

REFERENCE NO - 21/504281/HYBRID		
APPLICATION PROPOSAL Hybrid Planning Application comprising: Full Application for the erection of an Older Adult Acute Mental Health Unit with associated parking and hard and soft landscaping (including removal of TPO trees) and Outline Application (all Matters Reserved) for the demolition of existing buildings known as Farm Villa, George Villa and Bay Tree House and erection of 3 no. buildings comprising a women's psychiatric intensive care unit, a section 136 unit (Health Based Place of Safety), a high dependency psychiatric rehabilitation unit and a clinical shared service unit for Mental Health Services, all for Kent and Medway Partnership Trust.		
ADDRESS Farm Villa Maidstone Hospital Hermitage Lane Maidstone Kent ME16 9PH		
RECOMMENDATION Grant Permission		
SUMMARY OF REASONS FOR RECOMMENDATION The project meets a need of the NHS England Mental Health Improvement Programme (MHIP). By co-locating with facilities at Maidstone to consolidate and centralise services, it is the only practical location. The phasing and the specialised nature of the type of use means unique security and safety needs dictating the utilitarian form, size and layout of the building/s. By causing tree loss (including loss of TPO trees), the scheme does not comply with policy DM3 of the MBLP. However, the very specific design and layout configurations cannot be adjusted or repositioned as might a more organic building form. There will be replacement tree planting of suitable species and high quality landscaping will be essential. No severe impacts on highway congestion or safety. The public benefits of the scheme in terms of safer communities and health and wellbeing significantly outweigh the loss of the significance of the non-designated heritage asset of Farm Villa.		
REASONS FOR REFERRAL TO COMMITTEE Contrary to Policy DM3 of the MBLP in regard of the loss of 15 trees (7 subject to a Tree Preservation Order). The loss of the significance of the non-designated heritage asset of Farm Villa is contrary to Policy DM4 of the MBLP.		
WARD Heath	PARISH/TOWN COUNCIL	APPLICANT Kent And Medway NHS & Social Care Partnership Trust AGENT Lee Evans Partnership
TARGET DECISION DATE 20/12/21		PUBLICITY EXPIRY DATE 03/11/21

Relevant Planning History

None

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The site is 1.7ha and slopes down towards a drainage pond beyond the NE corner of the site.
- 1.02 Although they occupy adjoining sites, The Kent and Medway Partnership Trust (KMPT) is functionally and managerially separate from the main Maidstone hospital site, which is managed by the Maidstone and Tunbridge Wells Trust.
- 1.03 The application site is open to the southerly frontage and includes extensive car parking and 3 single storey buildings which will be demolished.
- 1.04 Most of the application site is laid to closely mown grass with a number of mature trees, 10 of which are subject to a Tree Preservation Order (TPO 1 of 1994).
- 1.05 Access to the site is from a private road that leads to the traffic light junction with Hermitage Lane.

2. PROPOSAL

- 2.01 This application is the subject of a Planning Performance Agreement.
- 2.02 The projects aim to deliver the NHS England Mental Health Improvement Programme (MHIP). Phase 1 (approx. 1635sqm) is a detailed full application and Phase 2 is an outline application (indicated at approx. 4250sqm) for additional mental healthcare facilities. This will give improved compliance with Care Quality Commission and the Disability Discrimination Act requirements. The Maidstone site has sufficient land available for the catchment area. It will release greater capacity elsewhere for acute and general medicine and much needed additional ward space.
- 2.03 The Phase 1 proposal is to build on the open land of grass/trees and is planned to be constructed during 2022.
- 2.04 The vision for the Phase 1 Older Adult Ward is to create a series of high quality enclosed courtyard spaces. It will be positioned north of the existing large car park extended by 16 spaces (also a drop off bay). Servicing by larger vehicles for phase 1 will necessitate use of the car park of the Trevor Gibbens building.
- 2.05 The materials for phase 1 will be a buff brick and standing seam metal roofing of contemporary form in a cruciform shape with enclosed quadrant gardens which need high fencing around them (3m high) due to the security and safety needs of the use.
- 2.06 Phase 2 is hoped to be completed in 2025 but is subject to funding. The Phase 2 Mental Care services are currently unavailable locally, with Kent residents having to leave the county for specialist placements.
- 2.07 Phase 2 would form the new public frontage of the complex. It will require the demolition of the existing Farm Villa, Bay Tree House and George Villa buildings. This allows an amalgamated car park for the overall facility.
- 2.08 No details of the design of phase 2 are included but it is expected to reflect the form and materials of phase 1.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017 SS1; SP1; DM1, DM2; DM3; DM4; DM5; DM6; DM8; DM23;
Kent Minerals and Waste Local Plan 2013-30 as amended by Early Partial Review (2020)
Supplementary Planning Documents
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

4. LOCAL REPRESENTATIONS

Local Residents:

- 4.01 None received.

