

REPORT SUMMARY

REFERENCE NO - 16/507471/FULL		
APPLICATION PROPOSAL Full planning application for the development of 310 residential units, in two buildings ranging between 8 and 18 storeys, including 177 sqm of A1/D1/D2 floorspace, associated car parking, public realm and landscaping works.		
ADDRESS Land adjacent to Royal Engineers Road, Maidstone, Kent ME14 2LP		
RECOMMENDATION Grant planning permission subject to a suitable legal agreement.		
SUMMARY OF REASONS FOR RECOMMENDATION High quality scheme broadly in line with policy requirements.		
REASON FOR REFERRAL TO COMMITTEE Major Application that, given its location and scale, should be considered by Planning Committee		
WARD North	PARISH/TOWN COUNCIL None	APPLICANT Development Securities Ltd AGENT NLP
DECISION DUE DATE 25 th January 2017	PUBLICITY EXPIRY DATE 9 th December 2016	OFFICER SITE VISIT DATE Various
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):		

The site has an extensive planning history, which includes consents for a number of significant mixed-use developments.

The site was originally used for Local Government offices from the 1920s and later as offices during the 1960s. Most recently it was home to the former KCC offices. Relevant permissions are listed below:

- **MA/01/1356** In August 2001, following the departure of KCC from the site, a detailed planning application was submitted for the redevelopment of the site. The proposal was for: *"The demolition of buildings and a comprehensive redevelopment to provide offices (B1), residential, landscape open space and ancillary parking and servicing, as amended by further details relating to the provision of affordable housing"*.
- **MA/01/1357** The above application was accompanied by an application for listed building consent for the demolition of buildings around Springfield House. Planning permission and listed building consent were granted on 14 December 2001. The permission was implemented by virtue of the residential development located to the north of Springfield House and associated refurbishment works to the house.
- **MA/05/2350** On 1 August 2006, a further application was approved for the site. The revised scheme comprised: *"Erection of Class B1 offices comprising 3 No. buildings, residential accommodation comprising 192 No. flats, retail unit for Class A1 and A3 use and additional for use as a community hall and as a crèche on the ground floor of*

the retail unit only; together with associated car parking, landscaping and amended access arrangements.”

- The pre-commencement conditions attached to MA/05/2350 (which comprise conditions 2, 3, 4, 8, 11, 14, 15, and 16) were approved and discharged by MBC conditions between June and September 2007.
- **MA/10/1327** An application for a Certificate of Lawful Development (Ref.) was approved by MBC on 23 September 2010. This confirmed that application MA/05/2350 had been implemented and, accordingly, that the permission remains in perpetuity unless a completion notice is later served. No such notice has been served.
- **MA/15/506426/MOD1906** An application to alter the S106 agreement of the substantive consent (MA/05/2350) was approved in 2016. This effectively separated the residential element of the consented and implemented scheme from the employment element,

MAIN REPORT

1.0 SITE DESCRIPTION

- 1.1 The site is located off Royal Engineers' Road and was the site of the former Kent County Councils offices (KCC)
- 1.2 The site is located approximately 1km north of Maidstone Town Centre to the west of Royal Engineers' Road, the A229 (a major arterial road to Maidstone Town Centre), accessible from the roundabout to the west of Royal Engineers' Road.
- 1.3 This brownfield site was previously part of the former KCC offices (now demolished). It is approximately 1ha in size and comprises scrub and rough grassland, with areas of hardstanding. It was part of the site granted planning permission MA05/2350, and provided the office element of that scheme. This has become a stand-alone site following the variation to the S106 detailed in MA/15/506426/MOD1906.
- 1.4 To the north-west of the site is Springfield House, a Victorian red-brick Grade II listed building that is currently used as offices. Opposite Springfield House, to the north of the site, is a derelict 1960s built block (the former site of Kent's County Central Library). To the south of the site is an area of dense woodland, beyond which lies the Springfield Mill, a redundant paper mill which is currently undergoing minor repair works, but also forms part of the wider H1 (11) Submitted Local Plan allocation for residential development.
- 1.5 The site is surrounded by a network of green spaces and to the south and east are a number of mature trees, the majority of which are covered under a group Tree Preservation Order (TPO). The wider site is bounded by the River Medway to the west and Royal Engineers' Road to the east.
- 1.6 Topographically the site slopes west towards the River Medway offering long distance views across the river to Whatman Park. The site is situated in a highly accessible location with close links with the town centre by private and public modes of transport. Access to the site is provided from Royal Engineers' Road (A229). The A229 is one of the main routes to Maidstone town centre and also provides links to the wider local highways network as well as Junction 6 of the M20 which is approximately 6.5km to the north. The site is also located approximately 900m walk

from Maidstone East railway Station, a 1.3km walk from Maidstone Barracks Railway Station and a 1.8km walk from Maidstone West Station.

