

REPORT SUMMARY

REFERENCE NUMBER: 21/504779/REM		
APPLICATION PROPOSAL: Approval of Reserved Matters with Appearance and Scale (including Nutrient Neutrality Information) being sought for 102no. residential dwellings pursuant to 17/500357/HYBRID for Hybrid planning application comprising: Full Application - Erection of 48 dwellings and associated infrastructure, landscaping and open space. Outline Application - Erection of 102 dwellings (access, layout and landscaping to be sought).		
ADDRESS: Land North Of Old Ashford Road Lenham Kent ME17 2QT		
RECOMMENDATION: Approve subject to S106 legal agreement		
SUMMARY OF REASONS FOR RECOMMENDATION: Legal agreements have been drafted which include Pleasant Forest as an acceptable source of mitigation for nitrogen and phosphorus pollution by new housing at this site. This is concluded to meet the requirements of the Planning Committee resolutions of 24 August 2023 and 19 September 2024. However, further representations received by Natural England and Lenham PC were submitted prior to the September Planning Committee but were not 'heard' and so they need to be explicitly considered by the Committee. There is a draft appropriate assessment that concludes the Phase 2 will not have an adverse effect on the integrity of the European site of Stodmarsh with a legal agreement clause that no unit in phase 2 can be commenced until its NN mitigation is established. The draft appropriate assessment is awaiting the agreement of Natural England which requested further clarifying information on the matters of long term maintenance/monitoring of the SuDS and further information about the mitigation for Phase 2b. If agreement is received, the draft appropriate assessment would be updated and adopted by MBC. Only then could a decision be issued (if the necessary legal agreements have also all been concluded). Otherwise, the acceptability of the detail of the reserved matters for phase 2 was agreed at the Planning Committee of August 2023. The scheme with suggested conditions complies with policy D1 of the Lenham Neighbourhood Plan and policies LPRSP6(D), LPRSP10(A), LPRSP14(A), LPRSP14(C); LPRSP15, LPRHOU5, LPRINF3, LPRQD1, LPRQD6, LPRQD7.		
REASON FOR REFERRAL TO COMMITTEE: Planning Committee considered this application at its meeting of 19 September 2024. The decision has not been issued and further representations received by Natural England and Lenham PC need to be considered by the Committee.		
WARD: Harrietsham And Lenham	PARISH/TOWN COUNCIL: Lenham	APPLICANT: Abbey Developments AGENT: CMYK (Planning & Design)
CASE OFFICER: Marion Geary	VALIDATION DATE: 02/09/21	DECISION DUE DATE: 31/10/24
ADVERTISED AS A DEPARTURE: Yes/No		

Relevant Planning History

17/500357/HYBRID
Hybrid Planning Application comprising: -

Full Application - Erection of 48 dwellings and associated infrastructure, landscaping and open space

Outline Application - Erection of 102 dwellings (access, layout and landscaping to be sought)

Approved 28.09.2018

Officer note: The development is 150 dwellings in total.

48 plots with full planning permission: this is referred to phase 1 and is being carried out in subphases.

102 plots with outline planning permission: this is phase 2 and is to be carried out in 2 subphases, phase 2a being 70 units and phase 2b being 32 units.

MAIN REPORT

1. BACKGROUND

1.01 The application was reported to the Planning Committees of 24 August 2023 and 19 September 2024, specifically to receive Planning Committee endorsement of "Pleasant Forest" as a nutrient mitigation credit scheme. It was resolved to approve the application subject to s106 legal agreement. The decision has not been issued. However, further representations received by Natural England and Lenham PC were submitted on the day of the September Planning Committee but were not 'heard' and so they need to be explicitly considered by the Committee.

1.02 The 24 August Committee report and Urgent Updates are in Appendices A – D, A briefing note on Nutrient Neutrality (NN) and the Forestry Commission scheme at Pleasant Forest, Lenham is at Appendix E and the draft legal agreement for Pleasant Forest previously reported is at Appendix F.

2. DESCRIPTION OF SITE

2.01 As per the Report in Appendix A.

3. PROPOSAL

3.01 As per the Report in Appendix A.

4. POLICY AND OTHER CONSIDERATIONS

4.01 As per the Report in Appendix A.

5. LOCAL REPRESENTATIONS

Local Residents:

5.01 No further comments to those detailed in the Report in Appendix A.

Lenham Parish Council

5.02 Additional objection for the following reasons

- nutrient neutrality requirements should not be ignored.
- Natural England (NE) should give approval
- The previous MBC planning Committee instructed Officers to write to NE stating that mitigation via tree planting at Pleasant farm or elsewhere was unacceptable

- BNG became mandatory in February 2024 - outline approvals should not be a route around legislation
- the scheme might not be being built in accordance with the approved plans
- bin lorries cannot access properties because of a change to turning circles.