5. 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)

KCC Minerals

- 5.01 No objections or further comments

Kent Police

- 5.02 The entire hospital site perimeter must be enclosed; security needed for bicycles, Motorbikes, Mopeds, Electric bikes and similar. The service yard should be well lit and all outer doors should have access control to prevent unauthorised access. CCTV surveillance is needed.
- 5.03 Landscaping must not prevent natural surveillance from occurring between the perimeter and the building shell, nor shall it reduce the effectiveness of any CCTV system. Defensive planting is encouraged
- 5.04 Final Comments: our concerns have been addressed.

KCC Ecology

- 5.05 Additional information is sought prior to determination in regard of botanical composition of the habitats within the application site, Biodiversity Metric calculations, pond to the north – east, great crested newts, reptiles and bats.
- 5.06 Final comments: We have reviewed the ecological information submitted in support of this planning application and advise that sufficient information has been provided. Suggest condition securing ecological avoidance and mitigation measures and the implementation of ecological enhancements.

Southern Water

- 5.07 Foul sewer connection can be made. SuDS will need arrangements for the long-term maintenance.

KCC Flood and Water Management

- 5.08 Recommend that infiltration testing is completed and calculations are required to support the drainage system. The building is proposed in an area of high to medium surface water flood risk: land raising means that flood risk may be increased elsewhere. Concern is that the surface water volume may overwhelm the pond.
- 5.09 The calculations required should be simulated using a 1 in 1 year storm, 1 in 30 year storm and 1 in 100 year storm plus 40% climate change.
- 5.10 Clarification is required in relation to onsite surface water flood risk. The building is proposed in an area of high to medium surface water flood risk. Raising floor levels may mean flood risk is increased elsewhere.
- 5.11 Final Comments: no information has been submitted to respond to the concerns of pursuing discharge to a limited pond system with unknown connections so potentially may need connection to the sewer system. The calculations required should be simulated using a 1 in 1 year storm, 1 in 30 year storm and 1 in 100 year storm plus 40% climate change.

Environment Agency

- 5.12 Elevated concentrations of several contaminants were identified. It has been noted that sink holes are present on this site.
- 5.13 The proposed development site is located upon Principal aquifer, so conditions are needed on remediation of contamination and a piling risk assessment so that there is no resultant unacceptable risk to groundwater.

KCC Highways

- 5.14 Initial comments: The proposals will provide 40 additional beds across both phases. Access will remain unchanged. The site is located in a sustainable location, with good opportunities for travel by sustainable modes.
- 5.15 Traffic forecasts utilise data provided by hospital clinical and operational staff is acceptable given the uniqueness of the development. The applicant anticipates that the development will generate 17 two-way movements in the AM peak period and 27 two-way movements in the PM peak period: 248 movements over a 24-hour period.
- 5.16 Traffic impact quantification needed to demonstrate claim of immaterial traffic in the context of existing or future predicted traffic flows on Hermitage Lane.
- 5.17 Eleven car parking spaces are proposed. Vehicle Parking Standards requires a maximum of 17 car parking spaces to be provided. Two cycle parking spaces are proposed: these should be in covered and secured locations near to main entrance.
- 5.18 Final Comments: Current and likely future conditions on the local highway network are likely to be worsened, but not a severe impact on congestion or safety (as per NPPF). However, the residual impact of this development is likely to be characterised by additional local traffic generation and some consequent increase in congestion, which the applicant cannot fully mitigate.
- 5.19 Conditions suggested on Construction Management Plan, cycle and vehicle parking/turning and servicing.

KCC Archaeology

- 5.20 Farm Villa is a building is of historic interest especially in view of its connection with the late 19th century/early 20th century development of mental health facilities at this hospital. I would encourage the applicant to consider ways to preserve the building and incorporate it in to the new scheme. Retention of the building in view of its historical importance would be very positive.

