

REFERENCE NO - 20/501427/OUT		
APPLICATION PROPOSAL Outline planning application for residential development of up to 76 no. dwellings (all matters reserved except access).		
ADDRESS Land To Rear Of Kent Police Training School Off St Saviours Road Maidstone Kent ME15 9DW		
RECOMMENDATION Approved subject to conditions and a s106 legal agreement		
SUMMARY OF REASONS FOR RECOMMENDATION The application site is suitable for 76 dwellings at 35 dph as it is located within the urban confines of Maidstone, is allocated for residential development within the Local Plan under Policy H1 (28) and there was a recently expired outline planning permission for 90 units granted in 2017. The sports pitches being lost are not designated for sporting use in planning terms and are not secured for such a use through any agreement (planning or otherwise). The site is not available for use by the general public. This stance is consistent with the position taken when the recently expired outline planning permission was granted. There are limited views of the openness of the site from the public domain and so the visual impact is acceptable. Existing trees can be retained and impact on neighbouring TPO trees can be avoided. The site is sustainably located. There are no objections from KCC (H&T) to the proposal subject to a Travel Plan and s106 contributions to local highway improvements. On site Open Space could serve as semi natural habitat and amenity green space and financial contributions should be sought towards nearby Queen Elizabeth Square play area and Pested Bars Recreation Ground. A legal agreement can secure 30% affordable housing to accord with the SPD. Conditions can be imposed to ensure that matters such as noise mitigation, surface water drainage, ecology, biodiversity net gain, low carbon energy, lighting, air quality mitigation and archaeological interest are adequately dealt with at Reserved Matters Stage.		
REASON FOR REFERRAL TO COMMITTEE There is a significant level of local public interest.		
WARD Park Wood	PARISH/TOWN COUNCIL Boughton Monchelsea	APPLICANT The Police And Crime Commissioner For Kent AGENT DHA Planning
TARGET DECISION DATE 24/12/21		PUBLICITY EXPIRY DATE 29/11/21

Relevant Planning History

12/0987

Outline application for residential development for up to 90 dwellings with associated development with all matters reserved for future consideration.
Approved 07.04.2017

03/0826

Two storey extension to firing range and single storey extension to driver training school, as shown on dwg nos 92502.02, 03, 04 received on 24.04.03.
Approved 02.09.2003

95/0141

Regulation 3 application by KCC for new indoor firearms training range and additional car park. .

No Objection 02.03.1995

MAIN REPORT

1. DESCRIPTION OF SITE

- 1.01 The application site relates to an area of land approximately 2.2 hectares in area located at the Kent Police Training Centre which is open in nature and has private sports pitch laid out. There are existing trees on the northern and western boundaries and a smaller cluster of trees on the SE boundary.
- 1.02 The site is within the urban area of Maidstone. The site is an allocated site for 90 dwellings in the Maidstone Borough Local Plan H1(28).
- 1.03 There is a row of trees running along the north western and north eastern edges of the site and there are a few trees on the rear boundaries of neighbouring dwellings in Morris Close. There is a group of trees beyond the eastern boundary are covered by TPO 3 of 2008 Group of Trees G2 consisting of 19 Oak and 27 Pine.

2. PROPOSAL

- 2.01 The application is in outline form and for residential development up to 76 dwellings with access detailed but all other matters reserved for future consideration. The application was initially submitted showing an indicative 90 dwellings.
- 2.02 The vehicular access is the existing access road into the Kent Police Training Centre.
- 2.03 Approx 0.167ha of the site (approx. 8%) is indicated to be semi-natural and amenity green space.
- 2.04 The Transport Statement concludes that the site is sustainable and forthcoming highway improvements set to increase capacity and reduce congestion locally.
- 2.05 The agent has indicated that Kent Police are willing to enter into a Section 106 agreement to secure affordable housing (30%) and any justified financial contributions including off site highway works.

