

**REPORT SUMMARY**

<b>REFERENCE NUMBER:</b> 24/500175/FULL		
<b>APPLICATION PROPOSAL:</b> Creation of car park to provide an additional 229 parking spaces with associated landscaping.		
<b>ADDRESS:</b> Kent Institute of Medicine and Surgery, Newnham Court Way, Weavinging Maidstone, Kent, ME14 5FT		
<b>RECOMMENDATION:</b> Permission		
<b>SUMMARY OF REASONS FOR RECOMMENDATION:</b>		
<ul style="list-style-type: none"> <li>• The application site is in the Maidstone Local Plan Review 2024 for a 'medical campus' with specialist medical facilities and associated uses, the proposed car park supports the KIMS hospital use.</li> <li>• With planning conditions for design details and enhancements to landscaping it is considered that the proposal would have an acceptable impact on amenity.</li> <li>• With conditions to control the operating hours, to require a sensitive lighting scheme and controlling the height of vehicles able to enter the site, it is considered that the proposal would have an acceptable impact on residential amenity and also the impact character, appearance and landscape impact. Under delegated authority officers seek to ensure there are clear details about access and layout and seek to minimise losses of trees and ensure that those existing close to the works are adequately protected.</li> <li>• The proposed parking would support increased demand for the hospital, the access arrangements are acceptable, and the proposal would not have an unacceptable impact on the safety, reliability, and/or operational efficiency of the Strategic Road Network in the vicinity of the site (M20) subject to conditions for a monitoring report and Construction Traffic Management Plan.</li> <li>• The proposal provides biodiversity net gain over and above policy requirements and is acceptable in regards to landscaping, subject to conditions as set out in the report.</li> </ul>		
<b>REASON FOR REFERRAL TO COMMITTEE:</b> Called to committee at the request of the Head of Development Management because the original outline permission resolution for the Kent Medical Campus required all applications to be reported to Committee		
<b>WARD:</b> Grove Green And Vinters Park	<b>PARISH/TOWN COUNCIL:</b> Boxley	<b>APPLICANT:</b> Kent Medical Campus Ltd & KIMS <b>AGENT:</b> DHA Planning Ltd
<b>CASE OFFICER:</b> Sean Scott	<b>VALIDATION DATE:</b> 30/01/24	<b>DECISION DUE DATE:</b> 17/06/24
<b>ADVERTISED AS A DEPARTURE:</b> No		

**Relevant Planning History**

07/0382 - Tertiary Medical Centre comprising a complex of eight buildings ranging from two to four storeys, car parking, landscaping, access road and associated highways improvements - Approved 01.08.2008.

13/1163 Outline application for the development of a medical campus comprising up to 98,000sqm of additional floor space (including additional hospital facilities, clinics, consultation rooms and a rehabilitation centre (classes C2/D1); education and training facilities with residential accommodation (class C2/D1); key worker accommodation for nurses and doctors (class C3); pathology laboratories (class B1); business uses (class B1); ancillary retail services (class A1, A2, A3); and up to 116 class C2 neuro-rehabilitation

accommodation units; internal roads and car parks, including car park for residents of Gidds Pond Cottages; hard and soft landscaping including creation of new woodland area with access for consideration and all other matters reserved for future consideration - Approved 23.04.2014.

15/510037/FULL - Removal of condition 20 of MA/13/1163 (Outline application for the development of a medical campus comprising up to 98,000sqm of additional floor space (including additional hospital facilities, clinics, consultation rooms and a rehabilitation centre (classes C2/D1); education and training facilities with residential accommodation (class C2/D1); key worker accommodation for nurses and doctors (class C3); pathology laboratories (class B1); business uses (class B1); ancillary retail services (class A1, A2, A3); and up to 116 class C2 neuro-rehabilitation accommodation units; internal roads and car parks, including car park for residents of Gidds Pond Cottages; hard and soft landscaping including creation of new woodland area with access for consideration and all other matters reserved for future consideration.) - relating to air quality information at Maidstone Medical Campus - Approved 02.08.2016.

