

**REFERENCE NO - 20/505182/REM**

**APPLICATION PROPOSAL**

Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale) for Phase 1 being landscaping, infrastructure work required to create:

- Development platforms across the entire site
- 22,884sqm of flexible Use Class B1(c)/B8 employment floorspace comprising of -
- 7no. units on Plot A totalling 5,444sqm (Units A3- A9)
- 4no. units on Plot B totalling 17,440sqm (Units B1-B4)

Pursuant to 17/502331/OUT (Outline application for a mixed commercial development comprising B1(a), B1(b), B1(c) and B8 units, with a maximum floor space of 45,295 square metres (access approved)

**ADDRESS** Land at Woodcut Farm, Ashford Road, Hollingbourne

**RECOMMENDATION – APPROVE WITH CONDITIONS**

**SUMMARY OF REASONS FOR RECOMMENDATION**

- The proposed layout follows the agreed Master Plan in terms of the development parcels and ensures that all the strategic landscaping around the outside of these areas is provided in accordance with the site policy EMP1(4).
- The layout complies with all the site policy and outline permission requirements apart from a lack of substantial tracts of landscaping of at least 15m in width to provide clear visual separation between individual buildings and parking areas.

This represents a conflict with part of criteria 1 of the site policy and part of the landscaping requirements of the outline permission (condition 8) but for the reasons outlined in the assessment, on balance, this is not considered to result in a development that would be unacceptable or result in a materially different impact from the AONB or local landscape, or have a significant adverse impact on the setting of the AONB in accordance with policy SP17. This is considered to represent a material consideration to justify a decision that is not strictly in accordance with part of criteria 1 of site policy EMP1(4).

- The proposals would appropriately minimise the impact of the development on the setting of Woodcut Farmhouse (GII listed) and would not have any harmful impact on any other heritage assets.
- The building designs are of good quality for the proposed industrial and warehouse buildings with interest provided through the variation of materials and colours, and active frontages in accordance with policy DM1. The landscaping scheme is comprehensive with species that are predominantly native.
- The proposed levels strike an acceptable balance between lowering buildings and development to limit its impact upon the setting of the AONB and local landscape, and having suitable levels changes in and around the site.

**REASON FOR REFERRAL TO COMMITTEE**

<ul style="list-style-type: none"> <li>• Councillor Garten has requested the application is considered by the Planning Committee for the reasons set out in his comments.</li> <li>• Hollingbourne Parish Council recommend refusal and request the application be considered by Planning Committee.</li> <li>• The recommendation is contrary to the provisions of the Development Plan namely part of criteria 1 of the site allocation policy.</li> </ul>			
<b>WARD</b> North Downs	<b>PARISH COUNCIL</b> Hollingbourne	<b>APPLICANT</b> Maidstone Investment Holding Ltd <b>AGENT</b> Savills	
<b>DECISION DUE DATE:</b> 24/02/21	<b>PUBLICITY EXPIRY DATE:</b> 02/02/21	<b>SITE VISIT DATE:</b> 16/02/21	
<b>RELEVANT PLANNING HISTORY</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
17/502331	Outline application for a mixed commercial development comprising B1(a), B1(b), B1(c) and B8 units, with a maximum floor space of 45,295 square metres (Access being sought) (Resubmission of 15/503288/OUT)	APPROVED	20/07/18
20/505195	Section 73 - Application for Variation of Condition 3 to allow buildings on the eastern part of the site to have a footprint up to 10,000sqm, and variation of Condition 4 to allow buildings on the western part of the site to have a footprint up to 4,800sqm, a ridge height up to 10.5m, and to remove the requirement for buildings to be orientated end-on to the M20 motorway pursuant to application 17/502331/OUT	PENDING	

## **1.0 DESCRIPTION OF SITE**

1.01 The application site relates to the Woodcut Farm employment allocation within the Local Plan. It is an irregular shaped parcel of arable farmland with an area of approximately 19 hectares immediately west of junction 8 (J8) of the M20 motorway. The application also includes two areas of land outlined in blue (being adjoining land within control of the applicant). One is to the northwest which is defined as a 'landscape area' in the Local Plan and another to the west which is not within the allocation but would also provide a landscaped area.

1.02 Along the northern boundary is the M20 with the High Speed railway (HS1), J8 service station and the Ashford to Maidstone railway line beyond; to the eastern boundary is the J8 roundabout and its slip roads; along the south