3. POLICY AND OTHER CONSIDERATIONS

Maidstone Borough Local Plan 2017: SP20; H1 (28); DM1, DM3, DM4, DM6, DM8, DM12, DM19, DM21, DM23,
Neighbourhood Plans: Boughton Monchelsea (made July 2021)
PWP 4: Provision for new housing development
RH 4: Housing allocations and phasing
RH 5B: Kent Police Training School
Kent Minerals and Waste Local Plan 2013-30 as amended by Early Partial Review (2020)
Supplementary Planning Documents: Public Art Guidance 2017; Affordable Housing
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Maidstone Building for Life 12

4. LOCAL REPRESENTATIONS

Local Residents:

4.01 35 representations received from 24 local residents raising the following (summarised) issues

- Traffic
- Impact on highway safety
- Damage, noise and pollution by construction
- Housing in an area where residents will need to commute to work
- Buses unreliable so people will drive
- No local housing need
- Emergency access needed
- Outdated traffic reports
- Parking congestion on local roads
- Headlight nuisance
- Harm to Air Quality
- Adding to problems of inadequate parking due to "minimum" standards
- Overlooking
- Overshadowing including from proposed tree planting
- Flats and coach housing would be out of keeping
- Sewers cannot cope
- Loss of security/increased crime
- Noise, smells and activity.
- Loss of open view
- Anti-social behaviour
- Affordable housing could become unsightly and neglected.
- Tree loss
- Harm to wildlife habitat
- Density
- Local GPs, dentist and schools are oversubscribed
- Lack of play areas
- Noise bund needed for noise protection and enhance and connect the nature corridors around the Kent Police College
- Will prevent access to Training Centre by helicopters due to CAA regulations
- Loss of area for Police to get fit
- Will undermine the Training school's security
- Police should not be spending money making planning applications including ones that are not fully truthful
- Some residents were unaware of the previous planning permission.

1 letter of support to revised scheme:

- Prefer 2 storey properties moved away from our boundary, happier that the acoustic barriers will be used and the tree line will be thinned out and looked after instead of being overgrown and unkept by the police training college.

- 4.02 Issues such as Training Centre operational impact; financial motive of the Kent Police Estates in seeking planning permission; loss of open view; damage, noise and pollution by construction; that affordable housing could become unsightly and neglected are not material planning considerations and therefore cannot be taken into account in the determination of this application. The other matters raised by neighbours and other objectors are discussed in the detailed assessment below.

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)

Boughton Monchelsea Parish Council:

- 5.01 Due to outline planning permission no objections but the development must have good space and density standards; renewable energy sources; EV charging points; exclusively native planting within any landscape plan; provision of swift and bee bricks, bat and bird boxes; wildlife friendly boundaries
- 5.02 Need control over routes and timings for construction traffic and measures to minimise noise and disturbance to existing residents. The vehicular gate at the corner of Pested Bars Road should be permanently closed to prevent inappropriate and unsafe use of the network of local country lanes.

KCC Highways

- 5.03 Initial Comments: No concerns on the access, or sustainability of the location. A Travel Plan and monitoring fee of £948 needed.
- 5.04 The proposals will generate 40 two-way movements (*combined arrivals and departures*) in the AM peak and 45 two-way movements in the PM peak. Over the course of a 12-hour day the proposals are anticipated to generate 391 two-way movements. Junction analysis:

A274, Sutton Road junction with St Saviours: additional local congestion would be created at this junction but limited additional delay is anticipated. However, the residual impact of this development is likely to be additional local traffic generation and some consequent increase in congestion, which the applicant cannot fully mitigate.

A274, Sutton Road junction with Queen Elizabeth Square: the junction is anticipated to continue to operate within capacity

A274, Sutton Road junction with A229, Loose Road (Wheatsheaf Junction): no excessive or unacceptable levels of delay following the implementation of KCC Highways strategic improvements and a contribution is needed in mitigation

A274, Sutton Road junction with Wallis Avenue and Willington Street: KCC Highways is continuing to explore options for the junction catering for the additional traffic from known committed developments.

- 5.05 Taking account of how conditions have worsened on this section of highway network since the original planning permission, KCC Highways require a financial contribution towards KCC Highways planned improvements along the A274, Sutton Road/A229 Loose Road corridor.
- 5.06 Conditions also requested, including on Construction Management.
- 5.07 Final Comments: Awaited and will be reported in an Urgent Update.