16/507292/OUT - Outline Application with access matters sought for development of medical campus comprising up to 92,379 m<sup>2</sup> of additional floorspace (including additional hospital facilities, clinics, consultation rooms and a rehabilitation centre (classes C2/D1); education and training facilities with residential accommodation (class C2/D1); keyworker accommodation for nurses and doctors (class C3); pathology laboratories (class B1); business uses (class B1); ancillary retail services (class A1, A2, A3); and up to 116 bed class C2 neuro-rehabilitation accommodation; internal roads and car parks, including car park for residents of Gidds Pond Cottages; hard and soft landscaping including creation of a nature reserve (to renew existing consent 13/1163) - Approved 16.06.2017.

18/506609/OUT - Application to vary conditions 3, 4, and 5 of planning permission 16/507292/OUT (outline application with access sought for development of medical campus) to allow for the relocation of the Nature Reserve - 19.06.2019.

## **MAIN REPORT**

### **1. DESCRIPTION OF SITE**

- 1.01 The application site is to the south of the Kent Institute of Medicine and Surgery (KIMS), a hospital. The site would maintain access through the Newnham Court Shopping Village (NCSV), immediately to the south-west of the site.
- 1.02 The site is an area of open or undeveloped land measuring 0.78 ha (1ha including the existing access from Bearsted Road).
- 1.03 From where the access road to NCSC meets Bearstead Road, the land rises (from south to north) and the site is on a plateau. However, this is obscured by the shopping centre to the south-west, the hospital to the north and to the east is the remainder of the 'medical campus', containing the Innovation Centre and undeveloped plots. The site is close to the A249 and junction 7 of the M20, which lies to the north.
- 1.04 Overall, the local topography is undulating and surrounding land generally rises west of Newnham Court Way and drops eastwards to a stream before rising once again further east. The site is visible when viewed from Newnham Court Way to the south-east of the site and Gidds Pond Way further east. It is also visible from the south end of New Cut Road and Bearsted Road and Weaving Heath which is on higher land to the southeast.
- 1.05 The site is located within the Maidstone Urban Area and falls within a 'medical campus' allocation (policy RMX1(1)) in the Local Plan Review where the policy

refers to 'specialist medical facilities set within an enhanced landscape structure'. The Kent Downs National Landscape is approximately 225m to the north and the site is considered to be within its setting. Newnham Court Farm a Grade II listed pub/restaurant is around 145m south-west of the site. The site is subject to an areawide Tree Protection Order.

1.06 The site falls within a 'medical campus' allocation (Policy RMX1(1)) in the Local Plan where the Policy refers to 'specialist medical facilities set within an enhanced landscape structure'. The Kent Downs National Landscape is approximately 415m to the north and the site is considered to be within its setting.

1.07 Planning History - Outline Planning Permission(s)

1.08 Permission was originally granted in April 2013 adjacent to the application site which facilitates the 'medical' part of policy allocation RMX1(1). The 'Cygnet Hospital' was the only building/use built under that permission which expired in April 2016.

This was in effect renewed with a new outline permission in 2017 and there is currently an extant outline planning permission (18/506609/OUT) which again facilitates the policy allocation allowing permission for (in summary) the hospital and associated facilities, education purposes, training facilities with residential accommodation, keyworker accommodation, business uses, ancillary retail and neuro-rehabilitation accommodation.

1.09 The latest permission requires any reserved matters details for further development to be submitted by June 2027.

## **2. PROPOSAL**

2.01 The proposal is for the creation of a surface level car park to provide an additional 229 parking spaces in addition to 380 spaces presently available, with associated landscaping for the use of KIMS hospital, including pedestrian access to the hospital site.

2.02 The proposal sets out two accesses, one connecting from the north-east corner (through Newnham Court Shopping Village) of the site and another to link to a future road connection in the south-west of the site.

2.03 The car park surface is proposed as permeable tarmac. The proposal also contains landscaped earth bunds, 2 metres in height around the east, north-eastern and south-eastern corners of the site as well as enhanced tree planting to the western edges of the site. Native hedging and grassed areas are also proposed. Post and rail fencing to a height of 1.2 metres is proposed around the hardstanding of the car park area, shadowing the bunds.