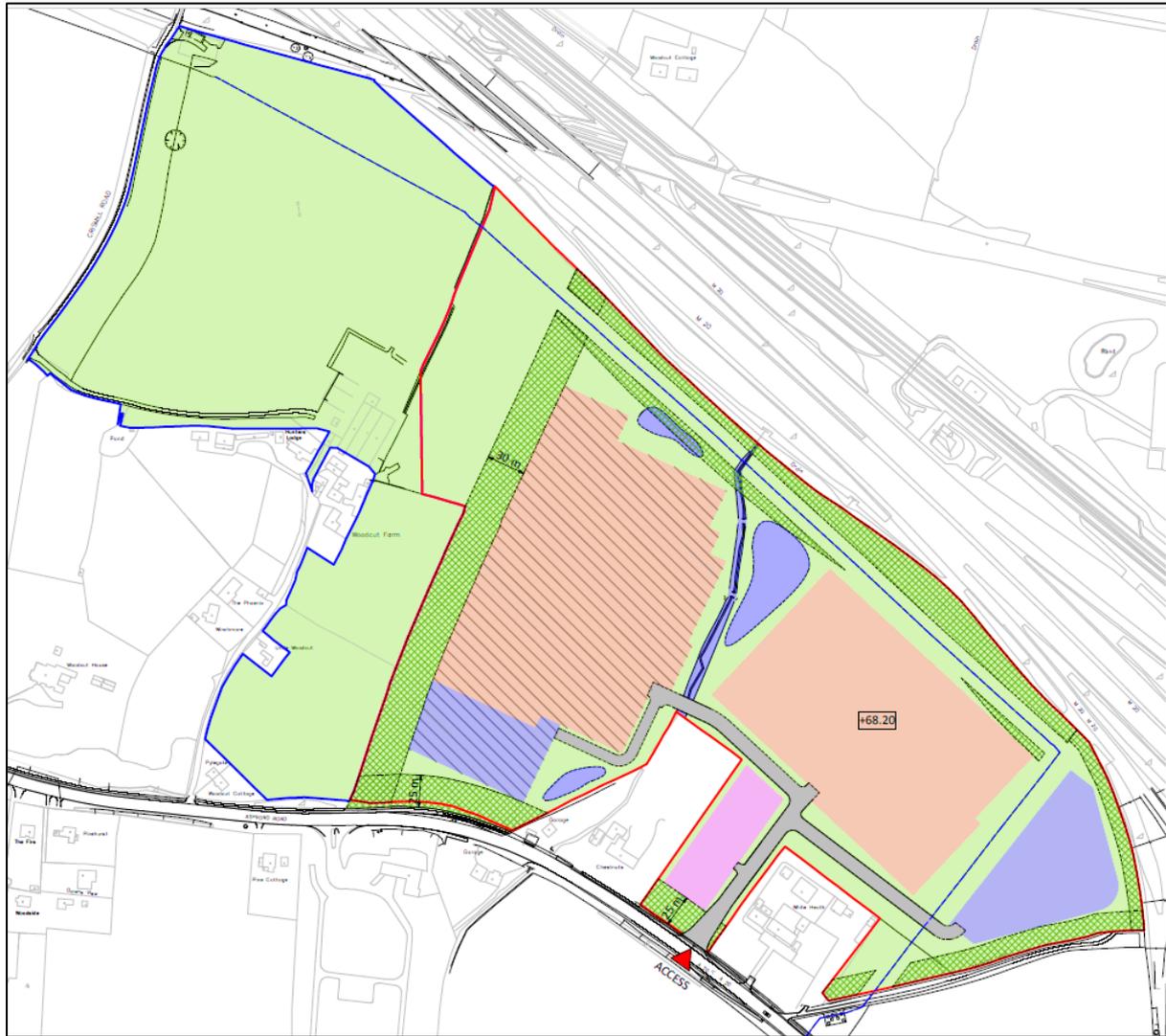
eastern boundary is Musket Lane, a narrow track which provides agricultural access to the site; along the southern boundary is the A20 (Ashford Road) and two residential properties; and along the west boundary is further farmland and a number of residential properties including the Woodcut Farm complex of buildings.

- 1.03 The two dwellings adjoining the south edges of the site are 'Chestnuts' and 'White Heath' and there is a car wash/garage facility that adjoins part of the south boundary. To the north west is the Woodcut Farm complex, set at a higher level with a private driveway (over which PROW KH641 runs) providing access from the A20. There are also around six other dwellings here including Woodcut Farmhouse a Grade II listed dwelling.
- 1.04 There are no local landscape designations affecting the site. The Kent Downs Area of Outstanding Natural Beauty (AONB) is north of the M20 and the Ashford to Maidstone railway line. At its closest point the AONB is within approximately 120m of the application site. It is considered that the application site falls within the setting of the AONB. There is also a local nature reserve to the north of the railway line around 130m from the site boundary at its closest point.
- 1.05 The site does not contain any designated heritage assets but there are a number within the vicinity, the closest being the Grade II listed Woodcut Farmhouse 80m to the west of the site. The Hollingbourne/Eyehorne Street Conservation Area, which features a number of listed buildings is around 710m to the east, and Leeds Castle (Grade I) and its Grade II\* listed grounds (which features other listed buildings) are around 2km and 1km to the south east respectively. There are 5 protected trees (Oak and Scots Pine) along the south east boundary of the site with Musket Lane.

## **2.0 BACKGROUND**

- 2.01 Outline planning permission was granted under application 17/502331 for a mix of B1(a), B1(b), B1(c) and B8 units with a maximum floor space of 45,295m<sup>2</sup>. This application included the access to the site off the A20 and so up to 45,295m<sup>2</sup> of floorspace with access has been approved. The permission is subject to numerous conditions and a section 106 legal agreement.
- 2.02 As part of the approval of the outline permission, the legal agreement required the applicant to agree a 'Master Plan' for further development of the site. This involved a specified group of Councillors and officers and this was carried out and approved over summer 2020. The Master Plan includes high level parameters of phasing, layout of the main built areas and roads, strategic landscaping, general building design, form and scale, and materials. It essentially guides how the site should be developed and the main plan is shown on the following plan.

