

**REPORT SUMMARY**

<b>REFERENCE NO - 14/503960/OUT</b>		
<b>APPLICATION PROPOSAL</b> Outline application for 13 dwelling houses with associated amenity space, shared access road and new footway with access, appearance, layout and scale to be considered at this stage with all other matters reserved for future consideration.		
<b>ADDRESS</b> Land East Of Thatch Barn Road and South of Lenham Road, Headcorn, Kent		
<b>RECOMMENDATION - GRANT PLANNING PERMISSION SUBJECT TO PRIOR COMPLETION OF AN APPROPRIATE LEGAL MECHANISM AND CONDITIONS</b>		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The proposed development does not conform with policy ENV28 of the Maidstone Borough-wide Local plan 2000. However, the development is at a sustainable location, immediately adjoins the existing village boundary of Headcorn, and is not considered to result in significant planning harm. Given the current shortfall in the required five-year housing supply, the low adverse impacts of the development are not considered to significantly outweigh its benefits. As such the development is considered to be in compliance with the National Planning Policy Framework and this is sufficient ground to depart from the Local Plan.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> The recommendation is a departure from the adopted Development Plan and is contrary to the Parish Council views.		
<b>WARD</b> Headcorn	<b>PARISH/TOWN COUNCIL</b> Headcorn	<b>APPLICANT</b> Strategic Land Kent Ltd <b>AGENT</b> G Norton MRTPI
<b>DECISION DUE DATE</b> 02/01/15	<b>PUBLICITY EXPIRY DATE</b> 02/01/15	<b>OFFICER SITE VISIT DATE</b> 20/10/14

**1.0 BACKGROUND**

1.1 This application was previously reported to planning committee on 19 March 2015 with a recommendation to grant permission subject to conditions and a legal agreement. A copy of the original report is attached for ease of reference at appendix 1. It was resolved to defer consideration, as follows:

- A. Further assessment of the layout in the context of development proposed and/or approved on neighbouring sites, and specifically in terms of:
- Southern Water drainage issues and SUDS;
  - Strategic landscaping;
  - Biodiversity (including movement of species through the site/creation of a wildlife corridor); and
  - Detailing (including GCN-friendly gulleys, swift bricks and materials).
- B. Further information relating to the contribution requested by Kent County Council for Youth Services as Members queried whether this meets the necessary tests.

1.2 An application for 28 dwellings (15/501342) on adjoining land to the south of the current application site (Phase 3) was reported to committee on 1/10/15 when it was resolved to grant permission subject to a legal agreement. The application is being reported back to this committee to consider an increase in the level of on-site affordable housing from 12 to 16 units. The applications are closely related and are therefore being reported to this Committee so that they can be considered together.

1.3 The site is included in the Draft Maidstone Local Plan as part of site allocation H1(40) – Grigg Lane and Lenham Road, Headcorn - and was approved for inclusion in the draft local plan and Regulation 19 consultation at Strategic Planning, Sustainability and Transportation Committee on 23 July 2015. The application site forms part of a larger housing allocation of 5.4ha between Grigg Lane and Lenham Road in the Draft Local Plan which was identified in response to the Borough Council's "call for sites" and has a net capacity of approx. 120 dwellings. The current application site therefore represents approx. 10% of the total allocation.

## **2.0 POLICY AND OTHER CONSIDERATIONS**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, ENV35, T13

Supplementary Planning Documents: Affordable Housing Development Plan Document (2006), Open Space Development Plan Document (2006)

Maidstone Borough Draft Local Plan: H1 (40)

Housing development including play space, a nursery school and off-site highways improvements have already been approved in the southern part of the larger site under the above planning applications (13/1943, 12/1949 and 14/0487). Application 15/501342 was reported to committee on 1/10/15 when it was resolved to grant permission subject to a legal agreement.

## **3.0 APPRAISAL**

3.1 Following deferral of the application a meeting was held with the applicant when a series of master plan drawings were submitted setting out the relationship between the various phases of development. The plans clarify what has been built, what has planning permission, what has been applied for and the infrastructure to be provided. The master plans are attached at appendix 2 and copies will be available for inspection at the committee meeting.

