

Representation

The applicant's agent has written to object to condition 1 requiring a timescale of 1 year from date of permission to submit the reserved matters on grounds of the unreasonable and unfeasible length of time to market the site for sale and for a new owner to subsequently submit the reserved matters.

Officer Comment:

Condition 1 of the committee report states the following:

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

a. Layout b. Scale c. Appearance d. Landscaping

*Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of **one year** 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, and in order to encourage the commencement of development and boost the provision of new market supply in accordance with paragraph 47 of the National Planning Policy Framework 2012 and paragraph 027 of the National Planning Policy Guidance 2014.

Given the site is to be sold which may take some time, it is recommended that the timescale for submission of reserved matters is increased to 2 years from date of permission. Condition 1 is amended as follows:

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

a. Layout b. Scale c. Appearance d. Landscaping

*Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of **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, and in order to encourage the commencement of development and boost the provision of new market supply in accordance with paragraph 47 of the National Planning Policy Framework 2012 and paragraph 027 of the National Planning Policy Guidance 2014.

Representation

An email from a local resident was received 02/06/2016 and is summarised as follows:

- Under the Water Framework Directive (WFD) the LPA have the legal responsibility to improve and restore water bodies to reach their ecological potential or status. By ignoring the source of the Upper Stour and the pond, allowing building on the associated wetland, you fail in this responsibility.
- This site is subject to groundwater flooding from the bedrock of the North Downs. Whilst the area is not designated as a flood risk area, this should not prevent assessment of groundwater flooding which will become more an issue with climate change.

Officer Response

The site is not within an area at high risk of flooding nor located within a designated flood risk area. The appellants have provided details of proposed mitigation measures including a flood attenuation pond within the south east corner of the site.

Paragraph 7.61 of the report states that the KCC flood risk/SUDS officer has been consulted and considers that the submitted revised drainage strategy is acceptable in principle which shows the drainage pond to the south east corner of the site and can be adjusted as required by the detailed design and by conditions.

Paragraph 7.63 states that as the application is for outline permission, the groundwater issues would be considered during the detailed design of the development to ensure resilience to this source of flood risk and route any exceedance flows to avoid flooding to property. As such a condition is recommended requiring the submission of a detailed sustainable surface water drainage scheme prior to commencement of development.

Conditions 12, 13 and 14 of the report address the issue as follows:

12) 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 be based on the strategy (by RCD Consultants Ltd. Dec 2015) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated and disposed with no increase to flood risk on or off-site. The detailed design shall also consider the effects of elevated groundwater levels upon the site and incorporate sufficient mitigate measures.

Reason: To reduce the impact of flooding on the proposed development and prevent any impact from the development on surface water storage and flood, and future occupiers.

13) No building 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 reduce the impact of flooding on the proposed development and prevent any impact from the development on surface water storage and flood, and future occupiers.

14) *No infiltration of surface water drainage into the ground, other than that allowed under the sustainable surface water drainage scheme approved under condition 12 above, is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.*

Reason: To prevent pollution of the environment and protect controlled waters.

Representation

A representation has been made from Lenham Parish Council to highlight a mistake in the summarised Parish Council's consultation response set out in paragraph 4.03 of the committee report which states the following:

"Development would make a 'positive contribution to local character and distinctiveness"

The actual wording set out in their letter states the following:

*"Looking at the plans it **cannot** be said that the development would make a 'positive contribution to local character and distinctiveness as required by NPPF §126"*

The Parish Council are definitely **NOT** of the view that this development would be a positive contribution.

Officer Comment:

The summarised sentence in paragraph 4.03 is a typo error where the word "NOT" has been missed out. The sentence should read as follows:

"Development would not make a 'positive contribution to local character and distinctiveness"