Approved Master Plan



KEY:

 B1(c) / B8	 POTENTIAL TO INCREASE BUILDING HEIGHTS SUBJECT TO PLANNING CONSENT	 GENERAL LANDSCAPE
 B1(a/b)	 STRUCTURAL LANDSCAPE PLANTING STRIP	 WATERCOURSE / PONDS
 B1(a/b) + POSSIBLE AMENITY SPACE SUBJECT TO SEPARATE PLANNING PERMISSION	 PROPOSED ROADS	 GAS MAIN

**3.0 PROPOSAL**

3.01 The application seeks permission for the reserved matters of appearance, landscaping, layout and scale for 'Phase 1' of the development. This includes the following:

- Engineering works to create the ground levels across the entire site.
- The man internal roads and the surface water drainage scheme.

- 7 buildings on part of the west side of the site (Units A3- A9) including access and parking areas.
- 4 buildings on part of the east side of the site (Units B1-B4) including access and parking areas.
- A total of 22,884m<sup>2</sup> for Class B1(c) (light industry) and/or B8 (storage and distribution) would be provided within the 11 buildings. At present end users are unknown so the buildings could be used for B1(c) or B8 uses and the permission allows up to 12,840m<sup>2</sup> of B1(c) and 22,455m<sup>2</sup> of B8 across the whole site.
- All strategic landscaping around and through the main development areas and within the building areas proposed under this application.

3.02 These proposals will be discussed in more detail in the assessment below. The EIA Regulations apply to reserved matters applications and so an Environmental Statement Addendum has been submitted alongside the proposals.

#### **4.0 POLICY AND OTHER CONSIDERATIONS**

- Maidstone Borough Local Plan (2011-2031): SS1, SP17, SP18, SP21, SP23, EMP1, EMP1(4), ID1, DM1, DM2, DM3, DM4, DM6, DM8, DM21, DM23, DM30
- Kent Waste and Minerals Plan (amended 2020)
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Town and Country Planning (Environmental Impact Assessment) Regulations 2017
- MBC Air Quality Guidance
- Kent Downs AONB Management Plan (2014-2019)

#### **5.0 LOCAL REPRESENTATIONS**

5.01 **Local Residents:** 12 representations received raising the following (summarised) points:

- Some conditions have not been fully addressed by the applicant.
- Lack of details on lighting and concern it will spill.
- Access arrangements have not been agreed apart from location in and out of the site and sightlines have not been taken into account.
- Timetables are needed for highways works.
- There needs to be sufficient parking to avoid overspill off-site.
- KCC have note commented on parking.
- Object to block of woodland coppice as properties are already screened and it would unnecessarily overshadow properties.
- Mature trees should be used so mitigation is achieved early on and the timings for planting are contradictory.
- Mix of uses is not clear.
- Plot B should be lowered.
- Black cladding will not sit well in the landscape.

- Concern over noise impact and evidence.
- Lacing of signage details.
- Neighbouring resident suffers from respiratory issues; proposals will offer little protection from noise and air pollution; and roads should be moved further away from property.
- Where is long-term management plan for landscaping.

5.02 **Hollingbourne Parish Council: Request the application is refused** and referred to Committee if minded to approve as the Parish Council feels the works proposed within this application will be detrimental for the area.

5.03 **Bearsted Parish Council** (neighbouring): *"Recommend approval of the landscaping within the site boundaries. Reserve BPC's right to comment on the ingress and egress of traffic flow surrounding the site. BPC to make contact with KCC and Highways England on traffic matters."*

5.04 **Councillor Garten** requests the application is considered by the Planning Committee, *"because it is a major development of significant public interest"*.

5.05 **Kent Downs AONB Unit: Strongly objects** and does not consider the reserved matters details comply with the requirements of the site policy and conditions of the permission particularly relating to landscaping, building colours, and lighting. They conclude by saying: *"It is considered that the proposals submitted under the Reserved Matters application would neither conserve nor enhance this part of the setting of the AONB. We consider the application to be contrary to paragraphs 170 and 172 of the NPPF, policies EMP1(4) and SP17 of the adopted Maidstone Borough Local Plan as well as the Kent Downs AONB Management Plan, in particular policy SD8."*

5.06 **CPRE (Maidstone):** Make the following (summarised) points:

- The proposed blue colours are jarring and very difficult to screen.
- Green walls and roofs should be used.
- Mature trees and hedging should be used.
- Welcome the inclusion of PV.
- Light pollution.
- Concern of lorries parking off-site.

## **6.0 CONSULTATIONS**

*(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)*

6.01 **Natural England:** Strongly recommends that any advice provided by the Kent Downs AONB unit on the appearance, landscape and layout is given full consideration.

6.02 **Historic England: No objections.**

6.03 **Highways England: No objections.**

6.04 **Environment Agency: No objections.**

6.05 **KCC Highways: No objections** subject to conditions.

6.06 **KCC SUDs: No objections**

6.07 **KCC Minerals & Waste:** No comments on the reserved matters.

6.08 **KCC Archaeology:** No comments on the reserved matters.

6.09 **KCC Ecology: No objections.**

6.10 **MBC Conservation Officer:** *"The submitted details provide some reassurance that the structural planting at the west of the site would partially screen the development from the listed building at Woodcut Farm. However, this does not address our ongoing concerns that the historically open and rural setting of the farmhouse would be negatively impacted by the development."*

6.11 **MBC Landscape Officer: No objections** in terms of impacts upon trees and the proposed landscaping scheme. A long-term management plan for the planting will be required.

6.12 **MBC Environmental Health: No objections.**

6.13 **HSE: No objections.**

6.14 **Southern Water: No objections.**

6.15 **Kent Police:** Refers to measures outlined and strongly recommends the use of the 'Secured by Design (SBD) Commercial 2015' initiative for this development with regard to all security specifications and design etc.