3.2 The 3 phases of the total development comprise:

Phase 1 - Chance Holding, Grigg Lane ( MA/12/1949) - granted planning permission for 25 dwellings, including 40% affordable housing.

Phase 2 - land to the rear of The Hardwicks with planning permission (ref. MA/13/1943) for 20 dwellings including 43% affordable housing provision. and childrens nursery school

Phase 3 - Planning application (MA/15/501342) - 28 dwellings including 40% affordable housing, recently resolved to grant permission (15/501342).

3.3 Following discussions with the applicant additional information has been provided relating to the 4 main issues outlined above about which concerns were raised by Members when the application was deferred. I will deal with each matter below.

### **FOUL DRAINAGE**

3.4 The drainage strategy relates to the whole development being served by two outlets into the main foul drainage system, namely:

- Phases 1 & 2 (45 units + nursery) - connecting into the 150mm sewer in Grigg Lane
- Phase 3 and land south of Lenham Road – this application (41 units) connecting into the 150mm sewer in Lenham Road.

3.5 The applicant had proposed a sewage treatment works solution to serve Phases 1 & 2 but the Environment Agency rejected this solution due to concerns that a precedent would be set. The applicant has therefore reverted to a solution which includes major works to the existing system in the village.

3.6 The drainage proposals for this site involves the construction of a new 150mm sewer to extend the existing system in Lenham Road some 200m from the site entrance with Phase 3 linked to the system improvements for Phases 1 and 2 “.

3.7 The applicant has commissioned a detailed survey of the foul drainage system in Lenham Road. If required by Southern Water, the applicants consulting engineer has advised that effluent will be pumped off peak in the early morning when the existing sewers are at their lowest use thus providing maximum available capacity.

3.8 The applicant maintains that the drainage design will be such that there will be zero risk to the existing sewerage system and will provide a slight enhancement to the current situation. If planning permission is granted the applicant intends to evaluate a solution with Southern Water based on the whole development being served from Lenham Road thereby avoiding major disturbance involved in renewing the sewer in the High Street.

### **SURFACE WATER DRAINAGE**

3.9 The area between Grigg Lane and Lenham Road is situated within Flood Zone 1 where there is a relatively low risk of flooding as defined on the Environment Agency's flood risk map. The Environment Agency has raised no objection to the Flood Risk Assessment report that has been submitted by the applicants consultant engineers.

3.10 The geology of the area is Wealden Clay where traditional soakaway drainage will not work and it has been necessary to produce a surface water strategy which utilises the existing ditch system with porous paving for the road surfaces and driveways.

3.11 The existing ditch system on the site has not been maintained for several decades but recent improvements have been made to make the ditches more efficient in terms of increasing their capacity. This is an acceptable SUDs solution that ensures that the runoff for the developed site is no greater than which currently exists.

3.12 In certain areas where blockages have regularly occurred in the ditch system, measures have been put in place to ensure that the system operates more efficiently. These improvements have already been beneficial to the area at times of heavy rainfall. Making use of the existing ditch system also ensures the rural character and appearance of the area is maintained.

3.13 Two small ponds have been created to the south within Phase 3 in order to create additional surface water drainage capacity. These will be linked to the existing ditch system and will also assist in terms of enhancing the biodiversity of the area. This is in addition to those ponds which have been specifically designed and built to provide new water habitat for Great Crested Newts. The management plan for the development as a whole includes management of the ditches and ponds as well as the green areas.

3.14 The applicant has advised that the surface water drainage will be designed in accordance with the NPPF, the SUDS Manual, and the Flood Risk Assessment. The Environment Agency is satisfied with the SUDS solution including porous paving and ultimately discharging to the ditch system. As on the adjoining sites, a SUDS system will be used including porous paving and the use of the existing ditch system which has recently been improved by an agricultural contractor.

3.15 The Lead Local Flood Authority has advised in relation to the development on land to the south of the current application site following the submission of a FRA in April 2015. The LFA was satisfied that the drainage from the proposed development had been adequately considered subject to conditions relating to submission of details and implementation.