2.0 PROPOSAL

2.1 Scheme Proposals

The scheme includes the erection of two buildings ranging between 8 and 18 storeys in height comprising 310 residential units, 177sq.m of flexible commercial/community floorspace (Use Classes A1/D1/D2) and associated car parking, public realm, landscaping and access works. The parking is provided in an undercroft topped with west facing podium of publically accessible landscaped open space. The overall proposal is designed to provide a gateway to Springfield, reflecting the former KCC Library to the North, and to Maidstone as a whole. The proposal has been subject to extensive pre-application discussion and development.

2.2 Building A

This building comprises an 18 storey tower which comprises 90 private market residential units and the commercial/community floorspace. The tower is orientated towards the Springfield roundabout and designed as a chamfered rectangle in plan with a sharply sloping roof lowering towards the River Medway (west). Through these features, the building has been designed to minimise its potential negative impact on adjoining properties. Building A provides 5 studio flats, 27 no 1 bed flats and 58 no 2 bed flats.

2.3 Building B

Building B is made up of four adjoining blocks ranging between 8 and 11 storeys in height including 220 Built to Rent (BtR) flats, a super lobby, communal roof garden and podium and 187 car parking spaces. The building as proposed is in four sections, each element angled to one other, in a 'W' shape, designed to provide interest and variety and break up its large bulk to Royal Engineers Road, including the use of a living 'green 'facade. The building is higher towards the north where it adjoining the tower, stepping down in height to the south. Block B includes roof gardens and roof top allotments. Building B provides 25 studio flats, 117 no 1 bed flats and 78 no 2 bed flats.

2.4 Parking is provided within an undercroft, topped with a publically accessible podium amenity space on the western side of Block B, vehicular and pedestrian access will be Royal Engineers Road.

2.5 The proposed design is of high specification, the key features of which are as follows:

- The variation in heights and built form, the sloping roof detail on Building A, the segmented nature of the Building B and the articulation of the primary facades softens the impression of the massing of both structures and contributes to visual interest;
- Both buildings have been designed in a contemporary and complementary manner incorporating grey brick slips , copper cladding on Building B, gabion ragstone wall (lower levels of Building A), coloured glass and metal balcony detailing and a trellis system to provide vertical façade planting. Details of the proposed indicative materials are provided in Appendix 2

- Two sections of Building B will incorporate a steel trellis that will be extensively planted to soften the appearance of the development and help to integrate it into its surrounds;
- The proposed podium deck will provide links to the existing footpath networks;
- The buildings have green roofs that have been designed to incorporate usable active spaces. The mitred form of Building A accommodates several balconies with attractive south westerly aspects. Building B incorporates a roof garden and a community allotment for the exclusive use of residents.

- 2.6 The development includes provision of public and private amenity space, including:
- 2,002sq.m of ground level publically accessible open space
 - 1,983sq.m of podium level publically accessible open space
 - 761sq.m of roof level shared private amenity space
- In total, 3,985sq.m of publically accessible open space and 761sq.m of shared private amenity space is proposed (totalling 4,746sq.m), equating to 15sq.m per dwelling (excluding private balconies)

- 2.7 The scheme includes a number of measures that seek to provide a range of habitats and enhance biodiversity.

2.8 Type of dwellings

- 2.8.1 The NPPF states that local planning authorities should set policies for meeting the identified need for affordable housing on-site, *unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified* and the agreed approach contributes to the objective of creating mixed and balanced communities (para 50).
- 2.8.2 The Submitted Local Plan identifies a 20% target for affordable housing on the application site (Policy DM13). It targets a tenure split of 70:30 between affordable rented housing, social rented housing and intermediate housing and sets out a cascade approach for the provision of offsite affordable housing. The scheme proposes 90 private flats for sale and 220 flats for private rent (BtR) and does not provide any affordable housing or payment in lieu.
- 2.8.3 The core demand for the proposed BtR and market housing is anticipated to come from young professionals and first time buyers, attracted by:
- the accessibility of the site to both Maidstone Town Centre and London (through the local rail links);
 - the close proximity of local services/ shops; and
 - the relative affordability of house prices within Maidstone (especially when compared with London).
- 2.8.4 Purpose built BtR housing caters to this demand and provides a diversity of tenure; being managed collectively and let on a long term basis, BtR housing is less fragmented than traditional properties let in the private rented sector and provides a security of tenure. As the units will be retained and managed long term by a specialist BtR provider, there is vested interest in the quality and ongoing maintenance of the buildings.
- 2.8.5 Providers of BtR housing charge a market rent, such that BtR housing does not fall within the definition of affordable housing. However, Planning Practice Guidance (ref: 10-018-20150326) acknowledges the contribution that BtR

housing contributes to providing accommodation for long term rental and to improve the diversity of housing to meet local needs. The Planning Practice Guidance notes that the viability of such schemes differs from houses built for sale and that to help ensure BtR schemes remain viable planning authorities “*should consider the appropriate level of planning obligations, including for affordable housing, and when these payments are required.*”

- 2.8.6 The scheme is limited in its ability to provide affordable housing and other infrastructure requirements due to viability constraints. This has been assessed with an independent report commissioned by MBC. The executive summary and key elements of this report are provided as confidential background to this report.