Tree Officer

- 5.21 15 out of the 32 trees surveyed will need to be removed, 7 are subject to a large TPO which covers trees throughout the wider hospital grounds. 14 of the trees have been graded as B (tree of moderate quality) and 1 as C (tree of low quality). The trees proposed to be removed have amenity value somewhat restricted/blocked by the buildings, but they still perform an important landscape feature by softening the existing buildings/layout and providing important biodiversity and ecological features. It is imperative that the proposed development has suitable landscape mitigation to replace those trees lost, whilst giving the opportunity to improve the biodiversity and amenity of the site.
- 5.22 Woodland fringe planting, wildflower meadows, introduction of a swale with damp planting mix, native tree and hedge planting enhancements are welcomed. Would have expected to see at least some small stature trees included within these courtyard areas.

Environmental Protection

5.23 Comments as follows:

- Dust impacts
- The Hoare Lea AQ Assessment should be implemented by condition.
- Ground Investigation Report notes outstanding rounds of both groundwater and gas monitoring to be completed. Needs a formal remediation strategy.
- Elevated levels of lead were identified on part of the site but this will be beneath parking and permanent hardstanding so any changes to the site layout may require further risk assessment.
- Elevated levels of PAH have been identified which will also be under permanent building and so does not require remediation. CT13 and CT13A should be paid particular attention in a discovery strategy
- Piled foundations could cause contaminants to be pushed into the ground so Environment Agency should approve the piling method.
- Due to the presence of sinkholes in the area, soakaways should not be used.
- Ventilation noise levels need a condition.
- Asbestos should only be removed by a licensed contractor.
- External lighting fixtures for the parking area acceptable

5.24 Final Comments: The discovery and remediation strategies have a satisfactory approach. How PAH impact soils are dealt with must be very clearly explained in the verification report.

6. APPRAISAL

Main Issues

6.01 The key issues for consideration relate to:

- Design
- Trees and Landscaping
- Highways and Parking
- Heritage

Design

6.02 The Phase 1 building has centralised day spaces with bedroom and staff wings, creating a cruciform layout. The same principle has been applied for the Phase 2 departments and dictates their positioning on the overall site and the spread of the built form over the site.

6.03 The Administrative and Clinical community building needs to be centralised for shared services to the four department buildings on the site and an enclosed link to the existing Priority House for staff support spaces.

6.04 The specialised use with the need for security and an appropriate level of care means that the interrelationship of buildings and services is the key consideration in designing the scheme. The spaces are laid out so that they do not provide opportunities for hiding or concealment. Externally, secure ward gardens are required that again do not provide opportunities for hiding or concealment.

- 6.05 The high eaves comes from the requirement for internal ceilings to be clear of potentially dangerous elements (minimum 2.7m in mental health design and 3m in a secure unit)
- 6.06 The materials are a light buff brick paired with a standing seam metal roof and complementary window frames. Some façade elements have treated timber.
- 6.07 The pitched roof design houses support services/plant well away from the ward accommodation below. The brickwork façade walls have internalised rainwater pipes and high eaves to prevent climbing access to roof areas. This gives a rather unconventional form but is justified in terms of the very specific use and health and safety criteria that have to be applied. It is also appropriate in the context of the wider hospital setting.
- 6.08 The need for secure ward quadrant gardens has resulted in a design of 3m high anti-climb timber fencing to the outer facades of the phase 1 building. These are not ideal in visual terms but they are not visible from the public domain and again are justified by the overriding need for health and safety for this very unique use.
- 6.09 The proposed addition of phase 2 means that plain gables are proposed which is understandable to avoid abortive work if phase 2 proceeds as expected.
- 6.10 The position of the Service yard for phase 1 is at the front of the building, adjacent to the main entrance so that it has good vehicular access to the delivery bay. Unfortunately, it has a relatively poor visual impact, However, in Phase 2 it would be more hidden by the new buildings being forward of Phase 1. Therefore, the pragmatic approach would be to secure as attractive a screening as feasible by condition.
- 6.11 Overall, the design is utilitarian but acceptable as not prominent and is of a type and complies with design criteria of policy DM1 of the MBLP.