6. CONSULTATIONS

(Please note that summaries of consultation responses are set out below. Comments are discussed in more detail in the appraisal section where considered necessary)

6.01 No further comments to those detailed in the Report in Appendix A other than:

Natural England

6.02 The following information is required:

- Further evidence of how the proposed Sustainable Drainage System will be managed, maintained and monitored in perpetuity.
- Further evidence of how nutrient neutrality will be achieved in phase 2b of the proposed development
- A revised Habitats Regulations Assessment to reflect any changes made in line with the above.

7. APPRAISAL

7.01 These are as detailed in the Report in Appendix A with the additional comments from the PC and NE discussed as follows:

Nutrient Neutrality (NN)

7.02 It is the LPA which is the competent authority responsible for making planning decision that comply with the Conservation of Habitats and Species Regulations 2017. Natural England (NE) is a consultee.

7.03 It was highlighted in the 19 September 2024 Planning Committee report that NE had been consulted on the revised proposal to mitigate for the NN impact of phase 2 and their response was awaited. This was received on the day of the Committee.

7.04 NE's first query related to the long term management/maintenance/monitoring of the SuDS system. This has resulted in an updated SuDS maintenance plan being submitted which specifically now refers to SuDS management being for at least 80 years and the rationale for the contribution of the SuDS features towards NN being detailed, eg the surface water run-off will be filtered using sand filters, gravels or substrates with higher absorption capacity which reduces pollutants reaching the River Stour via underground pathways.

7.05 The updated SuDS maintenance plan been sent to NE.

7.06 In regard to NE's second query, they have been advised of the terms of the legal agreement that the 32 units in phase 2b that cannot have their phosphorus pollution mitigated by Pleasant Forest will **not** be allowed to commence until satisfactory details of alternative mitigation is provided and an appropriate assessment (Habitats Regulations Assessment) is passed. It is concluded that this is a reasonable approach for the specifics of this case. The phase 2 has 102 units

permitted of which 70 units have NN secured in phase 2a. As a phased scheme, it is considered likely that future alternative NN mitigation will be available by the time phase 2b is programmed to commence.

- 7.07 Ashford Borough Council and Canterbury City Council have recently agreed to set up a Joint Venture Company (called Stour Environmental Credits) utilising Government funding. This company will coordinate and deliver a programme of mitigation for nutrient neutrality.
- 7.08 One potential future alternative NN mitigation will be from a scheme currently being developed within the Stour Catchment for old septic tanks to be upgraded to package treatment plants which will reduce pollution reaching the River Stour. This type of NN strategy is being established for other locations in the UK, eg Cumbria. Alternatively, other more nature based NN mitigation credit schemes such as land use change from a polluting land use (eg intensive arable or livestock farming) to natural greenspace are likely to arise in the near future.
- 7.09 Once the applicant has secured alternative Phosphorus credits, the legal agreement would require the following steps:
- Submit Nutrient Mitigation strategy details to MBC
 - MBC to carry out a draft HRA and consult Natural England,
 - If NE concur, MBC to adopt the HRA
 - MBC confirms the acceptability of the additional NN mitigation to the applicant
 - The applicant is able to commence development of phase 2b.
- 7.10 In terms of the timeline of the above, NE have been advised of numerous examples whereby planning permissions have been issued and appeals allowed subject to conditions that a NN mitigation package be approved before occupation. The approach in the legal agreement for this application would be much stricter in preventing commencement of any phase 2 dwelling until nutrient mitigation for that dwelling is demonstrated as being secured.
- 7.11 Once NE's response to the additional information is received, that will be included in a revised Habitats Regulations Assessment which will be sent back to the NE for their final view before it is adopted by this Council. Based on the above, it is concluded that this approach is reasonable and in accordance with the Habitats Regulations.

Biodiversity Net Gain (BNG)

- 7.12 The matter of BNG was detailed in the 19 September 2024 PC report and related Urgent Update.
- 7.13 It is incorrect of the PC to state that statutory BNG applies to the application. National legislation is clear that statutory BNG does not apply to applications which were submitted before the implementation date and also the national legislation expressly exempts all types of Reserved Matters applications in any case. For both reasons, this application is not subject to statutory BNG.
- 7.14 However, there is a 20% BNG in policy LPRSP14(A) which applies at the time of decision, so is potentially relevant in this case. However, as was detailed in the 19.09.24 Urgent Update, national policy is clear that conditions cannot be applied at Reserved Matters stage unless they **directly relate** to the reserved matter being determined. In this case, it only the layout of the site would be a relevant RM for

BNG but layout of the whole site was approved 6 years ago. The appearance and scale of the houses are not impacting on the biodiversity value of the land.