6.16 **HS1 Limited:** Has no comments on the application.

## **7.0 APPRAISAL**

7.01 The principle of up to 45,295m<sup>2</sup> of commercial development at the site has been accepted under the outline consent and the site is allocated in the Local Plan for such development under policy EMP1(4). The access onto the A20 including the access road extending 40m into the site has also already been approved as part of the outline permission. The key issues to consider are the following:

- Layout, landscaping, scale and design and compliance with the site allocation policy and outline permission.
- Heritage
- Highways
- Other matters

### Layout & Landscaping

7.02 The site allocation policy and outline permission both have various requirements to guide the layout and landscaping, which can be summarised as follows:

- Substantial internal landscaping, including tracts of planting extending into the development to achieve clear visual separation between individual buildings and parking areas.
- Buildings not to cover more than 40% of the site.
- Landscape buffers around the outsides of the development (with minimum depths and planting typology specified in some cases).
- An open woodland area to the northwest and tree planting to the west of the development area.
- Avenue tree planting along the access road.
- Swales and balancing ponds.

7.03 As outlined earlier in the report, a Master Plan has been approved which is a material consideration and this sets a high-level layout to the scheme being the development areas and strategic landscaping. This complies with all the above requirements where relevant.

7.04 Turning to the plans submitted under this application, the proposed layout is shown on the following plan.



7.05 The development areas follow the Master Plan and ensure that all the strategic landscaping around the outside of the development is provided. This includes the requirements of the outline permission as follows:

- Dense woodland planting along the A20 frontage at the south western edge of the site in excess of 25m width including a planted bund.
- A 30m native woodland belt with understorey shrubs and grasses along the western edge of the site to help secure the setting of Woodcut Farmhouse.
- Planted landscape buffer zones to the west north and east of 'Chestnuts' and 'White Heath' adjacent to the site.
- Retention of the protected trees along Musket Lane, augmented with hedgerows and a new native woodland shaw at least 15m in depth to Musket Lane.
- Creation of a circa 38m-70m landscape buffer between any development and the M20 which includes the gas pipe easement.
- A woodland shaw along the northern boundary and the M20 of at least between 10-24m width.

- The gas pipe easement corridor managed as long grass with indigenous wild flora.
- An avenue of tree planting along the access road.
- An area of heavily treed native woodland planting in the north west corner of the site of approximately 2.5ha and an area of wooded pasture within the land outlined in blue to the northwest of the application site of approximately 6.6ha (total of at least 9ha).
- Tree planting within the area the land outlined in blue to the west of the application site (approximately 2.4ha).
- An area of tree planting within the land outlined in blue to the west of the application site.
- Swales and balancing ponds including the provision of shallow areas, and deeper, cooler areas, as well as the planting regimes.

7.06 Between the development areas the layout also provides for substantial tracts of landscaping including from south to north along the line of the stream between 34m to 95m in width, which separates the Plot A and B development areas. Also, around a 30m wide landscaped space is provided between Plots B and C.

7.07 The site policy and permission also require, "*substantial tracts of planting extending into the body of the development to achieve clear visual separation between individual buildings and between parking areas, and tracts of structural landscaping extending into development areas of at least 15m in width.*" The applicant's approach is to provide substantial landscape areas between the larger plot areas rather than between individual buildings and parking areas and they state,

*"There is not sufficient space between buildings to provide structural planting. To plant between buildings would not be practical due to the likely future impacts of tree roots interfering with building foundations and building maintenance. There would also be significant risks to trees being damaged by vehicle movements and other operational activities, which would not work in the best interest of enhancing biodiversity and achieving a long-lasting high-quality development."*

7.08 Some of the practical points raised by the applicant are reasonable. I also consider that if tracts of planting of at least 15m in width were required between every building this would greatly reduce the amount of employment floorspace within the development areas, and the outline permission is already 3,700m<sup>2</sup> below the site allocation. Nonetheless, the lack of such tracts of landscaping within the development areas represents a clear conflict with part of criteria 1 of the site policy and part of the landscaping requirements of the outline permission (condition 8).

7.09 In looking at the consequences of this, I do not consider the lack of such areas would result in a development that would cause a significant amount of harm above a scheme which including such landscaping. This is because the benefit of these landscaped areas would be somewhat limited in long

range views from the AONB largely because of the distance but also because these areas would be between buildings and so generally would not be highly visible. In closer views to the south, which are in the main at a lower level, it is the strategic landscaping proposed on the outside of the development that would serve to minimise and mitigate the impact the greatest.