KCC Infrastructure

- 5.08 Noted that the development will be CIL liable but will still have an impact on County services that cannot be accommodated within existing capacity.

KCC (Waste and Minerals)

- 5.09 No objections

Kent Police

- 5.10 Subsequent details should include crime prevention measures and design.

Southern Water

- 5.11 No objections

KCC (Flood and Water Management)

- 5.12 Additional ground investigation will be required to support the use of infiltration.

KCC (Heritage)

- 5.13 The site of proposed application is situated in an area of Iron Age and particularly Romano-British activity. Needs geophysical survey followed by a phased programme of archaeological fieldwork and detailed mitigation.

MBC Parks and Open Spaces

- 5.14 Initial comments (90 units): no on-site open space indicated in the application, the location is underprovided for in terms of the open space typologies, natural, outdoor sport, allotments and play.

- 5.15 Final Comments: 76 residential dwellings and 0.167 of on-site open space requires £1,434.5 per property for off-site existing open space within a two-mile radius of the site.

MBC Environmental Protection

- 5.16 Noise mitigation will be required for future residents and suitable off-setting emission measures in the form of standard mitigation such as installation of Electric Vehicle charging points. Suggest attach a watching brief type of contaminated land condition and condition regarding any external lighting.

6. APPRAISAL

Main Issues

- 6.01 The key issues for consideration relate to:

- Principle of Development
- Visual Impact
- Highways
- Landscaping and Open Space

Principle of Development

- 6.02 The application site is located within the urban confines of Maidstone and is allocated for residential development within the Local Plan under Policy H1 (28) and Boughton Monchelsea Neighbourhood Plan and there was a recently expired outline planning permission for 90 units granted in 2017. Therefore, residential development of 76 units is acceptable in principle. This is at 35 dph so accords with Policy H1(28) which requires a medium density scheme.

Visual Impact

- 6.03 The site is open land and residential development would clearly have an impact visually on the site. However, the site is enclosed by the training school buildings and housing and so there are limited views of the openness of the site from the public domain.
- 6.04 The negotiated reduction in the number of dwellings should reduce the impact of the development on the locality compared to the previous planning permission. It is the access area which is indicated to form most of the open space of the layout and so the overall visual impact from the surrounding area is further reduced. This element of the indicated layout will need to be secured by condition so that it is reflected in any subsequent RM application.
- 6.05 The site encompasses elements of soft landscaping, particularly along the north-western and north-eastern boundaries where the majority of existing hedgerows and trees should be retained by imposition of condition. The reduction in number of dwellings will allow more space to the NE boundaries to better ensure long term retention of the trees by reducing pressure from units sited too closely to their canopies.
- 6.06 The introduction of development into this site would not in itself cause significant harm to the character of the area but the detail and the pattern and heights of the development would need careful consideration at the RM stage.

Highways

- 6.07 Policy DM21 refers to the assessment of the transport impacts of development. The site is sustainably located, ensuring any future occupiers can access services and public transport within a short distance
- 6.08 As the access road already exists, it is considered suitable for the site and proposed development. Parking can be provided in accordance with relevant standards and comply with policy DM23.
- 6.09 There are no objections to the principle of the development from KCC (H&T) subject to payment of contributions for local highway improvements to mitigate the impact.
- 6.10 The adopted policy H1(28) requires the following:
5. *Bus prioritisation measures on the A274 Sutton Road from the Willington Street junction to the Wheatsheaf junction, together with bus infrastructure improvements.*
 6. *Improvements to capacity at the junctions of Willington Street/Wallis Avenue and Sutton Road.*
 7. *Package of measures to significantly relieve traffic congestion on Sutton Road and Willington Street.*
 8. *Improvements to capacity at the A229/A274 Wheatsheaf junction.*
 9. *Improvements to frequency and/or quality of bus services along A274 Sutton Road corridor.*
- 6.11 The s106 of the expired planning permission secured £3000.00 (index linked) per dwelling towards Highway capacity improvements at Loose Road /Sutton Road and Town Centre Bridge gyratory. No public transport improvements were secured in that s106.

