

Amendment to Heads of Terms (amendments in bold)

I propose the following change to ensure the significant landscaped buffer zone to the west and northwest of the development comes forward with the first phase of any development. This is to ensure the landscaping is in place from the start of the development in order to provide early mitigation and an appropriate landscape setting. (Boundary landscaping around the remainder of the site would also be brought forward under the first phase under condition 6)

1. *The creation of buffer zone and landscaping using land within the application boundary and land west of the application boundary **to be implemented under the first phase of any development:***
 - a) *Approximately 2.5ha of land at the west edge of site (within the red outline on the site location plan) being conveyed to a Parish Council, Trust, Maidstone Borough Council or Management Company to be maintained in perpetuity as woodland. Future maintenance including the provision of a commuted sum will be submitted to the Council for approval and conveyance of the land subject to the approved maintenance details.*
 - b) *Approximately 6.6ha of land (within the land outlined in blue on the site location plan) to the northwest of the site not to be used for any purpose other than agriculture, horticulture or forestry in perpetuity including submission of a management plan to the Council for approval, with the plan to include provision for additional tree planting to create an area of wooded pasture and long term management of the land as wooded pasture.*

Amendment to Condition 3: Building Heights (amendments in bold)

Condition 3 incorrectly refers to slab levels as opposed to the building heights. It is proposed to simply refer to the height of buildings in line with the draft policy. The applicant has agreed to building heights not exceeding 8m on the west part of the site (as opposed to 10m) and so the height of buildings now fully comply with the draft policy for the site being no higher than 8m on the west part of the site (as opposed to 10m originally proposed) and no higher than 12m on the east part of the site.

3. *The details of scale submitted pursuant to condition 1 shall show no buildings over a **ridge height of 8m** on the western part of the site (west of the existing stream) and no buildings over a **ridge height of 12m** on the eastern part of the site (east of the existing stream).*

Reason: To ensure a satisfactory appearance to the development.

Clarification to Conditions 4 and 6 (amendments in bold)

Amendments to conditions 4 and 6 below are to provide clarity on the use of ragstone and green roofs/walls.

4. *The details of appearance submitted pursuant to condition 1 shall follow the principles of the Design & Access Statement and include:*

- *Curved roof forms.*
- *Glazed building frontages to buildings and active frontages addressing both the A20 and M20.*
- *The use of vernacular materials **such as ragstone as feature elements on the office** buildings and in boundary treatments.*
- *High quality surfacing materials.*

Reason: To ensure a satisfactory appearance to the development.

6. *The details of landscaping submitted pursuant to condition 1 shall be designed in accordance with the principles of the Council's landscape character guidance. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed. It shall detail measures for protection of species to be retained and include a planting specification, a programme of implementation and maintenance and a 10 year management plan. The programme of implementation shall include boundary planting being established under the first phase of any development. The landscape scheme shall follow closely the principles of the illustrative landscape proposals plan (Drawing no. 2080 DR 003 Rev G) and Design & Access Statement and specifically address the need to provide:*

- *Dense woodland planting along the Ashford Road frontage at the south western edge of the site in excess of 20m width including a planted bund.*
- *A 20m native woodland belt with understorey shrubs and grasses along the western edge of the site to help protect the setting of Woodcut Farm.*
- *Planted landscape buffer zones to the west north and east of Chestnuts and White Heath adjacent to the site to help protect the amenity of these properties.*
- *An area of heavily treed native woodland planting in the north west corner of the site of approximately 2.5ha.*
- *Retention of the protected trees along Musket Lane and augmented with hedgerows and additional tree planting to the south east corner of the site.*
- *Creation of a circa 38m-70m landscape buffer between any development and the M20 which includes the gas pipe easement.*
- *A woodland shaw along the northern boundary and the M20 of at least between 10-24m width.*
- *A circa 8m wide planting belt of native trees and understorey between the gas pipe easement and any development.*
- *The gas pipe easement corridor managed as long grass with indigenous wild flora.*
- *An avenue of tree planting along the access road.*
- *An area of wooded pasture of approximately 6.6ha within the land outlined in blue to the northwest of the application site.*
- *An area of tree planting within the land outlined in blue to the west of the application site.*
- *Swales and balancing ponds including the provision of shallow areas, and deeper, cooler areas, as well as the planting regimes.*
- *Planted 'green' roofs to **smaller office** buildings.*

- *Planted 'green' walling as feature elements on the office buildings.*
- *Areas of structural landscaping extending into the development areas.*

Reason: No such details have been submitted and to ensure a satisfactory appearance and landscape setting to the development and satisfactory implementation, maintenance and management of the landscaped areas.

Additional Condition (to secure specific noise mitigation (acoustic fencing))

The details submitted pursuant to condition 1 shall include noise mitigation measures following the principles of the mitigation outlined in the Environmental Statement Addendum (January 2016) 'Noise & Vibration' section. The approved mitigation shall be fully installed prior to the occupation or use of any premises and thereafter maintained.

Reason: In the interests of residential amenity.

Helen Whately MP

Has raised serious concerns regarding this application being decided in advance of the examination in public of the submitted Maidstone Local Plan.

Officer Response

It is considered that it would be wholly unreasonable for the Council to refuse to determine this application on the basis of waiting for the Local Plan to be examined. Nor is there considered to be grounds for the application to be refused on the basis of a decision being 'premature' in advance of the examination. Following NPPG advice on the matter, the site is allocated within the submitted Local Plan and is an integral part of the Plan. As such, this application would not undermine the plan-making process from the Local Planning Authority's perspective.

Neighbour Representation

One representation has been received objecting on the basis of traffic. This matter has been considered in the main report.

Correction to Report

Paragraph 1.06 of the report refers to a 'local nature reserve' lying to the north of the railway line. This is in fact a 'Local Wildlife Site' (a non-statutory designation).

RECOMMENDATION

My recommendation remains unchanged subject to the amendment to the Heads of Terms and conditions, and the additional condition as outlined above.

The Head of Planning and Development BE DELEGATED POWERS TO GRANT planning permission subject to a legal agreement and conditions.