### **STRATEGIC LANDSCAPING**

3.16 The landscape strategy for the site as a whole includes a landscape corridor between Lenham Road and Grigg Lane approx. 20-25m wide and 300m long parallel to the western boundary with Thatch Barn Road. The various phases of development will be linked by the landscape corridor which will include the re-routed public footpath (KH606) which at present crosses the eastern part of the site. The corridor also extends east-west across the site to the south of Phases 1&2 providing areas of open space with extensive tree planting and several ponds.

3.17 The northern section of the corridor within the application site includes the retention of the existing trees along the western boundary and the planting of native trees, as well as extensive landscaping and a pond. This will create new habitats to the west of the proposed development for protected species including reptiles and great crested newts. The site plan also indicates additional tree planting along the existing hedgerow which is an important landscape feature defining the northern boundary to Lenham Road.

3.18 Although there are no protected trees within the application site there are a number of significant trees along the western boundary and the hedgerow fronting Lenham Road. There is considered to be sufficient room on site to accommodate the proposal for 13 dwellings without too much detriment to the existing significant trees. However, landscaping is a reserved matter and the Landscape Officer has raised no objection on arboricultural grounds.

3.19 The Landscape Officer has advised that the details of soft landscaping scheme which have been submitted to give an indication of proposed landscape treatment are not considered to be appropriate to the character of the area and should contain more indigenous trees, particularly along the site boundaries. The native hedgerow mix should contain fewer species and should also include a small number of individual oak trees at appropriate locations. The developer has indicated that this is acceptable in principle.

3.20 Landscaping is a reserved matter and a comprehensive landscaping scheme will be required by condition using predominantly indigenous species in accordance with the Council's landscape guidelines. Pre-commencement conditions are also recommended requiring an arboricultural implications assessment including tree protection details.

## BIODIVERSITY

3.21 The application site is not subject to any specific nature conservation designations. The grassland has been subject to agricultural improvement in the past and is relatively poor in terms of plant species. The hedgerows that enclose the field are the most significant wildlife habitats with the hedge parallel to Lenham Road meeting the ecological criteria as an "important hedgerow" under the Hedgerow Regulations (1997).

3.22 Despite the moderate quality of the grassland the site supports populations of protected species. The most significant is the Great Crested Newt, a European Protected Species. This has an extensively distributed population in the Headcorn area, due to the high number of ponds. A cluster of ponds to the south of the application site, between Kent Cottage and the Hardwicks development on Grigg Lane, support a medium sized population of Great Crested Newts and low numbers have been recorded in ponds to the north of Lenham Road.

3.23 Great crested newts using these ponds have the potential to cross the application site in early summer. They may use the hedges as refuges and forage on the grassland, and may also cross the site to reach ponds on either side of Lenham Road.

3.24 Development has the potential to harm newts using the field, remove habitats and increase isolation of ponds on either side of Lenham Road. This latter point is significant because great crested newts fare best in countryside with a high density of ponds. Should conditions deteriorate in a pond there is an increased risk of extinction for the local newt population. In countryside with large numbers of ponds and no barriers to movement newts can recolonize when suitable conditions return. On the other hand isolated ponds are less likely to support GCN populations in the longer term.

3.25 Because of these threats, and the number of proposed and recently completed developments between Grigg Lane and Lenham Road, Natural England required a Master Plan for GCN conservation to be prepared for this development. The Master Plan sets out a number of proposals to safeguard newts from being harmed during development and to improve the status of the species in the area, as follows:

- Prior to development the isolation of the land by newt-proof fencing and removal of any animals to a series of secure receptor sites by a qualified ecologist,
- Improvements to two ponds to the south of the development to make them more suitable for breeding great crested newts.
- Creation of three new ponds to provide habitat linkages between Grigg Lane, and land to the north of Lenham Road, and ponds to the north east of the new developments near the tennis club.
- A further pond is to be constructed but this lies close to a ditch and cannot be guaranteed to provide a suitable newt breeding habitat.