2.04 Finally, a lighting scheme has also been proposed.

## **3. POLICY AND OTHER CONSIDERATIONS**

Maidstone Local Plan Review (2024): LPRSS1, LPRSP2, LPRRMX1(1), LPRSP11(B), LPRSP12, LPRSP14(A), LPRSP14(B), LPRSP14(C), LPRSP15, LPRTRA1, LPRTRA2, LPRTRA4, LPRENV1, LPRQ&D2

Kent Waste and Minerals Plan (amended 2020):

The National Planning Policy Framework (NPPF):

National Planning Practice Guidance (NPPG):

Supplementary Planning Documents: Maidstone Building for Life 12 (2018); Air Quality Guidance (2017)

#### 4. LOCAL REPRESENTATIONS

##### Local Residents:

##### Local residents

- 4.01 One representation has been received objecting to the application for the following (summarised) reasons:
- The application is not accompanied by an environmental assessment of nuisance.
  - A house has not been shown on most drawings [**Officer Comment:** revised drawings have been provided to address this].
  - The site location plan does not have a red line showing the extent of the land owned by the applicant or by landowner [**Officer Comment:** the Site Plan shows a red-line boundary in accordance with planning validation requirements].
  - Concerns that a footpath link would not be maintained between KIMS and Newnham Court Shopping Village. There is also concern over a concrete pad being used as a road, it is alleged that this is contrary planning conditions of previous permissions. [**Officer Comment:** the concrete pad/apron as described above is subject to separate permissions which sit to the south-west of the subject proposal noting there are some minor portions of land overlapping (any complaints about that should be referred to Planning Enforcement). The pedestrian access would be unaffected as it sits outside of the red line to the north of the application site].
  - Noise nuisance currently experienced from HGV's and other vehicles and concern over increased traffic movement close to house.
  - Road safety concerns from access arrangements.

#### 5. CONSULTATIONS

##### Environment Agency

- 5.01 No objection subject to conditions on:

- Unidentified contamination; and
- No drainage systems infiltration of surface water drainage - To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

##### KCC Highways and Transportation

- 5.02 No objection subject to conditions on:

- 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 wheel washing facilities prior to commencement of work on site and for the duration of construction.
- Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.

- Completion and maintenance of the access shown on the submitted plans prior to the use of the site commencing.

#### National Highways

5.03 Consultation response provided with respect to the impact of the development in the vicinity of the M20 (including Junction 7) that forms part of the Strategic Road Network where it is considered that there would not be an unacceptable impact on the safety, reliability, and/or operational efficiency. Overall, there is no objection subject to conditions on:

- Monitoring Report: to monitor traffic generated by the scheme and how this relates to the trigger points for the approved improvements to M20 junction 7.
- Construction Traffic Management Plan.

#### KCC Ecology

5.04 No objection subject to conditions on:

- Habitat creation and enhancement measures, as detailed within the Biodiversity Net Gain Report; and,
- Sensitive lighting scheme.

#### Environmental Protection

5.05 No objection subject to conditions on:

- Electric vehicle charging points;
- Land contamination;
- Lighting Details - comply with the latest guidance of The Institution of Lighting Professionals (ILP); and,
- Informative suggested to highlight Mid Kent Environmental Code of Development Practice.

#### KCC Archaeology

5.06 No objection subject to a condition to secure archaeological field evaluation, archaeological investigation, and programme of post excavation assessment and publication.

#### KCC Minerals and Waste Team

5.07 No objection.

#### UK Power Networks

5.08 No objection

#### Southern Water

5.09 No objection.

## **6. APPRAISAL**

6.01 The key issues are:

- Spatial Strategy and Principle of Development;
- Character, Appearance and Landscape Impact;
- Residential Amenity
- Highways & Parking
- Biodiversity, Trees and Landscaping

- Other Matters: Land contamination.

### **Spatial Strategy and Principle of Development**

- 6.02 The site falls within LPR retail and mixed-use allocation RMX1(1) (the Allocation). This Policy includes the Newnham Court Shopping Village (NCSV) and land to its north and east.
- 6.03 The allocation is split in two with the NCSV allocated for a replacement retail centre of up to 14,300m<sup>2</sup> and the remainder for a medical campus/specialist medical facilities up to 100,000m<sup>2</sup>. The application site falls within the medical part of the allocation and Criterion 1 states:
- 'Phased provision of a maximum of 100,000m<sup>2</sup> of specialist medical facilities set within an enhanced landscape structure of which 25,000m<sup>2</sup> will provide for associated offices and research and development.'*
- 6.04 The allocation has no specific reference to parking provision. However, it is evident that parking is strongly linked to the uses it supports. Therefore, it is considered that the proposal is in alignment with the use of the site and is compatible with the Allocation. Furthermore, the use is established through the Outline Permissions as set out earlier in this report.
- 6.05 It should also be noted that the car park is not considered to hinder the progress on delivering the key milestones for the key deliverables set within Allocation, as summarised above.
- 6.06 Overall, the proposal is considered to be acceptable when considering the spatial strategy and the principle of development.