- 7.10 The verified photomontages provided with the application (which follow current best practice) are intended to present an accurate representation of the development from 15 viewpoints. They show the development before any landscaping is provided, after 5 years, and then when the landscaping is at full maturity in the summer months. They show that in long distance views the development would not be significantly harmful or intrusive from the AONB. In more localised views they demonstrate that the strategic landscaping outside of the development would largely screen and/or break views of the development. So again, whilst a clear conflict, I do not consider the consequence of this renders the proposed layout as being unacceptable or to result in a materially different impact from the AONB or one that would have a significant adverse impact on its setting in accordance with policy SP17.
- 7.11 The applicant has however proposed some additional tree planting to break up the development area on Plot A (that forms part of this application), which whilst not a 15m wide area, would serve to provide relief to the built area here.
- 7.12 The landscaping scheme includes native dense 'forestry planting' with a woodland seed mix below around the west, north and east sides of the development. A grass and wildflower mix would be provided along the gas easement (where trees cannot be planted) and this would be flanked by a dense native mid-level screening/scrub mix. Within the development areas would be native species hedgerows and trees lining the internal roads. Around the houses 'Chestnuts' and 'White Heath' would be dense tree belts of varying widths. The balancing ponds would include aquatic planting, a water margin meadow mix and 'wet' woodland planting around. The land outside the site to the northwest and west would be planted as woodland pasture with groups of trees and three ponds are also proposed. An area of coppice planting would also be provided across the west boundary.
- 7.13 The proposed species are predominantly native and based on the Council's landscape officer's advice are considered to be acceptable.
- 7.14 A landscape and ecological management plan (LEMP) has been approved separately under condition 17 (application 20/505159/SUB) in consultation with KCC Ecology. Separate woodland management plans are required via the section 106 agreement for the open woodland areas but for consistency, these are also included within the LEMP. The LEMP includes a 5-year management plan, which would be repeated for the lifespan of the approved development (or in perpetuity for the woodland and open woodland areas as per the Section 106 agreement) and a 30-Year Coppicing Plan.
- 7.15 Representations consider that mature trees and plant should be used so the landscaping establishes quickly. The applicant's landscaping consultant

considers that that wholesale planting of mature trees will not result in the optimum landscape scheme and that forestry transplants and feathered trees will be used as they establish and grow quickly and are far better at adapting to site conditions than semi-mature trees. Large numbers of more mature 'advanced nursery stock' trees are specified at key locations, including the extensive avenue planting extending throughout the site. This is considered to be acceptable and the planting is secured to be carried out as part of Phase 1 under condition 8 of the outline permission. Condition 8 also requires a 10 year management plan.

7.16 The layout also leaves sufficient space for the required 2,500m<sup>2</sup> of office floorspace to the west and 7,500m<sup>2</sup> to the east, which would have all necessary services (including drainage and electrical power) provided to the boundary of the plots in line with the legal agreement and criterion 8 and 9 of the site policy.

7.17 Overall, the layout follows the agreed masterplan in terms of the development areas and ensures that all the strategic landscaping around the outside of these areas is provided. The layout complies with all the policy and permission requirements apart from a lack of substantial tracts of landscaping of at least 15m in width to provide clear visual separation between individual buildings and parking areas. This represents a conflict with part of criteria 1 of the site policy and part of the landscaping requirements of the outline permission (condition 8) but for the reasons outlined at paragraphs 7.09 and 7.10, on balance, this is not considered to result in a development that would be unacceptable or result in a materially different impact from the AONB or local landscape, or have a significant adverse impact on the setting of the AONB in accordance with policy SP17. The landscaping proposals are also considered to be acceptable.

#### Appearance, Scale & Site Levels

7.18 The site policy and permission set out buildings design requirements as follows:

- Limit visual impact including through use of curved roofs, non-reflective materials, sensitive colouring, green roofs and walls on smaller footprint buildings (500m<sup>2</sup> and below), and sensitive lighting proposals.
- Buildings should include active frontage elements incorporating glazing, and address both the A20 and M20.
- The use of vernacular materials including ragstone on buildings and in boundary treatments.
- High quality surfacing materials.
- The use of PV panels incorporated into the design of roofs.

#### *Building Designs*

7.19 The building height and floorspace sizes comply with the site policy and permission requirements being 12m and 5,000m<sup>2</sup> on the east part of the site and 8m and 2,500m<sup>2</sup> to the west.

- 7.20 In terms of design, the smaller units proposed on the west part of the site are more likely to be for B1(c) uses (light industry), and the larger units for B8 (warehousing) to the east. Both uses by their nature require a functional open space with limited glazing in contrast to office uses for example. Therefore, such commercial buildings will inevitably be relatively utilitarian in form and so under pre-application discussions the focus was on improving their appearance through using varied good quality materials and colours.
- 7.21 The 7 units on Plot A (west part of site) would be split into 3 blocks and would all have the same form with curved roofs as per the site requirements. The frontage of the buildings that would be visible within the scheme, would feature hardwood timber cladding from the base to eaves which would cover a large part of elevation and wrap around the corner of buildings. It would include glazing at first floor within the timber and to the ground floor. This will provide a good quality material and an active frontage to these units. Otherwise, profiled metal cladding would be used but with a variation of grey colours and profile lines to break up the expanse of cladding and provide some interest. These industrial buildings are considered to be of good quality in accordance with policy DM1 of the Local Plan. Materials are required to be submitted for approval under condition 28.
- 7.22 The curved roof would be made up of light weight profiled sheet cladding and a 'moorland green' (a light green colour) is proposed. Unlike the sides of the buildings that will largely be screened by landscaping, the roofs will remain visible from the AONB albeit at a significant distance away. The AONB Unit consider the green colour is too pale and a darker colour would be more recessive and blend better into the landscape. They make reference to their guidance document on the use of colours in the AONB which includes a section on setting. I have reviewed this document and agree that the pale green could stand out more in the landscape and so a darker toned green will be more appropriate which can be secured by condition.
- 7.23 Rooflights are proposed but will be constructed of GRP or polycarbonate which is not as reflective as glass. They will still cause some reflection, however, they are necessary to provide adequate light within the buildings without using artificial lighting and will be acceptable.
- 7.24 The 4 units on Plot B (east part of site) would be much larger as they are likely to be used for storage and distribution uses and again would have curved roofs. They would be finished with the same profiled metal cladding and variation of grey colours but in view of the larger expanse of some of the flanks of the building, additional black cladding panels with glazing would be used to break up the elevations. The south elevations facing the internal road and north elevations facing the M20 would have full height black cladding panels with large amounts of glazing covering around half the elevation and wrapping around the corner of the building. This would ensure interest and a more 'active' part to the warehouse buildings. Again, rooflights are proposed. PV panels would be provided on the entire south facing curve of the roofs on all four buildings which will prevent any reflection from the AONB. These industrial buildings are considered to be good quality in accordance with policy DM1 of the Local Plan.