- 6.12 KCC now say that contributions are required towards improvements to capacity at the junctions of Willington Street/Wallis Avenue and Sutton Road and towards KCC Highways planned improvements along the A274, Sutton Road/A229 Loose Road corridor. These are off site highway improvements are necessary to make the specific development acceptable and so should be included in a s106 legal agreement. The amount needed is now £3600 per dwelling
- 6.13 The public transport requirements of the MBLP also need to be included in the s106 to ensure compliance with H1(28). The s106 would need to be drafted to ensure the prospect of a repayment of unspent funds if such measures referred to are not progressed within a reasonable period of time

Landscaping and Open Space

- 6.14 Based on the changes secured to the indicated layout and reduction in the numbers to a maximum of 76, I am satisfied that adequate tree retention can be secured at RM stage and thereby accords with policy DM3.
- 6.15 The adopted plan policy H1 (28) required contributions towards improvements to Mangravet Recreation Ground, Queen Elizabeth Square play area, sports facilities at Parkwood Recreation ground or Mote Park Adventure Zone and additional on/off-site provision and/or contributions towards off-site provision/improvements as required in accordance with policy DM19.
- 6.16 In terms of this site, it is relatively near to existing play areas so one is not necessarily needed on site. The indicative layout shows 0.167ha (0.4acre) of Open Space which could serve both a semi natural habitat and amenity green space which as detailed above, adequately assists in placemaking of the scheme.
- 6.17 As mentioned above, Policy RH 5B of the very recently adopted Neighbourhood Plan requires contributions are made to the provision and/or improvement of local play and open space facilities. It is considered that contributions should be sought towards Queen Elizabeth Square play area as that is conveniently walkable from the application site and also to Pested Bars Recreation Ground which is also close to the application site and lies in Boughton Monchelsea Parish. As the requirement for the contribution derives from the Neighbourhood Plan, the PC should be involved in developing projects on which the contribution will be spent.

Other Matters

- 6.18 Building for Life 12: the scheme is in outline so most of the criteria will be considered at Reserved Matters stage but the site scores well in terms of proximity to facilities and services and public transport and connections to the surroundings.
- 6.19 Species protection involving more up to date ecological surveys and mitigation measures and Biodiversity Net Gain can both be secured by condition to comply with policy DM3 of the MBLP and low carbon energy can also be required by condition. An ecological lighting condition is also suggested to accord with policies DM8 and DM3 and an air quality mitigation condition would secure the objectives of policy DM6.
- 6.20 Archaeological interest can be secured by condition to comply with policy DM4.
- 6.21 Residential amenity is mentioned in many of the objections and often this relates to the indicative layout plan. The application is in outline with only access submitted for approval at this stage and so residential amenity in terms of privacy, outlook and loss of natural daylight or sunlight would be looked subsequently in accordance with policy DM1 of the MBLP. I am satisfied that 76 dwellings have been demonstrated to be achievable without unacceptable impact on amenities of properties neighbouring the site.

- 6.22 The line of the noise mitigation bund/fence and its relationship with the site is now clearly indicated in the layout drawing and it is envisaged that this will take the form of a 2m high acoustic fence atop a 2m high gabion wall, both with climbing vegetation. The indicative layout shows that there is scope for an acceptable juxtaposition of the 4m high structure with the dwellings and private gardens to avoid it being overbearing or causing too much loss of light to ensure compliance with policy DM1 of the MBLP.
- 6.23 Affordable housing policy SP20 requires 30% affordable housing at this urban location which the applicant will provide to a tenure and mix that meets local needs in accordance with the SPD, and this can be secured by legal agreement.
- 6.24 The site is over 50 units/1ha and MBC's Public Art Guidance 2017 would require a spend of £3 per sq metre of gross internal floor area on the provision of public art on site.
- 6.25 Health, Education and KCC services needs are now CIL funded forms of infrastructure.
- 6.26 In terms of the PC request for the vehicular gate at the corner of Pested Bars Road should be permanently closed it is not considered that such a requirement would meet the legal test of being sufficiently related to the development being applied for. It can however be the subject of an informative.
- 6.27 The request of the PC for planning control of routes and timings for construction traffic to minimise noise and disturbance to existing residents is not considered to be justified as Environmental Protection legislation is a more appropriate and reactive control of this matter.
- 6.28 KCC also asked for a Construction Management condition. In my view, it is not appropriate here with the site being close to the strategic highway network and capable of having enough space on site to accommodate all operatives and wheel washing etc but can be the subject of an informative.