- 7.15 It is considered that to impose a BNG condition on scale and appearance due to policy LPRSP14(A) would breach national planning guidance, making it unreasonable and thus would fail the legal tests. It is therefore concluded that a BNG condition should not be imposed in this particular case.

Other Matters

- 7.16 The PC's citing alleged problems of collection of waste from phase 1 has been directed to the Council's waste team.
- 7.17 The PC's allegations of non-compliance with approved plans has been directed to the Planning Enforcement team which can fully investigate the specifics of the issue.

PUBLIC SECTOR EQUALITY DUTY

- 7.18 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.

Community Infrastructure Levy

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

8. CONCLUSION

- 8.01 There are now acceptable drafting of legal agreements including Pleasant Forest as an acceptable source of mitigation for nitrogen and phosphorus pollution by new housing. This is concluded to meet the requirements of the Planning Committee resolutions of 24 August 2023 and 19 September 2024.
- 8.02 There is a draft appropriate assessment that concludes the Phase 2 will not have an adverse effect on the integrity of the European site of Stodmarsh with a legal agreement clause that no unit in phase 2 can be commenced until its NN mitigation is established.
- 8.03 Natural England's request has resulted in further information being submitted to them which is considered to fully answer their queries. Any formal response by NE will be included in an Urgent Update.
- 8.04 The appropriate assessment currently drafted would be revised and adopted by MBC if concluded to comply with the Habitats Regulations. Only then could a decision be issued (if the necessary legal agreements have also all been concluded).
- 8.05 Otherwise, the acceptability of the detail of the reserved matters for phase 2 were agreed at the Planning Committee of August 2023. The scheme with suggested conditions complies with policy D1 of the Lenham Neighbourhood Plan and policies LPRSP6(D), LPRSP10(A), LPRSP14(A), LPRSP14(C); LPRSP15, LPRHOU5, LPRINF3, LPRQD1, LPRQD6, LPRQD7.

9. RECOMMENDATION

GRANT planning permission subject to:

- adoption of an Appropriate Assessment for phase 2 under the Conservation of Species and Habitats Regulations 2017 (as amended)**
- the following conditions**
- the prior completion of legal agreement(s) to secure the heads of terms set out below**

with delegated authority to the Head of Development Management to be able to settle or amend any necessary Heads of Terms, planning conditions and/or informatives in line with the matters set out in the recommendation and as resolved by the Planning Committee:

s106 agreement(s) to require prior payment of s106 monitoring fees of £4398.75

HEADS OF TERMS

- Credit Linked Land as shown on Maps to be woodland and managed as such for no less than 80 years
- the Credit Linked Land shall not be agricultural nor have manufactured or naturally produced fertiliser applied
- the sale of Nutrient Credits will fund the ongoing monitoring, management and maintenance of the Credit Linked land in accordance with an approved Woodland Planting Scheme and Management Plan.
- Prohibits double counting, including a requirement for maps to be deposited with the Council which indicate how much of the land is cumulatively allocated to a specific developer for each nutrient.
- Nutrient neutrality Calculations to be submitted to the Council for its written approval prior to the occupation of the unoccupied dwellings within phase 1 or commencement of phase 2 or a sub phase thereof.
- water saving measures of 110 litres per dwelling per day.
- covenant in the transfer(s) of the relevant dwelling(s) which requires the owner(s) or occupier(s) to retain the water saving measures in perpetuity.
- A 30 year management plan to cover the landscape buffer establishment and management with a bond to ensure it is fully funded for a 30 year period.

CONDITIONS:

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans/documents:
 - Amendment 120.62A Type 3b.E Elevations Received on 29 June 2022
 - Amendment 120.23A Type 3b.A Elevations 2 Received on 29 June 2022
 - Amendment 120.24A Type 3b.A Elevations 3 Received on 29 June 2022
 - Amendment 120.21A Type 3b.A Floor Plans Received on 29 June 2022
 - Amendment 120.61A Type 3b.E Floor Plans Received on 29 June 2022
 - Amendment 110.02A Site Layout Plan Reserved Matters Plots Received on 29 June 2022
 - Plan / Drawing 1977 / P / 150.07 Carport - Elevations Received on 31 August 2021
 - Plan / Drawing 1977 / P / 150.06 Carport - Plans Received on 31 August 2021
 - Plan / Drawing 1977 / P / 150.04 Double Carport 1 Received on 31 August 2021
 - Plan / Drawing 1977 / P / 150.05 Double Carport 2 Received on 31 August 2021
 - Plan / Drawing 1977 / P / 150.02 Double Garage Received on 31 August 2021
 - Plan / Drawing 1977 / P / 130.03 Maisonettes 1-4 -Elevations Sheet 1 Received on 31 August 2021
 - Plan / Drawing 1977 / P / 130.04 Maisonettes 1-4 - Elevations Sheet 2 Received on 31 August 2021
 - Plan / Drawing 1977 / P / 130.02 Maisonettes 1-4 -First Floor Plan Received on 31 August 2021