7.25 Cycle sheds and substations across the site will be finished with ragstone and with green roofs. Ragstone will also be used around the site as walling framing the entrance from the A20, bridge walling over the stream, and for site signage to each plot. This will provide a quality local material throughout the site. Details of the ragstone finish will be secured by condition.

7.26 A BREEAM pre-assessment has been carried out which shows the buildings will achieve a 'Very Good' standard as required by the outline permission.

*Surfacing Materials, Boundary Treatments & Lighting*

7.27 The main roads would be tarmac and the service yards/lorry turning areas would be concrete as is necessary. Large amounts of car parking would be block paved to provide a variation in materials and the footways around the site would be resin bound gravel which would provide a quality finish. As already stated, ragstone walls would be provided. Full details of the bridge over the stream have not been provide and this can be secured by condition. Lighting details are required to be submitted separately under condition 30.

*Site Levels*

7.28 The site policy states that the proposals should respect the topography of the site by minimising the need for site excavation. This would serve to reduce any harsh variation in levels but lowering the development would reduce the impact of the buildings so it's important to strike the right balance. To reiterate, the application is seeking permission to carry out works to create the ground levels across the entire site even where buildings are not currently proposed.

7.29 To achieve a development platform for the west part of the site (Plot A), existing ground levels would be lowered over the north section in the main by around 1-2m. In the northwest corner the lowering would increase to around 4m where the land begins to rise. The south section would be raised up by around 2.75m. Finished floor levels would range from 52.75 AOD to the south and 53.20 AOD to the north. A 1.75m raised bund would be provided adjacent to the A20 as required by the site policy and permission. These works are not considered to result in any severe level changes and will ensure the buildings are set as low as possible as the applicant has stated that anything further would require the introduction of retaining walls, a mechanical drainage design and considerable uplift in the amount of ground material that would need to be taken off site. In time they would also be softened by the proposed landscaping.

7.30 For the middle section of the site (Plot B), levels would be raised by up to 3.5m on the west side and lowered by up to 2m towards the northeast corner. Finished floor levels would range from 54.25 AOD to the west and 55.5 AOD to the east.

7.31 For the far eastern section (Plot C), levels would need to be lowered by up to 1.75m to the north and raised by up to 1.75m to the south which would be acceptable. For the entrance to the site (Plot D and the access) level would

largely be lowered by up to 1m and a 0.5m planted raised bund would be provided to the frontage to provide screening/softening.

- 7.32 The excess excavated material would be retained on site and used for the bunds to the A20 frontage already referred to but also along the west boundary and northwest corner as the land rises (up to 2m); along part of the north boundary (up to 2m); and towards the southeast corner and around 'White Heath' (up to 1m). These bunds would not be excessive in height, would have relatively shallow slopes, and importantly would be covered with the woodland planting and so in time would not be visible/noticeable.
- 7.33 The site policy and permission state that on the highest part of the site at and above the 55m contour line, which is in the northwest corner, building footprints should be limited to 500m<sup>2</sup>. Part of the most northerly building on Plot A (which totals 2,202m<sup>2</sup>) would extend beyond this contour line but the ground level of the building would be set below this at 53.2m and so it would not have an unacceptable impact especially bearing in mind the strategic landscaping to the west and north.
- 7.34 Overall, the levels strike an acceptable balance between lowering buildings and development to limit its impact upon the setting of the AONB and local landscape, and having suitable levels changes in and around the site.

#### Heritage

- 7.35 The site allocation policy requires a 30m landscape buffer along the west boundary "to help secure the setting to Woodcut Farmhouse (GII listed)" and that "the siting, scale and detailed design of development must have regard to the preservation of this listed building and its setting". The 30m landscape buffer is provided as a wooded area and increases towards the northwest corner of the site. This will be in addition to the area of open woodland with groups of trees to the west. The proposed buildings would be lower and have smaller footprints on the west part of the site and the trees will in time screen/soften their impact. The assessment under the outline application acknowledged that development at the site would cause some minimal harm to the setting of Woodcut Farmhouse and this would be 'less than substantial' as it would not be possible to hide the entire development. However, in providing significant landscaping between the site and the listed building the proposals would minimise this impact in line with paragraph 190 of the NPPF and it remains the case that the public benefits of the proposals which are primarily the significant economic benefits would outweigh this less than substantial harm in accordance with the NPPF and policy DM4 of the Local Plan.
- 7.36 In terms of Leeds Castle (GI listed) and its associated Registered Park and Gardens (GII\*), under the original application Historic England considered that the development would have a negligible visible presence from the castle grounds and that once landscaping is established it would not be seen. They considered that any harm would be negligible. Under this application they raise no objection. I agree with Historic England that the proposals would not result in any harm to the castle or its grounds.