CIL

- 6.29 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, nevertheless, a development of this scale would be likely to generate a significant CIL receipt towards infrastructure, 25% of which would be paid to the Parish Council. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

PUBLIC SECTOR EQUALITY DUTY.

- 6.30 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 application site is suitable for 76 dwellings at 35 dph as it is located within the urban confines of Maidstone, is allocated for residential development within the Local Plan under Policy H1 (28) and there was a recently expired outline planning permission for 90 units granted in 2017.

- 7.02 The sports pitches being lost are not designated for sporting use in planning terms and are not secured for such a use through any agreement (planning or otherwise). The site is not available for use by the general public. This stance is consistent with the position taken when the recently expired outline planning permission was granted.
- 7.03 There are limited views of the openness of the site from the public domain and so the visual impact is acceptable. Existing trees can be retained and impact on neighbouring TPO trees can be avoided.
- 7.04 The site is sustainably located. There are no objections from KCC (H&T) to the proposal subject to a Travel Plan and s106 contributions to local highway improvements.
- 7.05 On site Open Space could serve as semi natural habitat and amenity green space and financial contributions should be sought towards nearby Queen Elizabeth Square play area and Pested Bars Recreation Ground.
- 7.06 A legal agreement can secure 30% affordable housing to accord with the SPD.
- 7.07 Conditions can be imposed to ensure that matters such as noise mitigation, surface water drainage, ecology, biodiversity net gain, low carbon energy, lighting, air quality mitigation and archaeological interest are adequately dealt with at Reserved Matters Stage.

8. RECOMMENDATION

The Head of Planning and Development BE DELEGATED POWERS TO GRANT planning permission subject to the prior completion of a legal agreement to provide the following (including the Head of Planning and Development being able to settle or amend any necessary terms of the legal agreement in line with the matters set out in the recommendation resolved by Planning Committee):

- the prior payment of s106 monitoring fees of £4,500
- Travel Plan Monitoring Fee of £948
- Affordable Housing at 30%
- £1,434.5 per dwelling towards Open Space at Queen Elizabeth Square play area and/or sport facilities at Pested Bars Open Space, to be spent in liaison with Boughton Monchelsea PC.
- £3600 per dwelling towards:
 - Improvements to capacity at the junctions of Willington Street/Wallis Avenue and Sutton Road and to KCC Highways planned improvements along the A274, Sutton Road/A229 Loose Road corridor.
 - Package of measures to significantly relieve traffic congestion on Sutton Road and Willington Street.
 - Bus prioritisation measures on the A274 Sutton Road from the Willington Street junction to the Wheatsheaf junction, together with bus infrastructure improvements.
- Improvements to frequency and/or quality of bus services along A274 Sutton Road corridor

and the imposition of the conditions as set out below:

- 1) The development shall not commence until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:

a) Layout, b) Scale; c) Appearance; d) 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.

- 2) No dwelling shall be occupied unless it aligns with the delivery of the necessary sewerage infrastructure in accordance with a foul drainage phasing strategy that shall have been submitted to and approved by the Local Planning Authority.

Reason: To accord with Policy RH 5B of the Boughton Monchelsea Neighbourhood Plan.

- 3) The details submitted pursuant to condition 1 above shall provide for the following:

i) Retention of the tree screen along the northern boundary at least 3m wide that shall lie outside private garden boundaries.

ii) Provision of a landscaped buffer to supplement the tree screens along the northern boundary.

iii) An updated arboricultural implications assessment and tree protection plan to reflect the proposed details of layout.

i) An Arboricultural Method Statement in accordance with the current edition of BS 5837

ii) Open Spaces of a size, function and location as those indicated on drawing DHA/14082/03 Rev C (Open Space Plan).

Reason: To ensure a satisfactory appearance and setting to the development and adequate on-site Open Space.