Trees and Landscaping

- 6.12 TPO 1 of 1994 relates and covers both phases, 15 trees will need to be removed of which 7 are TPO trees (3 due to phase 1 and another 4 due to phase 2). One further tree (T8) is shown to be retained but that will be questionable over the long term as it will be close to the indicative footprint of phase of Phase 2.
- 6.13 Of the trees shown to be removed, 14 (and all the TPO trees) have been graded as B (tree of moderate quality) and one as a C (tree of low quality).
- 6.14 Policy DM3 of the MBLP requires protection of trees with significant amenity value from inappropriate development and avoidance of significant adverse impacts.
- 6.15 The loss of any good quality tree, particularly those subject to a TPO, has to be balanced by the need for the development and the resultant loss of amenity that would occur. The trees proposed to be removed currently grow around and close to the existing buildings so their overall broader amenity value is somewhat restricted/blocked by the building albeit they still perform an important landscape biodiversity and ecological features.
- 6.16 The applicant has justified the loss of the trees and especially the loss of TPO trees due to the rigid design considerations for the very specific use. The ward layout is derived from past experience and good practice in terms of safety for patients, staff and visitors. It comprises a series of interlocking cruciforms, the size, shape and layout of which cannot be adjusted or repositioned to avoid trees as might a more organic building form.

- 6.17 On the basis that the tree loss is acceptable on balance, it is essential that the proposed landscaping has suitable mitigation to replace trees lost and improving the biodiversity and visual amenity of the site.
- 6.18 In terms of mitigation, there will be a tree lined approach to the main entrance with seating areas and pocket spaces, a new car parking arrangement with trees and ornamental planting and sitewide greening connecting the site into the wider green network.
- 6.19 Replacement trees proposed are as root-balled and will include *Fagus sylvatica*, *Betula pendula*, *Acer campestre*, *Quercus petraea*, *Prunus avium*, *Quercus Robur*; *Carpinus betulus*. Minimum tree sizes are as follows:
- Proposed entrance plaza tree: 20-25cm girth
 - Proposed Street tree: 18-20cm girth
 - Proposed woodland edge tree: 18-20cm girth / 20-25cm girth
- 6.20 Landscaping proposed includes site wide biodiverse planting palettes
- Woodland fringe planting
 - Ecological planting mix
 - Wildflower meadows
 - Swale with damp meadow planting mix
 - Native hedge planting
- 6.21 Overall, the scheme does not comply with policy DM3 of the MBLP. However, the applicant has justified the tree loss (including loss of TPO trees) due to the very specific design and layout configurations necessary for properly functioning modern mental health care facilities. The landscaping will compensate for the harm caused as far as possible by replacement tree planting of suitable species.

Highways

- 6.22 The admission/assessment suites are available 24/7. The new expanded unit will centralise the existing suites across the county. The assessing team would be based in the suite Monday– Friday 9am-5pm with an out of hours assessing team to conduct assessments consisting of an Approved Mental Health Practitioner and 2 no. Section 12 doctors who would all arrive independently. Overall, 2 additional staff members are expected over the existing.
- 6.23 The unit is predicted have a maximum staff number of 26 on site at any one time during the day. The existing Site is well served by public transport with buses and rail services. The maximum number of staff on site at any one time is 14 staff in total. Family visiting hours will be approximately 10-4pm.
- 6.24 The level of proposed parking has been confirmed by the Trust to meet the operational needs of the development and is in accordance with the KCC vehicle parking standards. In addition, 10% of parking provided in Phase 2 will have electric vehicle charging points. Disabled, cycle and motorcycle parking will be provided in accordance with the KCC parking standards for these parking types.
- 6.25 A BREEAM Travel Plan Addendum has been submitted which sets an overall target to reduce car use and dependency by staff and visitors. Shower and changing facilities will also be provided for staff who cycle. To ensure that unauthorised parking does not occur, visiting patients will be warned of the restricted parking on site and in the area when appointments are booked.

- 6.26 The largest vehicle to serve the completed layout is a refuse collection vehicle (RCV) which will access the delivery bay via the small Trevor Gibbens car park on the eastern side of the Site.
- 6.27 KCC advise that they are satisfied that the traffic levels are relatively low compared to the size of the new buildings due to the unique use and that the busy times of use does not unacceptably increase peak traffic levels. There are concluded to be no severe impacts on congestion or safety that would warrant refusal of the application under the terms of the NPPF para 111 which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.28 There is not considered to be a risk of overflow parking on nearby residential streets as overall, the parking on the Trust's land is not affected by what is happening at the Main Hospital as that is in different ownership. Of course, the Covid 19 pandemic may also reduce parking demand from some of the Trust's staff in the future as they may work more from home.
- 6.29 Accordingly, policies DM21(Transport Impact) and DM23 (Parking Standards) are complied with.