7.37 For these reasons, it is considered that the proposals would appropriately minimise the impact of the development on the setting of Woodcut Farmhouse and would not have any harmful impact on any other heritage assets.

#### Highways & Parking

7.38 Despite the views in some representations, the access to the site from the A20 has already been fully assessed in terms of its suitability and safety and approved under the outline application and is not being considered. Whilst the internal road network will not be adopted, KCC Highways have reviewed this to ensure it does not result in any detriment to road safety on the public highway. They raise no objections subject to a parking management controls to ensure vehicles do not park on internal roads and restrict manoeuvring something the applicant has confirmed will be carried out. A 'Code for the Management of Estate Roads' can be secured by condition to provide the finer details of such management. KCC also refer to their being no emergency access but this was not a requirement of the Council or KCC under the outline application (where access was being considered) and Kent Fire & Rescue have clarified once more that one is not required.

7.39 In terms of parking, condition 7 requires vehicle and cycle parking to be in line the Council's adopted standards which are the Kent (maximum) standards from 2006. The proposals provide 388 car parking spaces and 138 cycle spaces. The proposals seek flexible permission for B1(c) and B8 uses and the precise amounts and end users are not known at this stage and would be interchangeable in the future. To provide some analysis the applicant has set out the proposed parking in the table below with assumptions for Plots A and B. This is on the basis of Plot A being smaller units suited more to light industry and Plot B larger units for warehousing.

Area	Proposed Spaces	Parking Standard	Total Floorspace	Assumed Maximum Parking	Compared to Standard
Plot A	169	1 space per 35m <sup>2</sup> Use Class B1(c)	5,444m <sup>2</sup>	155 spaces (assuming all B1(c))	+14
Plot B	219	1 space per 110m <sup>2</sup> Use Class B8	17,440m <sup>2</sup>	202 spaces (assuming 8% offices)	+17
<b>Total</b>	<b>388</b>		<b>22,884m<sup>2</sup></b>	<b>357</b>	<b>+31</b>

7.40 This shows a slight overprovision of parking. Whilst the proposals exceed the parking standards, I do not consider this is objectionable in that it is unlikely to influence travel behaviour significantly (so more people drive to the site), the areas used for parking are not suitable for landscaping and any landscaping would not greatly alter the impact of the development, and it does help to ensure parking does not occur on internal roads or in the local area. KCC Highways also advise that an objection on the grounds of excessive provision would be difficult to sustain.

- 7.41 In the case of goods vehicles, for the B8 element the standards seek a maximum of 58 spaces and the proposals provide for 17 dedicated HGV spaces for Plot B. The applicant considers this is sufficient based on experience but there is also space for additional parking and staging of HGVs in Plot B to manage any vehicles arriving unplanned. On this basis and being a maximum standard, the HGV parking is considered acceptable. For Plot A no larger HGV parking spaces are proposed. The apron area is designed to be large enough to accommodate an HGV delivery with the parking layout designed for smaller lorries and vans. Motorcycle parking spaces are not specifically laid out but as there is ample parking proposed so there would be space for motorcycles to park. Disabled parking bays would also be included (19 spaces) which is in accordance with the standards.
- 7.42 Electric charging points would be provided for 15% of all the car parking spaces (58) which is a suitable level of provision in the absence of a specific policy requirement. Two thirds of these would be fast charging (combinations of 3.6kW and 7.2kW speeds) and the remaining third would be superfast charging (combinations of 11kW and 22kW speeds). Passive infrastructure would be installed to facilitate EV charging points at all the HGV parking spaces. Cycle parking will be provided within the proposed cycle shelters slightly in excess of with current standards (35 for the Plot A buildings and 105 for Plot B). The pavements around the site would be 3m wide to allow for pedestrian and cycle use.

#### Other Matters

##### *Ecology*

- 7.43 Ecological impacts were assessed at the outline application stage and the site does not have a high ecological value due to it mainly being arable farmland. There was a low population of common lizards and slow worms, breeding birds and low-moderate levels of bat foraging/community recorded. Conditions 16, 17, 18 and 19 relate to the need for an updated GCN survey, LEMP, Ecological Design Strategy and Method Statement and have all been approved under separate conditions application 20/505159/SUB. The updated survey revealed a low population of GCN in a nearby pond to the west but away from the proposed development. Works on the site will be carried out under a licence to ensure if any GCN are found they will be moved to the northwest wooded pasture area near to the existing pond and where new ponds are being created. Otherwise, the proposed layout ensures that the significant biodiversity enhancements across the site from the new landscaping areas and water bodies can be provided.

##### *Residential Amenity*

- 7.44 The impact upon residential amenity was assessed at the outline stage with the Noise Assessment concluding that acoustic fencing/barriers would be required. The occupier of 'White Heath' has stated that his son has respiratory issues and has his living accommodation within 4 metres of the western boundary of the site adjacent to the proposed entrance and exit of the development. The representation considers that the mitigation will offer little protection/reduction in noise or air pollution and roads should be moved

further away. The applicant has provided a Noise Assessment based on the proposed layout and confirmed that a 2.4m acoustic barrier would be provided along the northwest boundary between 'White Heath' and the main access into the site, and a 3.75m barrier along the north east boundary, which is consistent with that originally recommended at the outline stage. An assessment in line with Condition 11 has been carried out which demonstrates that this mitigation would ensure that any noise impacts would not be unacceptable to 'White Heath' and Environmental Health raise no objections. Other properties would not require any mitigation. This is in accordance with policy DM1 of the Local Plan.