### **Character, Appearance and Landscape Impact**

#### *Character and Appearance*

- 6.07 The site is on a scarp slope of the North Downs escarpment and much of the site itself is elevated and so it is prominent due to its location and topography. However, the site is well set back from the road, being sited close to the hospital to behind NCSV. The explanatory text to the Allocation outlines that, "buildings should be designed and sited to respond to the site's undulating topography and should avoid any significant site levelling in the creation of development platforms for example by the use of terracing".
- 6.08 The proposal has been designed to obscure the car park by the inclusion of landscaped earth bunds, 2 metres in height around the east and north-eastern and south-eastern corners of the site. This approach would be effective in mitigating the negative visual impact that are presented due to an array of parked cars in a prominent location. However, while the principle of bunds within the landscaping plan is acceptable, it is considered that a condition would be required for landscaping details for the formation and profiling of the bunds, to include sections drawings and elevations as well as full details of the native planting scheme and tree planting enhancements. This is to ensure that the bunds do not appear as a stark and unnatural features.
- 6.09 The car park itself will be made of tarmac and is characteristic of the roads and car parks in the surrounds of the site. This aspect will not be highly visible from outside of the site. Post and rail fencing around the perimeter of the car park, on the inside of the bunds, is acceptable however, finer details are recommended to be subject to a condition. There is some ambiguity over a temporary access, proposed in the north-east, and an intended access in the south-west of the site

which relies on highways works, outside of the control of the application coming forward. Officers are of the view that more specific design details are required for the north-eastern access and circulation within the car park. It is requested that the Committee resolves to allow for these matters to be dealt with under delegated authority.

#### *Landscape Impact*

- 6.10 Consideration is given to wider landscape impact, particularly on the National Landscape. The application site is in a prominent, raised area of the site, however, to the north, there are a rows of trees and close boarded fencing (approx. 2 m high) and this helps to obscure the development. In addition, it is noted that the M20 sites between the National Landscape and therefore clear delineation exists between the urban and rural settings.
- 6.11 Importantly the proposal doesn't contain a building and due to screening and the landscaped bunds the proposal would be obscured. The proposals show that there would be enhancements to the level of tree planting along the northern edge. A condition to secure a detailed landscaping scheme with tree enhancements would help to ensure that this is executed effectively. Furthermore, it is considered that more detailed information for the bunds would be required to include naturalistic profiling and planting that is characteristic of the local context to ensure the bund does not appear as alien feature in the landscape.
- 6.12 The proposed lighting would sit upon 5 x 8-metre-high lighting columns which would match the height of the trees to the north. However, this is an aspect of the scheme that would be most visible from outside of the site, particularly when illuminated. There are concerns about this, as also reflected in the Residential Amenity section of this report. In this instance it is the case that the lamps could be visible at light due to the elevated position. Therefore, should the application be granted a condition for a lighting scheme is recommended to allow for a sensitive, low level lighting scheme to come forward.
- 6.13 Officers have reviewed the submitted LVIA and it is considered to follow the Guidelines for Landscape and Visual Impact Assessment (Third Edition) and is acceptable in principle.
- 6.14 Overall, the proposal would sit alongside existing development on the medical campus and within NCSV and this is not considered to be out of character when viewed in this context. Overall, subject to the inclusion of the aforementioned conditions, the proposal is considered to be acceptable with respect to landscape impact and is not considered to be harmful to the National Landscape.