- 4) All existing trees and hedges on, and immediately adjoining, the site, shall be retained, unless identified on the approved site plan (or block plan in the absence of a site plan) as being removed, except if the Local Planning Authority gives prior written consent to any variation. All trees and hedges shall be protected from damage in accordance with the current edition of BS5837. Any trees or hedges removed, damaged or pruned such that their long term amenity value has been adversely affected shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions to mitigate the loss as agreed in writing with 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

- 5) The development hereby approved shall not commence above slab level until a landscape scheme predominantly of native or near native planting and designed in accordance with the principles of the Council's Landscape Character Guidance has been submitted to and approved in writing by the local planning authority. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed, provide details of on-site replacement planting to mitigate any loss of amenity and biodiversity value together with the location of any habitat piles and include a planting specification, a programme of implementation and a 5 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

- 6) The approved landscape details shall be carried out during the first planting season (October to February) following first occupation 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.

- 7) The details required by Condition 1 shall demonstrate that requirements for surface water drainage for all rainfall durations and intensities up to and including the climate change adjusted critical 100-year storm can be accommodated within the proposed development layout.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and that they are incorporated into the proposed layouts.

- 8) Development shall not commence until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved by the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk and Drainage Assessment dated 17th February 2020 and 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 2 accommodated and disposed of within the curtilage of the site 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 prior to the commencement 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.

- 9) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that 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.

- 10) The approved details of the access point to the site shall be completed before the commencement of the use of the relevant land or buildings hereby permitted and, any approved sight lines shall be retained free of all obstruction to visibility above 1.0 metres thereafter.

Reason: In the interests of highway safety.

- 11) The details submitted pursuant to condition 1 shall include details of cycle parking and vehicle parking/turning areas and these shall be completed as approved before the first occupation of the related 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/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

- 12) The development shall not reach damp proof course level until written details and photographs of samples of the materials to be used in the construction of the external surfaces of any buildings and hard surfaces 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.

- 13) The development 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.

- 14) Above ground construction work on the approved buildings shall not commence until details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details before the first occupation and retained thereafter.

Reason: To ensure a satisfactory appearance to the development and in the interests of residential amenity.

- 15) The details submitted pursuant to Condition 1 shall show noise mitigation to be carried out in accordance with the acoustic report carried out by Loven Acoustics (ref LA/1683/01R/ML dated November 2019) and the drawing DHA/14082/06 (Noise Bund) hereby approved including details of which plots require the mitigation measures.

Reason: In the interest of the amenity of future occupants.

- 16) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:
- (i) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
 - (ii) following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority
- Reason: To ensure that features of archaeological interest are properly examined and recorded, and that due regard is had to the preservation in situ of important archaeological remains.
- 17) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained approval from the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported. Upon completion of the building works, this condition shall not be discharged until a verification report has been submitted to and approved in writing by the Local Planning Authority. The verification 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 verification 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: There is always the potential for unexpected contamination to be identified during development groundworks.
- 18) No external lighting shall be installed until a detailed lighting design plan for biodiversity has been submitted to and approved in writing by the Local Planning Authority. 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. The scheme of lighting shall be installed, maintained and operated in accordance with the approved scheme unless the Local Planning Authority gives its written consent to any variation.
- Reason: In the interests of biodiversity and amenity.
- 19) There shall be no occupation until a scheme for the provision of a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include objectives and

modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.

Reason: In the interests of sustainability.

- 20) No development shall commence until a scheme detailing and where possible quantifying what measures or offsetting schemes are to be included in the development which will reduce the transport related air pollution of the development during construction and when in occupation. The report should be submitted to and approved by the Local planning authority and the development shall be carried out in accordance with the approved details.

Reason: In the interests of air quality. This information is required prior to commencement to ensure that any impact on air quality during the construction phase is considered.

- 21) The development shall not commence above slab level until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved have been submitted to and approved by the local planning authority. Measures shall include EV charging points to each dwelling. The approved details shall be installed prior to first occupation and maintained thereafter. Any PV panels installed shall be flush with the roof tiles and any that become defective shall be replaced as soon as is reasonably practicable.