3.26 Further enhancement of the terrestrial habitat around the ponds is proposed with new areas of rough grassland, hibernacula and less managed woodland, and the creation of new areas of rough grassland, scrub and hibernacula around ponds in the Master Plan for great crested newts. These will provide areas of land managed to provide a good habitat for GCNs of comparable size to the Bell Lane Local Nature Reserve, Staplehurst, which supports a great crested newt population of similar size.

3.27 The Master Plan has been accepted by Natural England as part of a successful mitigation licence application for the development of Phase 1 to the south. Retention of and management of the hedge network within the development will reinforce the landscape corridors between the ponds which will include gullies to facilitate the

movement of GCNs. A requirement on the applicant and Management Company which takes over the soft landscapes and watercourses in and around the development, for the land to be managed and monitored to ensure that these habitats remain in a suitable state for protected species in perpetuity.

3.28 The other protected species found in the area include reptiles such as slow-worm, viviparous lizard and grass snake. These tend to be associated with the hedges around the fields, the centre of the fields being unsuitable when cut for hay. Replacement rough grassland and hibernacula near the ponds will provide a replacement habitat for reptiles. The area of habitat created has been determined by measuring the area of land within 5m of a field boundary and recreating a similar area of rough grassland habitat. Reptiles will be removed from these areas and relocated in the new habitat areas which will be managed by the Management Company as rough grassland. This area forms part of the landscape corridor in the western part of the site which is linked with other landscaped areas in other parts of the development.

### **DETAILING**

#### Biodiversity

3.29 The applicant has confirmed that a number of biodiversity enhancements are proposed in addition to the measures outlined above. Nest boxes for swifts will be incorporated into 50% of the buildings in this development, with bat boxes / bat bricks in the remaining properties. The provision of rough grassland with log piles will favour hedgehogs. The applicant has agreed to the provision of Great Crested Newt friendly gulleys within the landscape corridors to enhance biodiversity and appropriate conditions are recommended as previously set out for the adjacent Grigg Lane development which now have planning permission.

#### Materials

3.30 A schedule of materials was included with the application but a revised schedule of materials has been submitted because the previously selected brick is no longer available. The external materials include Warnham red stock bricks, black weatherboarding, Redland Cambrian grey slates, Redland rustic brown tiles, granite setts and Indian natural sandstone. No objections are raised to the revised schedule of materials.

#### Design

3.31 These have been reviewed and plots 5 and 6 have amended elevational treatment to the extent of the timber boarding to the side elevations to which no objections are raised. A street scene rear elevation drawing has been submitted to show the elevation to Lenham Road and a plan showing the vision splay and detail of site access have also been submitted.

#### Landscaping

3.32 The applicant has agreed to reinforce the hedge planting along the Lenham Road frontage. This will enhance the existing screening effect along the road to maintain its rural character and to enhance biodiversity.

### **4.0 AFFORDABLE HOUSING**

4.1 When submitted, the application made no provision for affordable housing on the basis that the number of units proposed fell below the threshold of 15 units specified in adopted

Policy AH1. However the policy also states that on housing sites of 0.5 ha or greater affordable housing shall be provided to meet the identified housing need. Whilst this was not raised previously this is clearly a policy requirement as the site area is approx. 0.9ha. The current application is for 13 units which equates to 4 affordable units.

4.2 The proposed layout is based on a lower density courtyard arrangement which is of a different character to the permitted development to the south. In order to maintain its character the applicant has requested that the 4 affordable units required by this development be transferred to the adjoining scheme on land to the south (plots 15,16,17, and 18). This comprises a terrace of 4 units (2x2bed and 2x3bed) in the western part of the site which are considered to be suitable for affordable rented accommodation and would not involve any material changes to the approved layout.