#### **Residential Amenity**

- 6.15 Newnham Court is a residential property, located to the north of the application site and the dwellinghouse is approximately 50 metres from the boundary with the application site. Screening is located between the two sites, comprising hedging, trees and close-boarded fencing and there is a footpath running alongside the boundary, connecting the medical campus and NCSV.
- 6.16 The scheme has been designed so that the car park is split into two sections with a smaller area for 28 cars being on the eastern side. A row of existing trees with proposed enhancements, would provide a screen between the smaller section of the car park and the remainder of the car park.
- 6.17 It is the case that the lighting within the smaller 28 car section of the car park would contain bollard lighting as opposed to post mounted lights and is considerate of the occupiers of Newnham Court. The lighting within the main car park would comprise 5 x 8 metre posts, whilst trees to the north will help to shield the impact

from these lights there is some concern about continued illumination throughout the night. Therefore, should the application be minded for approval, officers propose a condition for a sensitive lighting scheme to limit light pollution in this prominent location.

- 6.18 It is intended that vehicular access would be in the south-western corner of the site, from a new service road which is to be constructed by Kent County Council (KCC) as part of wider improvements to the links between the medical campus/NCSV.
- 6.19 The application proposes a second access via NCSV is also proposed as an interim measure in the event of delays to the improvement scheme coming forward. Whilst the applicant indicates that this would only be temporary access, there is no guarantee that new access to the south-west of the site will be delivered and therefore, the application has been assessed to consider both accesses.
- 6.20 The northern access could cause noise and disturbance to the residents of Newnham Court. As raised in representations, it is alleged that the existing footpath has been used for vehicular access. To directly address this, a condition is recommended for height restriction gantries to be installed to prevent larger vehicles (such as lorries) entering the site. Furthermore, a condition is recommended to limit the operating hours of this car park, to between 0700 and 2200. This would alleviate undue harmful impacts of noise and disturbance at the most sensitive times.
- 6.21 Overall, it is considered the proposal is acceptable with regards to residential amenity. This is subject to conditions for a sensitive lighting scheme, height restrictions, and controlled hours of operation, if minded for approval.

### **Highways & Parking**

- 6.22 LPR Policy LPRSP12 seeks to support sustainable transport options and mitigate the impact of development where appropriate on local and strategic road networks and facilitate the delivery of transport improvements. Chapter 9 of the NPPF promotes the concept of sustainable transport, to address impacts on transport networks, modal shift, reducing environmental impacts and giving consideration to patterns of movement. Specifically, with regards to modal shift it indicates that opportunities to promote walking, cycling and public transport use should be "identified and pursued".
- 6.23 LPR Policy LPRTRA2 relates to the transport impacts of development and requires development to mitigate to prevent severe residual highway safety or capacity impacts. Notably development should have specific regard to highway safety and capacity as well as air quality. The Policy also reinforces the need to make provision for public transport and active travel – improving access to public transport, with improved waiting facilities and wayfinding and provision for disabled access.
- 6.24 LPR Policy LPRSP15 requires proposals to accommodate the vehicular and pedestrian movement generated by a proposal on the local highway network and through the site access.

#### *Need for additional parking*

- 6.25 LPR Policy LPRTRA4 relates to parking and indicates that as a starting point the Kent Vehicle Parking Standards (KPS) SPD (July 2006) should be followed. KCC Highways and Transportation (H&T) highlights that the current parking provision of 380 spaces already **exceeds** the parking standards for hospitals set out within KPS by 84 spaces. The additional 229 spaces would result in an even greater disparity with the standards bringing the total number of spaces for the site to 609. National Highways also raised initial concerns about need and trip generation.



- 6.26 The applicant has indicated that the need for further parking is due to increases in the number of patients and staff. A further 15% increase in patients and 10% increase in staff is predicted by 2025.
- 6.27 Public Transport options to the site have been considered and two bus services, the number 9 and the 'Detling Shopper' operate in the vicinity of KIMS. The number 9 bus route allows for connectivity between Maidstone Town Centre and Downswood, noting that the hospital sits roughly halfway along the route. During weekdays the buses tend to run hourly between around 0730 and 1800, on the weekends services start at around 0930-1000. The Detling Shopper has a limited service which runs twice daily on weekdays.
- 6.28 H&T requested further information to indicate that the hospital is implementing the Travel Plan, a requirement of its outline planning permission. The applicant responded with further information to show that it is implementing measures which include the provision of travel information via staff inductions, notice boards and the KIMS website. Lift-sharing and cycle to work have also been promoted to staff, alongside the availability of short-notice taxi travel for staff and patients.
- 6.29 H&T note that there has been limited success in influencing sustainable transport choices and highlight the need for ongoing implementation of the Travel Plan. However, the supporting Transport Statement has highlighted how the opportunities for travel by bus amongst patients, staff and visitors are constrained by the limitations of the current service availability, as indicated above.
- 6.30 Following the submission of further details, neither H&T or National Highways object to the proposal and there are no outstanding concerns in regards to the provision of parking. In weighing up the comments from H&T and National Highways, the need, and the availability of public transport options it is considered that the provision of parking would be acceptable on balance.