Plan / Drawing 1977 / P / 130.01 Maisonettes 1-4 - Ground Floor Plan Received on 31 August 2021
Plan / Drawing 1977 / P / 130.13 Maisonettes 32-35 - Elevations Sheet 1 Received on 31 August 2021
Plan / Drawing 1977 / P / 130.14 Maisonettes 32-35 - Elevations Sheet 2 Received on 31 August 2021
Plan / Drawing 1977 / P / 130.12 Maisonettes 32-35 - First Floor Plan Received on 31 August 2021
Plan / Drawing 1977 / P / 130.11 Maisonettes 32-35 - Ground Floor Plan Received on 31 August 2021
Plan / Drawing 1977 / P / 130.23 Maisonettes 36-41 - Elevations Sheet 1 Received on 31 August 2021
Plan / Drawing 1977 / P / 130.24 Maisonettes 36-41 - Elevations Sheet 2 Received on 31 August 2021
Plan / Drawing 1977 / P / 130.22 Maisonettes 36-41 - First Floor Plan Received on 31 August 2021
Plan / Drawing 1977 / P / 130.21 Maisonettes 36-41 - Ground Floor Plan Received on 31 August 2021
Plan / Drawing 1977 / P / 130.32 Maisonettes 74-75 Wheelchair - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 130.31 Maisonettes 74-75 Wheelchair - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 130.42 Maisonettes 81-82 Wheelchair - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 130.41 Maisonettes 81-82 Wheelchair - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 130.53 Maisonettes 96-99 - Elevations Sheet 1 Received on 31 August 2021
Plan / Drawing 1977 / P / 130.54 Maisonettes 96-99 - Elevations Sheet 2 Received on 31 August 2021
Plan / Drawing 1977 / P / 130.52 Maisonettes 96-99 - First Floor Plan Received on 31 August 2021
Plan / Drawing 1977 / P / 130.51 Maisonettes 96-99 - Ground Floor Plan Received on 31 August 2021
Plan / Drawing 1977 / P / 150.03 Single Carport Received on 31 August 2021
Plan / Drawing 1977 / P / 150.01 Single Garage Received on 31 August 2021
Plan / Drawing 1977 / P / 150.08 Store - Plans and Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.22 Type 3b.A - Elevations 1 Received on 31 August 2021
Plan / Drawing 1977 / P / 120.21 Type 3b.A - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.32 Type 3b.B - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.31 Type 3b.B - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.42 Type 3b.C - Elevations 1 Received on 31 August 2021
Plan / Drawing 1977 / P / 120.43 Type 3b.C - Elevations 2 Received on 31 August 2021
Plan / Drawing 1977 / P / 120.41 Type 3b.C - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.52 Type 3b.D - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.51 Type 3b.D - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.72 Type 3b.F - Elevations 1 Received on 31 August 2021

Plan / Drawing 1977 / P / 120.73 Type 3b.F - Elevations 2 Received on 31 August 2021
Plan / Drawing 1977 / P / 120.71 Type 3b.F - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.02 Type 3b.H - Elevations 1 Received on 31 August 2021
Plan / Drawing 1977 / P / 120.03 Type 3b.H - Elevations 2 Received on 31 August 2021
Plan / Drawing 1977 / P / 120.01 Type 3b.H - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.12 Type 3b.J - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.11 Type 3b.J - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.92 Type 4b.A - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.91 Type 4b.A - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.102 Type 4b.B - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.101 Type 4b.B - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.112 Type 4b.C - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.111 Type 4b.C - Floor Plans Received on 31 August 2021
Plan / Drawing 977 / P / 120.122 Type 4b.D - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.121 Type 4b.D - Floor Plans Received on 31 August 2021
Plan / Drawing 977 / P / 120.124 A Type 4b.D(V) - Elevations Received on 08 September 2021
Plan / Drawing 1977 / P / 120.123 A Type 4b.D(V) - Floor Plans Received on 08 September 2021
Plan / Drawing 1977 / P / 120.132 Type 4b.E - Elevations Received on 31 August 2021
Plan / Drawing 977 / P / 120.131 Type 4b.E - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.134 Type 4b.E(V) - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.133 Type 4b.E(V) - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.142 Type 4b.F - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.141 Type 4b.F - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.152 Type 4b.G - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.151 Type 4b.G - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.162 Type 4b.H - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.161 Type 4b.H - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.82 Type 4b.J - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.81 Type 4b.J - Floor Plans Received on 31 August 2021