4.3 The Council's Housing Officer has confirmed that this would be acceptable and agreement has been reached with the applicant as follows:

- 1) *"The overall scheme is now providing the following:*

*Affordable Rent (63%)*

*Plots 1 -6: 6 x 1-bed flats*

*Plots 15-18: 2 x 2-bed houses and 2 x 3-bed houses*

*Shared Ownership (37%)*

*Plots 7 – 12: 2 x 3-bed houses, 4 x 2-bed houses*

- 2) *We may need to consider a clause within the s106 that offers a degree of flexibility in allowing a tenure change to shared ownership for the 4 additional affordable rented properties, if it can be demonstrated that the developer has not been able to enter into contract with an RP and/or viability is an issue. Either that or we don't make reference to this specifically within the s106, and deal with it as a variation request at a later stage if the need arises."*

4.4 The additional 4 units would be for affordable rented as stipulated by the Housing Officer. When agreeing the tenure mix the Housing Officer has advised that it would be appropriate to include a clause within the s106 that offers a degree of flexibility in allowing a tenure change to shared ownership for the 4 additional affordable rented properties, if it can be demonstrated that the developer has not been able to enter into contract with an RP or viability is an issue.

4.5 There is an element of risk in allowing an over-provision of affordable housing on one site. If a new developer obtained the site they could apply, at a later stage, to modify the planning obligation to reduce the on-site affordable housing to 40% (from 57%) thus leaving the council with an underprovision over the two sites. However, it is unlikely this would benefit the current developer and it is also noted that the same developer owns the two adjoining sites to the south and has committed a great deal of time and effort dealing with the ecology mitigation and enhancements over the whole site while obtaining planning permission. However this is considered to represent only a small element of risk and the benefits of the additional 4 affordable units should be accepted as a net gain in conjunction with the planning application on the adjoining site.

## **5. 0 INFRASTRUCTURE CONTRIBUTIONS**

5.1 Having had regard to the 5 Obligation restriction towards a 'project' or 'type of infrastructure', KCC has re-evaluated the previous request which would have been based upon pooling a large number of developments to deliver an infrastructure project which as

you appreciate from the Regulations post April 2015 can only be achieved through CIL. Without CIL in place, KCC is unable to continue with some earlier requests currently. It is continuing, with service providers, to re-evaluate and identify projects that can be delivered with 5 planning obligations.

5.2 Following meetings with KCC service providers, the KCC requirements for this development are now:

- Primary Education - £4000 per applicable house sought towards the first phase of permanently expanding Headcorn Primary School and £891.69 per applicable house towards primary land acquisition sought towards Headcorn Primary School site expansion to accommodate the extension of the School accommodation
- Library bookstock £624.21 - (£48.02 per dwelling) sought to be used to address the demand from the development towards additional bookstock and services at local libraries serving the development to be supplied to Headcorn Library.
- Youth equipment £109.75 (£8.44 per dwelling) towards equipment to expand the range of youth focused activities able to take place at the Village Hall, to be utilised by KCC's commissioned youth worker.

As set out in the original request letter, KCC would request:

- Provision of Superfast Fibre Optic Broadband 'fibre to the premises' to all buildings of adequate capacity (internal min. speed of 100mb to each building) for current and future use of the buildings.

5.3 When the application was deferred at committee on 19 March further information was requested relating to the contribution requested by KCC for Youth Services. This element of the contributions has been reviewed as outlined above and remains at £109.75. KCC maintains that there is insufficient capacity within the Youth Centres to accommodate the increased demand generated by the development and therefore requires a contribution to provide additional capacity to meet the additional demand from this development.

5.4 The service caters for young people from 11 to 25 years though the prime focus is on 13 to 19 year olds. The service is provided on a hub and spoke service delivery model. The hub offers the full range of services whilst spokes provide outreach provision. Outreach provision can take a number of forms, including detached youth workers, mobile services, affiliated voluntary and community groups

5.5 There is a specific need for additional equipment to expand the range of youth focused activities able to take place at Headcorn Village Hall, for use by KCC's commissioned youth worker. The request for £109.75 to address the direct impact of this development on youth services is therefore considered to meet the relevant CIL tests.

## **6.0 ENVIRONMENTAL IMPACT ANALYSIS**

6.1 The development is considered to fall within Schedule 2 development of the EIA regulations. Assessment against the EIA regulations should essentially answer the basic premise of whether significant effects upon the environment are likely such that the proposal should be accompanied by an Environment Statement (ES).