It is noted that 12 spaces will comprise electric vehicle charging points (EVCP's). However, in accordance with LPRTRA4 a condition to include 50% passive and 50% active EVCP's will be included.

*Impact on wider highway network*

- 6.31 The proximity of the site to the wider highway network and impacts on Junction 7 were of concern to Highways England and H&T. In response the applicant prepared a Technical Note, highlighting that it has permission for a three-storey office development. This forms part of the outline permission (18/506609/OUT), noting that the applicant has until 16 June 2027 to submit reserved matters for each phase/sub-phase. Having reviewed the outline permission, it is the case that a large portion of the subject application will be located in the site for the outline permission and this is intended for a two to three storey building. The applicant makes the case that the office is predicted to have a greater number of two-way trips; 174 trips in the AM peak (08:00-09:00) and 230 trips in the PM peak (17:00-18:00). This is higher than the 125 and 95 trips forecast for the proposed car park in each peak period.
- 6.32 As such initial consultee responses from H&T and Highways England have now fallen away. It is evident that due to existence of the extant permission, that there would not be an increase in trip generation. Notably the Highways England response indicated that it is satisfied that the proposal would not have an unacceptable impact on the safety, reliability, and/or operational efficiency of the Strategic Road Network in the vicinity of the site (M20) provided that the following conditions for a monitoring report.. The monitoring report would monitor the traffic generated by the scheme and how this relates to the trigger points for the approved improvements to M20 junction 7 as set out in the extant planning permission for the medical campus (18/506609/OUT). The inclusion of this condition is supported.

However, a condition for Construction Traffic Management Plan was proposed and on review, officers are not satisfied that this passes the necessary tests for applying conditions and therefore this condition has not been recommended by officers.

#### Access

- 6.33 Initially, access will be through NCSV. The pedestrian access between the medical campus and NCSV will be unaffected noting that it sits outside of the application boundary. No changes are proposed to the layout of the existing highway.
- 6.34 A consultation response from H&T confirms that:
- 'As part of the County Council's A249 Bearsted Road Improvement Scheme the existing access onto Bearsted Road that currently allows access to Newnham Court Shopping Centre is to be closed, with a replacement access provided off Newnham Court Way.'*
- 6.35 It is noted that cycle parking is already provided near the main entrance to KIMS. There is step-free pedestrian access to the hospital site and all paths, steps and other circulation areas are street lit.
- 6.36 It is considered that the existing and proposed highways access would be acceptable. H&T has also confirmed that the proposal includes sufficient turning space.
- 6.37 Overall, it is considered that the proposal is acceptable in relation to highways and parking, provided that the aforementioned conditions are applied if the application is minded for approval.

#### **Biodiversity, Trees and Landscaping**

- 6.38 The NPPF speaks of the need to minimise impacts on and provide net gains for biodiversity. One of the key principles, set out at Para 180 (a) states that "if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused". This suggests that a more appropriate (perhaps brownfield) and on-site provision should be a preference.
- 6.39 Non-residential uses such as this are not required to provide the national statutory uplifts in biodiversity net gain (BNG). Therefore, I revert to the NPPF as set out above, and the statutory position which requires development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.
- 6.40 The submitted details demonstrate that a BNG of 17.85% would be achievable.
- 6.41 KCC Ecology has reviewed the application and highlighted that two habitat types to be delivered as part of this proposed development (mixed scrub and hedgerows) are assigned the target condition "Poor" which will take just one year to achieve. In addition, the submitted BNG management plan commits to the ongoing management of both habitats. On the understanding that future proposals will not threaten the net gains achieved as part of this development, KCC Ecology have no material concerns with the metric and recommend that the management of all proposed habitats and linear features is required as a condition of planning permission. Should the application be minded for approval, KCC consider that the following conditions should be applied to any decision:
- To secure the habitat creation and enhancement measures detailed within the Biodiversity Net Gain Report, in the interests of improving biodiversity.