Heritage

- 6.30 The site is in an Area of Archaeological Potential. The KCC Heritage officer considers that the Farm Villa building should be retained and not demolished (to provide car parking for phase 2) due to its role in the social history of the medical model of mental illness. Farm Villa is neither nationally or locally listed and is not in a Conservation Area. However, the NPPF defines a Heritage asset as "*a buildingidentified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest.*"
- 6.31 Farm Villa was built in the late 1800s. Although altered, the building retains original architectural features (the decorative chimneys some moulded windows and some original moulded doors and timber casement windows) and has evidential and historic interest due to its association as the county asylum hospital at the turn of the 20th century.
- 6.32 Paragraph 199 of the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).*
- 6.33 It is the case that paragraph 203 of the NPPF states that: *the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*
- 6.34 Therefore it is necessary in the planning balance to assess if there are other material considerations that outweigh the harm caused by the total loss of a building of some significance.
- 6.35 The applicants were asked for justification for total removal and evidence that all reasonable efforts had been made to find viable new uses and/or incorporate the building into new development. The response was that:

- Farm Villa was considered in the concept stages but the essential facilities proposed and scope of buildings required preclude any opportunity to retain the existing buildings on site.
 - archaeological consultants consider that the late Victorian and early twentieth-century elements of Farm Villa do not merit preservation in situ, but only by record (and appropriate publication)
 - a balanced judgement must be applied taking account of the assessment/conclusion by the archaeological consultants but also incorporating the value to be attributed to the proposed development and its benefit to the community.
- 6.36 Taking into account the practical reasons given by the applicant for the demolition of Farm Villa in the redevelopment comprised in phase 2 of the overall masterplan, I am of the conclusion that there are overriding positive public benefits from:
- major development for consolidated, modern and safe facilities for Mental Health Care in the County to meet the NHS England Mental Health Improvement Programme (MHIP)
 - providing a fuller range of local Mental Health Care facilities for Kent residents who currently have to leave the county for specialist placements
 - ensuring full compliance with Care Quality Commission criteria and the Disability Discrimination Act
 - with fully designed with elements of established good practice in terms of safety for patients, staff and visitors
 - releasing greater capacity on the Medway Maritime Hospital site for acute and general medicine and much needed additional ward space
- 6.37 It is therefore considered that the public benefits of the overall redevelopment in terms of safer communities and health and wellbeing significantly outweigh the loss of the significance of the non-designated heritage asset of Farm Villa.
- 6.38 The applicant has committed to a full photographic record and accompanying report ensuring preservation by record and publication, contributing to the history of the former Oakwood Hospital. An interpretation board with a short history of the preceding structures and their use will preserve their legacy on the site.

Other Matters

- 6.39 In terms of drainage, this will mainly use permeable pavers and a large pond beyond the north-eastern part of the site which currently takes surface water outflow from the main hospital site, as well as runoff from the surrounding grassed area. It is considered that any potentially significant ecological impacts from the installation of the drainage system can be suitably mitigated by compliance with the submitted Code of Construction Practice.
- 6.40 The pond is considered unlikely to have protected amphibian presence. No Great Crested Newt records have been recorded in the area for 30 years as and no GCN Licences are found nearby. The pond's location and habitat on the development site is unsuitable so there is concluded to be no issue with GCNs, negligible potential in buildings or trees for roosting bats and the submitted reptile mitigation strategy can be secured by condition. BNG has been calculated by the applicant's consultant as a 10% net gain on each phase with wildflower meadow and bioswale. The scheme is therefore considered to comply with the nature conservation requirements of Policy DM3 of the MBLP.

- 6.41 Natural ventilation via openable windows will be provided wherever feasible. Any mechanical ventilation will be designed to meet comfort and healthcare requirements taking into account the provision for future maintenance.
- 6.42 The submitted Energy Strategy is a fabric first approach to maximise reduction in energy. High efficiency ventilation units and high efficiency heat recovery are proposed. It will be an all-electric scheme and no additional energy combustion sources are proposed. There will be use of efficient electric lighting fittings (LED) and automatic lighting controls where safety is not compromised. Air Source heat pumps are proposed to provide space heating and cooling, as well as domestic hot water. Renewable energy from a PV array is proposed with a total area of 15sqm. A BREEAM condition can be imposed in accordance with Policy DM2 of the MBLP which relates to sustainable design.
- 6.43 Phase 1 external lighting to the car park will be via LED Column Mounted Luminaires and there will also be in-ground lighting and External wall mounted luminaires near the entrance doors. Lighting for both phases can be controlled by condition to ensure compliance with policies DM3 (Natural Environment) and DM8 (External Lighting) of the MBLP.