6.2 The Annex to the EIA section in the NPPG provides a table which gives indicative screening thresholds and guidance to help determine whether significant effects are likely for this type of development. The guidance threshold for sites which have not been previously developed is as follows:

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- The site area of the scheme is greater than 5 ha
- It would provide a total of more than 10,000sq m of new commercial floorspace
- The development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1000 dwellings)

6.3 Overall, it is not considered that the development on its own or cumulatively would have significant effects upon the environment to warrant an ES. It is considered that the development would not be of more than local importance, and would not involve unusually complex and potentially hazardous environmental effects. The development also does not exceed the thresholds laid out under the NPPG and on this basis, it is not considered that an ES is required.

6.4 It is also noted that the Secretary of State has recently undertaken a screening direction on another site in Headcorn and in doing so he had particular regard to the potential for cumulative effects of development in the Headcorn area. In that instance the Secretary of State concluded that the development is not likely to have significant effects on the environment, individually or cumulatively, and the development was not EIA development.

## 7.0 CONCLUSION

7.1 The reasons for recommending permission are set out in the original report (appendix 1). Following the deferral of the application at the planning committee on 19/3/15 further information has been submitted in response to the concerns raised. It is therefore recommended that the application is determined in accordance with the previous recommendation.

7.2 In negotiating an increase of affordable housing on the adjoining site the Council has sought to review the sites collectively in accordance with the draft allocation in order to obtain the appropriate amount of affordable housing. The additional 4 affordable units on the adjoining site represent 40% affordable housing across the two sites in accordance with DPD policy.

7.3 It is therefore considered that the development of the site for residential purposes is acceptable and permission is recommended subject to the prior completion of a section 106 agreement.

## RECOMMENDATION

That subject to the prior completion of a S106 Agreement in such terms as the Head of Legal Services may advise to secure the following community infrastructure contributions under the following heads of terms:

- Primary Education - £4000 per applicable house sought towards the first phase of permanently expanding Headcorn Primary School and £891.69 per applicable house towards primary land acquisition sought towards Headcorn Primary School site expansion to accommodate the extension of the School accommodation,
- Library bookstock £624.21 - (£48.02 per dwelling) sought to be used to address the demand from the development towards additional bookstock and services at local libraries serving the development to be supplied to Headcorn Library.
- Youth equipment £109.75 (£8.44 per dwelling) towards equipment to expand the range of youth focused activities able to take place at the Village Hall, to be utilised by KCC's commissioned youth worker.

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- Open Space provision - off-site contribution of £20,475 from the developer towards enhancement, maintenance, improvement and renewal of Provision for Children (Equipped Play) and Outdoor Sports Facilities at Headcorn Recreation Ground,

the Head of Planning and Development be delegated authority to grant outline planning permission subject to the following conditions:

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

a. Landscaping

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two 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) The details of landscaping submitted pursuant to condition 1 above shall provide for the following:

(i) Details of all trees to be retained and any to be removed together with detailed Root Protection Plans.

(ii) A detailed arboricultural method statement that includes assessment of the works relating to the provision of the re-aligned Public Right of Way within the site (including its routing, method of construction and foundations), and the construction of the dwellings on plots 1-6.

(iii) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and areas of open space within the site, other than small, privately owned, domestic gardens, to be prepared having regard to and in conjunction with the ecological mitigation and enhancement measures to be provided on the site pursuant to condition 3 below.

(iv) The provision of native species hedging and hedgerow trees to the east boundary of the site

v) The provision of native species hedging and railings/dwarf walls/fencing to the highway frontages of the proposed dwellings.

(vi) Measures to prevent parking on the landscaped verges and open space within the site.

(vii) Appropriate native species under-storey planting to the proposed woodland corridors.

(vii) Landscaping details for the domestic gardens using indigenous species, which shall include indications of all existing trees and hedgerows on the land, including the hedgerow along the northern boundary of the site adjacent Lenham Road, and details of any to be retained, together with measures for their protection in the course of development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

Reason: No such details have been submitted and to ensure a satisfactory appearance to the development.

(3) The development shall not commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Aims and objectives of management.
- c) Management prescriptions for achieving aims and objectives.
- d) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- e) Details of the body or organisation responsible for implementation of the plan.
- f) Details of on-going species and habitat monitoring; and
- g) Provision for remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure a high quality design, appearance and setting to the development, and to protect and enhance biodiversity.