- Sensitive lighting scheme – to prevent unacceptable light pollution and to prevent adverse impacts to habitats used by bats.
- 6.42 The key findings from the assessment of Landscape Impact (set out earlier in this report) are reiterated here. A landscaping condition is recommended with specific wording to secure enhancements from increased tree planting and to ensure naturalistic profiling of the landscaped earth bunds (with section drawings and elevations), and a suitable native planting scheme that is characteristic of the landscape.
- 6.43 The supporting Arboricultural Statement prepared by DHA outlines the proposed access route and the secondary access. The secondary proposed access would be accessed via Newnham Court Shopping Centre and would mean the removal of a 'very small number' of existing trees. Whilst the number of trees to be removed or affected would be limited, an Arboricultural Method Statement conforming to BS5837:2012 outlining the proposed mitigation measures to the retained trees would be required. Officers consider that this should be dealt with during the application stage to ensure that trees removed are minimised and that appropriate protection for retained trees is set out. As per the recommendation, it is proposed that this is a matter addressed under delegated powers.
- 6.44 Provided the above conditions are included, it is considered that the proposal is acceptable with regards to biodiversity and landscaping.

#### **Other Matters**

- 6.45 Land Contamination: It is evident from the consultation responses that there is no known contamination on the site. As a precautionary measure, the environment agency and environmental health have recommended a condition for unidentified contamination. Both organisations have suggested a similar condition and therefore, should the application be granted, a single condition has been proposed to address this matter.

#### **PUBLIC SECTOR EQUALITY DUTY**

- 6.46 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 Overall, as the application site is located on land allocated in the Maidstone Local Plan Review 2024 for a 'medical campus' with specialist medical facilities and associated uses, the proposed car park supports the KIMS hospital use.
- 7.02 With planning conditions for design details and enhancements to landscaping it is considered that the proposal would have an acceptable impact on visual amenity and further details regarding the design of the access and layout being addressed under delegated authority.
- 7.03 With conditions to control the operating hours, to require a sensitive lighting scheme and controlling the height of vehicles able to enter the site, it is considered that the proposal would have an acceptable impact on residential amenity and also the impact character, appearance and landscape impact. Under delegated authority officers seek to ensure there are clear details about access and layout and seek to minimise losses of trees and ensure that those existing close to the works are adequately protected.
- 7.04 The proposed parking would support increased demand for the hospital, the access arrangements are acceptable, and the proposal would not have an unacceptable

impact on the safety, reliability, and/or operational efficiency of the Strategic Road Network in the vicinity of the site (M20) subject to conditions for a monitoring report.

- 7.05 The proposal provides biodiversity net gain over and above policy requirements and is acceptable in regards to landscaping, subject to conditions as set out in the report.

**EIA Screening**

EIA Development	No
Comments	

**8. RECOMMENDATION**

**GRANT PLANNING PERMISSION subject to the following conditions**

with delegated powers to the Head of Planning and Development to be able to:

- require submission of an accurate block plan to clearly show accesses and circulation spaces across the car park;
- an arboricultural method statement;
- carry out reconsultation, subject to representations not raising new material planning matters; and
- settle or amend any necessary planning conditions and/or informatives in line with the matters set out in the recommendation and as resolved by the Planning Committee:

CONDITIONS:

**1) Time Limit**

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) Approved Drawings and Documents**

The development hereby approved shall be carried out in accordance with the following approved plans:

- Site Location Plan - DHA/32240/01
- Proposed Site Layout Plan - DHA/32240/03
- Proposed North Overflow, Car Park Concept- A9793-1652 – Rev P9
- KMC Temporary North Overflow Car Park Concept - Option 3 Red Line Boundary - A9793-1654 - Rev P4
- Drainage Strategy, North Overflow Car Park - A9793-1500 - Rev P2

Reason: To clarify which plans/documents have been approved.

**3) Construction Parking, Loading and Wheel Washing**

The development hereby approved shall not commence until, details of construction vehicle loading/unloading and turning facilities, parking facilities for site personnel and visitors, and wheel washing facilities have been submitted to and approved in writing by the local planning authority.

Reason: To prevent undue harmful impacts on parking provision and negative impacts on the highway network.