7.45 In terms of air quality, again this was assessed at the outline stage and the Air Quality Assessment predicted there to be no significant increases in pollution concentrations where changes in traffic flows are greatest, such as close to the site access and this was accepted by Environmental Health. An additional Air Quality Assessment has been submitted based on the proposals and it concludes the same and Environmental Health once again raise no objections. Condition 15 requires measures to mitigate air quality impacts during construction. On this basis, the impact on the air quality of nearby properties would not be unacceptable.

7.46 In terms of privacy, outlook and light, it is considered that the proposed roads and buildings would be a sufficient distance away from any neighbouring properties not to cause any unacceptable impacts. In addition, substantial landscaping around 'Chestnuts' and 'White Heath' would also soften/screen views of the development once mature. Representations consider that the proposed coppice woodland will overshadow properties but at over 50m from any houses this is not considered to be the case. This is in accordance with policy DM1 of the Local Plan.

#### *Surface Water Drainage*

7.47 The surface water drainage scheme will be approved under condition 23 of the permission to which KCC LLFA have raised no objections and they have confirmed the proposed layout is acceptable to achieve suitable drainage at the site.

#### *Representations*

7.48 Issues raised and not addressed in the assessment of matters above relate to a lack of some condition details and timings of highway works. There is no requirement to provide details that are reserved by condition such as lighting at this stage. Condition 14 requires that the access, footway/cycleway enhancements, bus stops, and improvements to the A20 at the Willington Street junction are in place prior to any occupation.

## **8.0 CONCLUSION**

8.01 The proposed layout follows the agreed masterplan in terms of the development areas and ensures that all the strategic landscaping around the outside of these areas is provided in accordance with the site policy EMP1(4).

- 8.02 The layout complies with all the policy and permission requirements apart from a lack of substantial tracts of landscaping of at least 15m in width to provide clear visual separation between individual buildings and parking areas. This represents a conflict with part of criteria 1 of the site policy and part of the landscaping requirements of the outline permission (condition 8) but for the reasons outlined in the assessment, on balance, this is not considered to result in a development that would be unacceptable or result in a materially different impact from the AONB or local landscape, or have a significant adverse impact on the setting of the AONB in accordance with policy SP17. This is considered to represent a material consideration to justify a decision that is not strictly in accordance with part of criteria 1 of site policy EMP1(4).
- 8.03 The building designs are of good quality for the proposed industrial and warehouse buildings with interest provided through the variation of materials and colours, and active frontages in accordance with policy DM1. Local stone would be used on smaller buildings and walls and good quality surface materials would be used. The landscaping proposals and species are predominantly native and considered to be suitable. The proposed levels strike an acceptable balance between lowering buildings and development to limit its impact upon the setting of the AONB and local landscape, and having suitable levels changes in and around the site.
- 8.04 The proposals would appropriately minimise the impact of the development on the setting of Woodcut Farmhouse (GII) and would not have any harmful impact on any other heritage assets.
- 8.05 The proposals would not result in any unacceptable impacts upon residential amenity in accordance with policy DM1.
- 8.06 Permission is therefore recommended subject to the conditions and heads of terms set out below.

## **9.0 RECOMMENDATION**

Approve the Reserved Matters detail subject the conditions set out below:

### Conditions:

1. The development hereby permitted shall be carried out in accordance with the plans listed on the 'Reserved Matters Drawing List' (excluding any illustrative plans/views) and plan nos. PL\_CY\_001 P1, PL\_CY2\_001 P1, PL\_S1\_001 P1, and PL\_S2\_001 P1.

Reason: To clarify which plans have been approved, to ensure a high-quality development, and to protect residential amenity.

2. The development hereby permitted shall be carried out in accordance with external building materials as shown on the approved plans including the use of ragstone on buildings and in walling as shown on drawing no. PL\_102 RevB.

Reason: To ensure a high-quality development.

3. The development hereby permitted shall be carried out in accordance with surface materials shown on drawing no. PL\_101 RevB.

Reason: To ensure a high-quality development.

4. Notwithstanding the details submitted and prior to any development above slab level taking place, an alternative darker green colour for the roofs of the buildings, shall be submitted to and approved in writing by the local planning authority. The approved details shall be fully implemented and thereafter retained.

Reason: To ensure an appropriate colour in the context of the AONB setting and local landscape.

5. No development in connection with the bridge over the stream shall take place until full details of the structure including the use of ragstone in any retaining walling has been submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be fully implemented on site.

Reason: To ensure a high-quality appearance.

6. No development above slab level for the cycle stores, substations or stone walling shall take place until details of a sample panel of the ragstone for the walling and buildings, including mortar mix details, has been submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be fully implemented on site.

Reason: To ensure a high-quality appearance.

7. No building shall be occupied until the EV charging points as detailed on page 11 of the Energy and Sustainability Report prepared by Hannan Associates and as shown on the approved plans have been installed in connection with that building and made available for use. The charging points shall be maintained thereafter.

Reason: To reduce impacts upon air quality.

8. The development shall not be occupied until a 'Code for the Management of Estate Roads' with a strategy to ensure vehicles do not park on internal roads has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate parking takes place and to prevent obstructions which could lead to highway safety issues.

9. The development shall not be occupied until passive infrastructure has been installed to facilitate EV charging points for all HGV spaces identified on plan 11257PL\_100 Rev B.

Reason: To reduce impacts upon air quality.

10. The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings to which they relate and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them;

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.