(4) All trees to be retained must be protected by barriers and/or ground protection in accordance with BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction-Recommendations'. No work shall take place on site until full details of protection have been submitted to and approved in writing by the Local Planning Authority. The approved barriers and/or ground protection shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the areas protected in accordance with this condition. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas without the written consent of the Local Planning Authority;

Reason: To safeguard existing trees to be retained and to ensure a satisfactory setting and external appearance to the development.

(5) The development shall not commence until an Order has been made pursuant to s257 of the Town and Country Planning Act 1990 (as amended) for the diversion and reconstruction of Public Right of Way KH606. Works relating to the reconstruction of Public Right of Way KH606 shall be completed prior to the commencement of development.

Reason: In order to ensure that the public right of way is not adversely affected.

6. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, (numbers PLWH-002B, 003, 004, 007, PL-WH-P5-6-03, P7-8-01, P9-10-01 ,P11-12-01, P11-12-02,P13-01, P13-01, P13-02,P3-4-7-10-1,P3-4-01,P2-01, P2-02, P1-02) and the supporting documents relating to Design and Access, Agricultural Land Classification Report, Report on Tree Inspections, Preliminary Ecological Appraisal and Transport Statement.

Reason: To ensure that the development conforms to the submitted plans

7. The development shall not commence until, written details and samples 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 and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development.

8. The development 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 of the buildings or land and maintained thereafter;

Reason: In the interests of the visual and residential amenities of the area.

9. All planting, seeding or turfing approved pursuant to condition 1 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

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

10. No development shall take place until details of slab levels of the buildings and existing site levels have been submitted to and approved by the LPA and the details shall be completed in accordance with the approved levels.

Reason: To ensure a satisfactory form of development.

11. The development shall not commence until details of the following measures to enhance biodiversity have been submitted and approved by the Local Planning Authority. The approved details shall be implemented in full.

- the isolation of the land by the erection of newt-proof fencing and

removal of any animals to a series of secure receptor sites by a qualified ecologist,

- Improvements to two ponds to the south of the development to make them more suitable for breeding great crested newts.
- Creation of three new ponds to provide habitat linkages between Grigg Lane, and land to the north of Lenham Road, and ponds to the north east of the new developments near the tennis club.

Reason: in the interests of wildlife conservation.

12. Construction of the development shall not commence until details of the proposed means of foul water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The approved details shall be implemented prior to first occupation of the development.

Reason: In the interests of safeguarding water supplies and to reduce the risk of flooding

13. Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the rate/volume of runoff leaving the site post-development will not exceed 5l/s for any rainfall event (up to and including the climate change adjusted 100yr critical storm).

(ii) No dwelling hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

(14) No development shall take place until details of any lighting to be placed or erected within the site have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include, inter alia, details of measures to shield and direct light from the light sources so as to prevent light pollution and illuminance contour plots covering sensitive neighbouring receptors. The development shall thereafter be carried out in accordance with the subsequently approved details.

Reason: In the interest of residential amenity

(15) Details of a scheme to provide sources of renewable energy including solar power shall be submitted to the LPA and the approved details shall be implemented before the development is first occupied.

Reason: to achieve a sustainable form and energy efficient form of development.

(16) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority.

The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

The approved Statement shall be adhered to throughout the construction period.

Reason: In the interests of the amenities of the area

(17). The garages and parking spaces hereby permitted shall be kept available for the parking of motor vehicles at all times. The garages/car parking spaces shall be used solely for the benefit of the occupants of the dwellings of which they form part and their visitors and for no other purpose and permanently retained as such thereafter

Reason: To ensure satisfactory parking provision within the site in the interests of highway safety

(18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Classes A, B and F and Part 2 Class A to that Order shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character, appearance and functioning of the surrounding area.

## **INFORMATIVES**

Southern Water has advised that a formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, Please contact:

Southern Water,  
Sparrowgrove House,  
Sparrowgrove ,  
Otterbourne,  
Hampshire S021 2SW

(Tel: 0330 3030119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)".

## Planning Committee Report

Case Officer: Tim Bloomfield

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.