

16/503641

Representations

Statutory -

Tonbridge & Malling Borough Council - raise no objection to the proposals

Residents –

A further 33 objections have been received to the latest set of amended proposals raising similar grounds as cited in the main report with the following additions:

- Doctors/dentists surgeries under strain
- Lack of school places
- Missing a key piece of information – the Landscape and Ecology Management Plan
- Insufficient time given to comment on the amended plans
- Oppose 3 storey development
- Loss of LEAP provision and inappropriate location proposed for new play area
- Object to removal of TPO trees
- Lack of attention given to archaeological matters
- Lack of parking facilities for new owners
- No account has been taken of the new developments in T&M
- The site would be better used as a nature reserve with significant historic and heritage value

A further letter of objection from NAAG has been received raising the following matters:

- Lack of time given to responding to amended plans
- Inappropriate location for new play area sited in close proximity to the Ancient Woodland (AW) and in an area where crime has been reported
- No risk assessment undertaken to cite the play area in the proposed location
- Object to removal of TPO trees - inevitable destruction to Tree 3015 from building at plot 1
- Exact route of PROW footpath through the woodland has not been specified
- New planting in close proximity to protected heritage area is unacceptable
- Little regard given to archaeological matters
- Object to three storey properties being built close to bungalows on Howard Drive

Councillors -

Cllr Harwood has raised the following matters - “Having studied the planting schedules for the East of Hermitage Lane development I am struck by the significant reliance upon Portugal Laurel (*Prunus lusitanica*) hedging within the scheme. This non-native evergreen shrub is invasive (it’s seeds spread by birds eating its berries) and already in evidence within ancient Bluebell Wood and other local woodlands. Indeed, I have pulled hundreds of Portugal Laurel seedlings from Cuckoo Wood in recent weeks.

Possible alternatives could include native species such as Hornbeam or Beech.

Further, the proposed native planting framework within the Bluebell Wood buffer zone could be enhanced in biodiversity and local character terms by accentuating the ecotone ‘edge habitat’ by reducing the proportion of shady woody shrubs such as hazel and blackthorn and substituting locally characteristic shrubs which will create a more open and graded woodland

edge, such as Broom (*Cytisus scoparius*), Gorse (*Ulex europaeus*) and Dog Rose (*Rosa canina*). These species will be especially valuable in providing relatively open yet prickly cover for any reptiles which may survive at this site”.

Changes to report

Conditions-

As a result of changes to the landscaping plans requested by Cllr Harwood (cited above) and endorsed by MBC's Landscape officer and the KCC ecology officer, the landscaping plans cited in condition 1 be substituted for the following:

DES-118-121C Planting Plan 1
DES-118-122C Planting Plan 2
DES-118-123C Planting Plan 3
DES-118-124C Planting Plan 4
DES-118-125C Planting Plan 5
DES-118-126C Planting Plan 6
DES-118-136C Planting Plan 7

The amendments include:

Planting Plans have been amended to include pockets of Gorse, Broom and Dogrose as requested by Cllr Harwood. These species don't do well when cast in shade, so following input from the Landscape Officer the plans incorporate pockets of planting towards the outer edge of the broader buffer. These will enhance the character of the space, and will add diversity to the woodland edge ecotone.

LEMP –

The applicants have submitted amended Landscape Ecological Management Plans (LEMP) covering the site wide LEMP and a separate LEMP for Phase 1. This follows comments from the KCC Ecology officer and MBC's Landscape Officer. The LEMP details are not a requirement of the reserved matters application or a condition secured at the outline stage. The LEMP provisions were secured under the provision of the S106 agreement which requires approval under Schedule 4 of the outline S106 agreement. This requires the LEMP to be agreed prior to commencement of development.

The applicants are therefore not required to submit the LEMP details for the reserved matters application, but they have done so at the request of the case officer and to help inform statutory consultee comments, and residents alike of the likely management regime of both the site wide LEMP and Phase 1 LEMP.

Essentially the changes to the LEMP include:

Both LEMPS have been amended to take into account the detailed points raised by the Landscape Officer (which relate mainly to the management of woodland), and also in response to the Ecologists comments. The detailed LEMP has been revised so that the Plan relates only to Phase 1 and it includes detailed plans of the Community Orchard and the Woodland Buffer so that it is more user friendly. The previous issue of the LEMP did provide detail on time of year of management operations and it continues to do so. Timings of reptile mitigation have been added to the timetable for implementation. The LEMP is clear that woodland management of the Ancient Woodland area will be undertaken in Phase 2, rather than Phase 4.

The LEMP details for Phase 1 also include details relating to Bat Surveys and a Reptile Mitigation Strategy.

Comments on the suitability of the LEMP will be given in a further urgent update note on Thursday or reported at the meeting. Therefore whilst the following plans have been submitted by the applicants, they are not for approval as part of the reserved matters application.

DES-118-131B Site Wide LEMP
DES-118-135A Phase 1 Detailed LEMP

Addition of wording –

Add a Reason to condition 1: To ensure the quality of the development is maintained and for the avoidance of doubt.

Overall officer comment:

Concern has been raised by local residents over the length of time given to comment on the latest set of amended plans. In response to these concerns I make the following comment. The application has been in for a considerable period of time and the amendments are responding to concerns raised by residents and statutory consultees alike and seek improvements to the scheme. The latest amendments are not substantial in nature and do not change the overall principles that the original application seeks i.e submission of reserved matters relating to appearance, scale, layout and landscaping for 183 dwellings. The application is for details pursuant to the grant of outline planning permission. This outline permission established the acceptance of up to 500 dwellings, a school, community building and access road into the site. As such a limited round of publicity to notify residents has been carried out to inform them of the changes. There is no statutory requirement to notify on amended plans and given the previous round of publicity carried out in late September, a reduced consultation time period was considered acceptable in this instance.

RECOMMENDATION

My recommendation is unchanged.