#### **4) Sensitive Lighting Details**

Details of any lighting to be installed within the site shall be submitted to and approved by the Local Planning Authority prior to determination. The submitted details 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, spread and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill and shall include measures as appropriate to prevent light pollution and the spillage of lighting into sensitive habitats, whether existing or proposed for creation/enhancement. The development shall thereafter be carried out in accordance with the subsequently approved details.

Reason: To ensure a satisfactory appearance to the development, to prevent unacceptable light pollution and to prevent adverse impacts to habitats used by bats.

#### **Archaeology**

Prior to the commencement of development the applicant, or their agents or successors in title, will secure:

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 further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority;

iii programme of post excavation assessment and publication.

Reason: To ensure that features of archaeological interest are properly examined, recorded, reported and disseminated.

#### **5) Contamination**

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 a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 180 of the National Planning Policy Framework.

**6) Drainage Systems Infiltration**

No drainage systems infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 180 of the National Planning Policy Framework.

**7) Monitoring Report (National Highways)**

A Monitoring Report shall be submitted to the local planning authority and National Highways by 31st July each year following approval of the development.

The Monitoring Report shall confirm the number of one-way trips in the AM and PM peaks generated by the development, based on Automatic Traffic Count data, both (a) solely in relation to the approved development and (b) in combination with the Kent Medical Campus development approved under Maidstone Borough Council reference 18/506609/OUT.

The requirement for the submission of an annual Monitoring Report will no longer apply after 16 June 2027, or after the completion of the last phase of the

Kent Medical Campus to be approved pursuant to 18/506609/OUT, whichever is later.

Reason: To monitor the traffic generated by the scheme and how this relates to the trigger points for the approved improvements to M20 junction 7 as set out in the extant planning permission for the medical campus (18/506609/OUT).

**8) Landscaping Scheme**

No development shall take place until a detailed landscaping scheme, which shall be 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 include a planting specification and a 5 year management plan and include the following:

Retention of existing trees and the provision of new native trees across the site frontage (including additional native tree pits).

Provision of a native double staggered hedgerow across the site frontage.

The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance and setting to the development.

**9) Soft Landscaping**

All planting, seeding and turfing specified in the approved landscape details shall be carried out in the first planting season (October to February) following the occupation of the building and any trees or plants which, within five years from the first occupation of a building, 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: To ensure a satisfactory appearance and setting to the development.

**10) Hard Landscaping**

The works shall not commence above slab/podium level until details of hard landscape works (where possible virtual samples) and boundary treatments have been submitted for approval by the Local Planning Authority. The hard landscape works shall be carried out in accordance with the approved details before first occupation.

Reason: To ensure a satisfactory appearance to the development.

**11) Biodiversity**

The habitat creation and enhancement measures detailed within the Biodiversity Net Gain Report (Corylus Ecology, January 2024) must be implemented, monitored and maintained for a 30-year period as detailed within section 5.2. The measures shall be incorporated into any future applications affecting the site unless otherwise agreed with the Local Planning Authority.

Reason: to ensure the long-term establishment of on-site biodiversity gains.

**12) Height Restrictor and Barrier Details**

Prior to first occupation of the development hereby approved height restrictors shall be installed at both entrances as well as barriers with the ability to control the operating times of the car park.

Reason: to prevent the parking of large vehicles and in the interests of the amenity of nearby residential occupiers.

**13) Electric Vehicle Charging Facilities**

Prior to first occupation of the development hereby approved details shall be submitted to and approved in writing by the local planning authority to demonstrate that the site will achieve 50% passive and 50% active electric vehicle charging points of 22kW or faster.

Reason: in the interests of air quality and supporting sustainable travel options.

**14) Earth Bunds**

Within three months of planning permission details of the earth bunds shall be submitted for approval by the Local Planning Authority. The details shall include:

- Sections and elevations demonstrating that the bunds will be profiled to have a naturalistic appearance, respectful of the existing topography.
- Appropriate and naturalistic planting arrangement, reflective of the local landscape character.

The bunds, their profiling and planting shall be carried out in accordance with the approved details before first occupation.

Reason: To ensure a satisfactory appearance to the development.

**15) Parking/Turning Implementation**

The approved details of vehicle parking, and turning areas shall be completed before the first occupation of the 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 thereto.

Reason: In the interests of road safety.

**INFORMATIVES**

- 1) Only clean uncontaminated water should drain to the surface water system.