land stability.

Representations

14 representations from local residents, and from Aylesford and Watlington Parish Councils have been received. They do not raise any new material planning matters that haven't already been considered or discussed in the reports.

Biodiversity

The Kent Wildlife Trust have reiterated their view that the development does not provide the necessary net gains and actually results in losses for biodiversity.

Officer Comment

I wish to clarify the impact of the development and assessment made in terms of biodiversity.

The NPPF outlines that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site), adequately mitigated, or, as a last resort, compensated for, then permission should be refused. It also requires impacts on biodiversity to be minimised and seeks 'net gains' for biodiversity.

The site consists of mainly semi-improved grassland with some scrub areas and is bordered by hedgerows and trees with woodland to the north. There are slow worms, lizards, and grass snakes present and other protected species are present mainly around the edges of the site.

The majority of the site is allocated for housing and so it not possible to locate the development on another site. As such, there will be an inevitable impact from the required housing and in order to ensure there is no harm to protected species, the slow worms and lizards will be translocated (the grass snakes will remain). The edges of the site would not be developed.

Approximately 5ha of semi-improved grassland habitat would be lost to the development areas and an equivalent amount of grassland will be enhanced/provided at Mote Park and/or now additionally at a different location nearer to the site so the reptiles can be translocated, and so the loss of this habitat will be compensated meaning there will be no net loss of this type of habitat.

The vast remainder of the site (1.5ha) will provide natural/semi-natural space and this will be enhanced for the benefit of biodiversity in the form of the new native and wildflower planting, wildlife nests, and habitat piles including long-term management. This will serve to minimise and mitigate the impact of the development as far as possible on-site but also provide some gains through the enhancements.

Balancing the fact that the site is allocated for housing, the enhancement of the equivalent amount of land to compensate for the habitat lost to the development (so no net loss), the enhancements (and thus biodiversity gain) secured on the remaining 1.5ha of natural/semi-natural land is considered proportionate in this case.