CIL

- 6.44 The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25 October 2017 and began charging on all CIL liable applications approved on and from 1 October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

PUBLIC SECTOR EQUALITY DUTY

- 6.45 Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

7. CONCLUSION

- 7.01 The project meets a need of the NHS England Mental Health Improvement Programme (MHIP). By co-locating with facilities at Maidstone to consolidate and centralise services, it is the only practical location
- 7.02 The phasing and the specialised nature of the type of use means unique security and safety needs dictating the utilitarian form, size and layout of the building/s.
- 7.03 By causing tree loss (including loss of TPO trees), the scheme does not comply with policy DM3 of the MBLP. However, the very specific design and layout configurations cannot be adjusted or repositioned as might a more organic building form.
- 7.04 There will be replacement tree planting of suitable species and high quality landscaping will be essential.
- 7.05 No severe impacts on highway congestion or safety.
- 7.06 The public benefits of the scheme in terms of safer communities and health and wellbeing significantly outweigh the loss of the significance of the non-designated heritage asset of Farm Villa.

8. RECOMMENDATION

GRANT planning permission subject to the following conditions:

- 1) The detailed element of phase 1 of the development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2) The development within phase 2, the outline element of the development, shall not commence until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:
a. Access b. Layout c. Scale d. Appearance e. Landscaping
Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: No such details have been submitted and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.
- 3) The development of phase 1 (detailed application) hereby permitted shall be carried out in accordance with the following drawings:
IMHS-RYD-OA-01-DR-A-3001-S4-P14
IMHS-RYD-OA-00-DR-A-3000-S4-P16
IMHS-RYD-OA-ZZ-DR-A-3062-D2-P7
IMHS-RYD-OA-ZZ-DR-A-3620-D2-P5
IMHS-RYD-OA-ZZ-DR-A-3621-S4-P5
IMHS-RYD-OA-ZZ-DR-A-3622-S4-P4
IMHS-RYD-OA-ZZ-DR-A-3830-S4-P5
IMHS-RYD-OA-ZZ-DR-A-3831-D2-P2
C13256-PER-ZZ-XX-DR-C-0159-P2
C13256-PER-ZZ-00-DR-C-0161-P1
5411-OOB-ZZ-00-DR-L-0001_P10
5411-OOB-ZZ-00-DR-L-0002_P04
5411-OOB-ZZ-00-DR-L-0010_P07
5411-OOB-ZZ-00-DR-L-0020_P07
5411-OOB-ZZ-00-DR-L-0041_P03
Reason; For the avoidance of doubt.
- 4) Phase 1 (detailed application) shall be carried out to the levels hereby approved. Phase 2 (outline application) shall not commence until, details of the proposed finished floor, eaves and ridge levels of the building(s) and the existing site levels have been submitted to and approved in writing by the local planning authority and the development shall be completed strictly in accordance with the approved levels;
Reason: In order to secure a satisfactory form of development having regard to the topography of the site.
- 5) Development shall not begin above foundation level on phase 1 (detailed application) nor on any part of phase 2 (outline application) until a detailed

sustainable surface water drainage scheme relating to that phase has been submitted to and approved by the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100-year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance) that:

- silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required at an early stage of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- 6) No phase hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system of that phase and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing, and the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of the National Planning Policy Framework.

- 7) The development shall be carried out in accordance with the Remedial Strategy by Listers and a Verification Report shall be submitted for approval by the Local Planning Authority upon completion of each phase of the works. The verification report for each phase shall include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean. Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: To avoid pollution and harm to health.

- 8) If during construction/demolition works evidence of potential contamination is encountered, works shall not continue except in accordance with the Listers Geo

Discover Strategy report 21.05.014c Oct 2021. All necessary supplementary remedial works shall be carried out in accordance with an appropriate scheme that has been submitted to and approved by the Local Planning Authority.