Plan / Drawing 977 / P / 120.172 Type 5b.A - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.171 Type 5b.A - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.202 Type AFF 2b.A - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.201 Type AFF 2b.A - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.212 Type AFF 2b.B - Elevations 1 Received on 31 August 2021
Plan / Drawing 1977 / P / 120.213 Type AFF 2b.B - Elevations 2 Received on 31 August 2021
Plan / Drawing 1977 / P / 120.211 Type AFF 2b.B - Floor Plans Received on 31 August 2021
Plan / Drawing 1977 / P / 120.222 Type AFF 3b.A - Elevations Received on 31 August 2021
Plan / Drawing 1977 / P / 120.232 Type AFF 3b.B - Elevations 1 Received on 31 August 2021
Plan / Drawing 1977 / P / 120.233 Type AFF 3b.B - Elevations 2 Received on 31 August 2021
Plan / Drawing 1977 / P / 120.231 Type AFF 3b.B - Floor Plans Received on 31 August 2021

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

- 2) There shall be no occupation of any dwelling hereby approved until upgrades have been completed at Lenham WWTW that achieve compliance with a total Phosphorus permit of 0.5mg TP/litre.

Reason: To ensure compliance with the Conservation of Species and Habitats Regulations 2017 (as amended) such that there are no potential significant impacts on the integrity of the SAC/Ramsar site at Stodmarsh.

- 3) No dwelling shall be occupied unless Nutrient Neutrality Calculations have been submitted to and approved by the Council demonstrating the occupation of the plot will not cause potential significant impacts on the integrity of the SAC/Ramsar site at Stodmarsh.

Reason: To ensure compliance with the Conservation of Species and Habitats Regulations 2017 (as amended) such that there are no potential significant impacts on the integrity of the SAC/Ramsar site at Stodmarsh.

- 4) The Sustainable Drainage Scheme for the site shall be carried out in accordance with the approved SuDS Maintenance Plan ref E20-030 (4th issue September 2024).

Reason: To ensure compliance with the Conservation of Species and Habitats Regulations 2017 (as amended) such that there are no potential significant impacts on the integrity of the SAC/Ramsar site at Stodmarsh.

- 5) No development above slab level shall take place until written details and photographs of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be constructed using the approved materials and they shall consist of handmade plain clay for both hanging and roof tiles, elements of club hanging tiles, bonnet hips and laced valley tile details, weatherboarding and multi stock brickwork with flat arched brick detailing

to window heads and banding courses. At least 10% of the units should include elements of Kentish flint. There shall be no pale coloured materials on north facing elevations.

Reason: To ensure a satisfactory appearance to the development with vernacular materials.

- 6) Above ground construction work on the approved buildings shall not commence until full details of the following matters in the form of large scale drawings (at least 1:20 scale) have been submitted to and approved in writing by the Local Planning Authority:
- a) External windows and doors
 - b) Details of eaves and gables
 - c) Details of door and window headers and cills.
 - d) Details of roof hips and ridges.
 - e) Details of dormer windows

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

Reason: To ensure a satisfactory appearance to the development.

- 7) The dwelling(s) hereby approved shall meet the accessible and adaptable dwellings building regulations Part M4(2) standard or any superseding standard. No dwelling(s) shall be occupied unless this standard has been met and the dwelling(s) shall be thereafter retained as such.

Reason: To ensure the development meets acceptable standards of accessible and adaptable dwellings.

- 8) No development above slab level shall take place until details and evidence of the measures necessary to incorporate at least 10% on-site renewable or low carbon energy production measured as a percentage of overall consumption have been submitted to and approved in writing by the Local Planning Authority. Such details shall include measures for battery energy storage unless this is demonstrated with evidence to be unfeasible. The approved details shall be implemented prior to the first use/occupation of any unit to which the details relate and thereafter retained.

Reason: To ensure a sustainable form of development

Informatives

- 1) In regard of the future discharge of 10 of 17/500357/HYBRID, key boundary walls to the public domain should feature Kentish flint panels.
- 2) Landscaping details for phase 2 must include maximisation of East-West tree planting through the site to accord with the terms of 17/500357/HYBRID which requires horizontal buffer planting locations to mitigate views from the North Downs National Landscape.