Reason: In the interests of sustainable and energy efficient form of development

- 22) The details submitted pursuant to Condition 1 shall be accompanied by updated ecological surveys including any required mitigation and enhancement measures to improve biodiversity and shall be implemented as approved.

Reason: To ensure a satisfactory appearance and setting to the development and in the interests of biodiversity protection and enhancement.

- 23) The development hereby approved shall not commence above slab level until details of a scheme for biodiversity net gain of at least 10% on the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through integrated methods (such as swift bricks, bat tubes and bee bricks) and through the provision within the site (such as bird boxes, bat boxes, bug hotels, log piles, wildflower planting and native hedgerow corridors) and use of hedgehog friendly boundary treatments. The development shall be implemented in accordance with the approved details prior to first occupation and all features shall be retained thereafter.

Reason: To enhance the ecology and biodiversity on the site

- 24) No development shall take place until details of measures to minimise the risk of crime have been submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with the principles and physical security requirements of Crime Prevention Through Environmental Design (CPTED) The approved measures shall be implemented before the development is occupied and thereafter retained.

Reason: To minimise the risk of crime in the light of the adjacent land uses.

- 25) The details submitted pursuant to Condition 1 shall include details of facilities for the storage of refuse on the site and the approved facilities shall be provided before the first occupation of the dwellings hereby approved and maintained thereafter.

Reason: No such details have been submitted and in the interest of amenity

- 26) Prior to the first occupation, a scheme and timetable for the provision of Public Art in accordance with Maidstone Borough Council's Public Art Guidance 2017 shall be submitted to and approved by the Local Planning Authority. Should a piece of artwork be commissioned, it shall be installed thereafter as approved.

Reason: To provide cultural benefits

- 27) No development above slab level shall take place until a site-wide landscape and ecological management plan (LEMP), including timetable for implementation, long term design objectives, management responsibilities and maintenance schedules for all landscaped, open space, and drainage areas, but excluding privately owned domestic gardens, has been submitted to and approved in writing by the local planning authority. Landscape and ecological management shall be carried out in accordance with the approved plan and its timetable unless the local planning authority gives written consent to any variation. The management plan must clearly set out how the habitat and enhancement features will be managed in the long term. The management plan must include the following:

- a) Details of the habitats to be managed
- b) Overview of the proposed management
- c) Timetable to implement the management
- d) Details of who will be carrying out the management
- e) Details of on-going monitoring.
- f) Details of the management regime for retained and new areas of rough/tussocky grassland

The management plan must be implemented as approved.

Reason: In the interests of biodiversity, landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

INFORMATIVES

- 1) The Parish Council requests that the vehicular gate at the corner of Pested Bars Road should be permanently closed to prevent inappropriate and unsafe use of the network of local country lanes.
- 2) All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection) as in the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list.
- 3) You are encouraged to devise a Construction Management Plan before the commencement of any development on site to include the following:
 - Routing of construction and delivery vehicles to / from site
 - Timing of deliveries
 - Temporary traffic management / signage
 - Before and after construction of the development, highway condition surveys for highway access routes should be undertaken and a commitment

- provided to fund the repair of any damage caused by vehicles related to the development.
- Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.
 - Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.
 - Provision of measures to prevent the discharge of surface water onto the highway.
 - Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.
- 4) A Code of Construction Practice should be carried out in accordance with the approved Code of Construction Practice and BS5228 Noise Vibration and Control on Construction and Open Sites and the Control of dust from construction sites (BRE DTi Feb 2003). The code shall include:
An indicative programme for carrying out the works
Measures to minimise the production of dust on the site(s)
Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier(s)
Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site(s)
Design and provision of site hoardings
Measures to manage the production of waste and to maximise the re-use of materials
Measures to minimise the potential for pollution of groundwater and surface water
The location and design of site office(s) and storage compounds
The location of temporary vehicle access points to the site(s) during the construction works
The arrangements for public consultation and liaison during the construction works
- 5) 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.
- 6) 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.
- 7) There must be no direct discharge to groundwater, a controlled water. An unsaturated zone must be maintained throughout the year between the base of soakaways and the water table.

Case Officer: Marion Geary