Upon completion of the building works of each phase, a verification report shall be submitted for approval in writing by the Local Planning Authority. The report shall include details of:

a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.

b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason: In the interests of protecting the health of future users and occupants from any below ground pollutants.

- 9) No piling shall be carried out except in accordance with a piling risk assessment that has been submitted to and approved by the Local Planning Authority

Reason: To protect groundwater.

- 10) The development of each phase shall be carried out in accordance with the Plowman Craven Biodiversity Net Gain (BNG) reporting file notes for phase 1 and Phase 2, Preliminary Ecological Appraisal [PEA] Nov 2021 (including reptile mitigation) and each phase shall achieve a minimum of 10% Biodiversity Net Gain

Reason: In the interests of biodiversity.

- 11) Site clearance and construction shall be carried out in accordance with the Code of Construction Practice and the recommendations in Section 5 of the Preliminary Ecological Appraisal by Plowman Craven dated November 2021 hereby approved. The development shall be carried out in accordance with the approved details and the location and timing of sensitive works should avoid harm to biodiversity features; specialist ecologists shall be present on site to oversee works where necessary and there shall be use of protective fences, exclusion barriers and warning signs as appropriate.

Reason: To ensure that any adverse ecological impacts of construction activities are avoided or suitably mitigated.

- 12) Neither phase 1 nor phase 2 hereby approved shall commence above slab level until a Biodiversity Enhancement Strategy (BES) setting out details for the ecological enhancement of the relevant phase of development shall be submitted to the local planning authority for approval. The BES shall be based on the outline proposals in Section 5 of the submitted Preliminary Ecological Appraisal by Plowman Craven dated November 2021 and will provide details of how the Biodiversity Net Gain set out in that report will be delivered. It shall include the following:

a) Purpose and conservation objectives for the proposed works including creating suitable habitat for reptiles and creating new wildflower meadows;

b) Detailed design(s) and/or working method(s) to achieve stated objectives;

- c) Extent and location/area of proposed works on appropriate scale maps and plans;
- d) Type and source of materials to be used where appropriate, e.g. native species of local provenance;
- e) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- f) Persons responsible for implementing the works;
- g) Details of initial aftercare and long term maintenance;
- h) Details for monitoring and remedial measures;
- i) Details for disposal of any wastes arising from works (where relevant).

The BES shall be implemented in accordance with the details approved in writing by the local planning authority and all features shall be retained and managed in that manner thereafter. The scheme shall consist where practical of integrated methods such as swift bricks, bat tubes or bee bricks, and through the provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, hedgehog gaps, wildflower planting and hedgerow corridors.

Reason: To ensure that the losses of biodiversity can be compensated for and a net gain in biodiversity delivered in accordance with the requirements of the NPPF, July 2021, and that the proposed design, specification and planting can demonstrate this.

- 13) The development shall be carried out in accordance with the Hoare Lea Sustainability Stage 2 Report - Energy Strategy Revision 02 – 20 July 2021.
Reason: In the interests of sustainable and energy efficient form of development
- 14) Phase 1 (detailed application) shall be carried out in accordance with the Hoare Lea Air Quality Assessment Rev 01 April 2021. Phase 2 (outline application) shall be carried out in accordance with an Air Quality Assessment that shall have been submitted to and approved by the Local Planning Authority prior to first occupation.
Reason: To minimise air pollution.
- 15) Neither phase 1 nor phase 2 shall not continue above slab level until written details and photographs of samples of the materials to be used in the construction of the external surfaces of the buildings in that phase have been submitted to and approved by the local planning authority and the development shall be constructed using the approved materials.
Reason: To ensure a satisfactory appearance to the development
- 16) The building shall be built to minimum standard of of BREEAM 'very good'
Reason: In the interests of sustainable and energy efficient form of development
- 17) Notwithstanding the details hereby submitted, prior to first use of each phase. a lighting design plan for biodiversity for the relevant phase should be submitted to and approved by the Local Planning Authority. The plan will show the type and locations of external lighting, demonstrating that areas to be lit will not disturb fauna. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter. This scheme shall take note of and refer to the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005 (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. No lighting shall be

installed except in accordance with the approved scheme which shall be retained and operated in accordance with the approved scheme.

Reason: In the interests of biodiversity and amenity.

- 18) Phase 1 shall not be occupied until access to the site from the adopted highway has been carried out in accordance with details hereby approved.
Reason: In the interests of highway safety.
- 19) The development shall be carried out in accordance with the Oakwood Site Travel Plan Document 2021-2025 and the BREEAM Travel Plan Addendum 65202948-SWE-ZZ-XX-RP-TP-0002 Revision: 02
Reason: In the interests of sustainability.
- 20) Phase 1 (full application) shall not be occupied until cycle parking of 2 secure and covered cycle parking spaces have been provided in accordance with the drawings hereby approved and they shall be retained thereafter. Phase 2 (outline application) shall not commence above dpc level until details of cycle parking have been submitted to and approved in writing by the local planning authority. The approved details shall be completed before the commencement of the use of the phase 2 buildings hereby permitted and shall thereafter be kept available for such use.
Reason: In the interests of sustainable travel.
- 21) Phase 1 (detailed application) shall not be occupied until vehicle parking and turning areas have been provided as hereby approved and those areas shall not be used for any other purpose thereafter. Phase 2 (outline application) shall not commence above dpc level until details of the parking spaces and sufficient turning area to enable vehicles to enter and leave the site in forward gear have been submitted to and approved in writing by the local planning authority. The approved details of the parking/turning areas shall be completed before the commencement of the use of the phase 2 buildings hereby permitted 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 is likely to lead to parking inconvenient to other road users and in the interests of road safety.
- 22) Landscaping of Phase 1 shall be in accordance with 5411-OOB-ZZ-00-DR-L-0030 Revision P07. Phase 1 (detailed application) shall not commence above slab level until a landscape planting specification, a programme of implementation and a 10-year management plan has been submitted to and approved by the Local Planning Authority.
Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.
- 23) Phase 2 (outline application) shall not commence above slab level until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance and primarily comprised of native/near-natives species has been submitted to and approved by the local planning authority. The scheme shall include a planting specification, a programme of implementation and a 10-year management plan.
Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- 24) The approved landscape details of each phase shall be carried out during the first planting season (October to February) following first occupation of any phase of the development. Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.
Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.
- 25) Phase 1 (detailed application) shall not be occupied until hard landscape details hereby approved have been completed in full. Phase 2 (outline application) shall not continue above slab level until details of hard landscape works have been submitted to and approved by the local planning authority and the development shall be carried out in accordance with the approved details before the first occupation of the building.
Reason: To ensure a satisfactory appearance to the development.
- 26) Notwithstanding the submitted boundary treatment details, above ground floor level construction work on phase 1 shall not commence until details of fencing of the service area have been submitted to and approved by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation and maintained thereafter.
Reason: To ensure a satisfactory appearance to the development.
- 27) The rating level of noise emitted from the proposed plant and equipment to be installed on the site (determined using the guidance of BS 4142: 2014 Rating for industrial noise affecting mixed residential and Industrial areas) shall be low as can be possible. In general, this is expected to be 5dB below the existing measured background noise level LA90, T.
Reason: In the interests of aural amenity.
- 28) The details of phase 2 submitted pursuant to condition 2 shall include details of the retention of the existing gate piers in front of Farm Villa. For both phases, the developer shall arrange for a Watching Brief to be undertaken by Canterbury Archaeological Trust (or an alternative archaeologist first approved by the local planning authority) so that the excavation is observed and items of interest and finds are recorded. The mitigation for the demolition of Farm Villa detailed in the Archaeology and Heritage Statement shall be carried out in full within 3 months of the first use of phase 2 of the development hereby permitted.
Reason: To enable the retention and/or recording of any items of historical or archaeological interest.

INFORMATIVES

- 1) Attention is drawn to Sections 60 & 61 of the COPA 1974 and to the Associated British Standard COP BS 5228: 2009 for noise control on construction sites. Statutory requirements are laid down for control of noise during works of construction and demolition and you are advised to contact the Environmental Health Manager regarding noise control requirements.
- 2) The developer will be required to produce a Site Waste Management Plan in accordance with Clean Neighbourhoods and Environment Act 2005 Section 54. This

should be available for inspection by the Local Authority at any time prior to and during the development.

- 3) The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste.

Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to the Position statement on the Definition of Waste: Development Industry Code of Practice and the Environmental Regulations page on GOV.UK

- 4) Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. There must be no direct discharge to groundwater, a controlled water
- 5) Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed. Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.
- 6) It is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can

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be found at

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

Case Officer: Marion Geary