3.0 POLICY AND OTHER CONSIDERATIONS

- 3.1 The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Maidstone Borough-Wide Local Plan 2000:, ENV6, ENV7, ENV21, ENV22, ENV33, ENV34, ENV35, ED1, T1, T2, T3, , T13, T21, , T23, , CF1.
Maidstone Borough Council (Submission Version) Draft Local Plan: SS1, SP1, SP17, H1 (11), DM1, DM2, DM3, DM4, DM5, DM7, DM11, DM12, DM13, DM20, DM22, DM23, DM24, DM27, DM28, DM34, ID1.
- 3.2 The Council has recently finished its Regulation 19 consultation on the submission version of the draft Local Plan and representations from that consultation are currently being assessed at the Examination in Public (EiP).
- 3.3 The amended submitted draft local plan policy H1 (11), as formally tabled by the Council in response to the Inspector's Matters, Issues and Questions in Session 6A is as follows:

Policy H1 (11)

Springfield, Royal Engineers Road and Mill Lane, Maidstone

Springfield, as shown on the policies map, is allocated for development of approximately 692 dwellings at an average density of 183 dwellings per hectare. In addition to the requirements of policy H1, planning permission will be granted if the following criteria are met.

Design and layout

- 1. A high density scheme will be developed reflecting that the site is in an edge of town centre location. The highest density development should be situated on the north eastern and south eastern parts of the site.*
- 2. The landscaping scheme for the development will reflect the parkland character of the locality.*
- 3. The historic nature of the site should be respected and listed buildings retained dependant on advice given by the Borough Council.*
- 4. Access will be taken from the A229 Springfield and A229 Royal Engineers roundabouts only.*

Ecology

- 5. Subject to further evaluation of their value, retain trees subject to a (woodland) tree preservation order as per advice from the Borough Council.*

Air quality

- 6. Appropriate air quality mitigation measures to be agreed with the council will be implemented as part of the development.*

Land contamination

- 7. Development will be subject to the results and recommendations of a land contamination survey.*

Open space

8. Provision of approximately 4.8ha of open space within the site, together with additional on/off-site provision and/or contributions towards off-site provision/improvements as required in accordance with policy DM22.

9. Provision of publicly accessible open space to include the provision of a pocket park to the rear (west) of the existing Springfield Mansion on the former tennis court/car park area in addition to the existing area of public open space shown on the policies map which shall be retained as part of the development and/or contributions.

Highways and transportation

10. Improvements to and provision of pedestrian and cycle links, to facilitate connections from the site to and through Maidstone town centre.

11. Complementary improvements to the eastern bank of the river towpath for pedestrian and cycle use.

- 3.4 The interim findings of the EiP Inspector were published in December 2016 and do not proposed any change to the amended allocation H 1 (11) of the wider Springfield site (of which the application site is part) for 692 residential units. The emerging plan is a material consideration and carries significant weight.

4.0 LOCAL REPRESENTATIONS

- 4.1 A site notice was displayed at the site on 2nd November 2016 and expired on 23rd November 2016. The proposal was advertised as a major development and affecting the setting of a listed building on 11th November and expires on 9th December 2016.

- 4.2 Forty six objections from local residents have been received which are summarised below:

- Overshadowing
- Overlooking, damage to right to light and loss of privacy (Lee Heights, Albert Street, Sandling Road)
- Poor visual appearance including layout, design and materials
- Inadequate parking provision. New resident should not have access to parking permits.
- Unacceptable increase in road traffic.
- Increased demand for local services.
- Noise, smells and disturbances resulting from use.
- Loss of Trees that are TPO protected.
- Loss of other important landscape features
- Effects on listed buildings and character on the conservation area, 30 metres away.
- The excessive scale of this proposed development and high density of the proposed buildings. Visually overbearing.
- Flooding caused by runoff and surface water.
- Loss of employment land.
- Negative effects on wildlife – The site currently supports reptiles and bats
- Increase in energy use and pollution.
- Night-time light pollution
- Creation of a negative precedent for other nearby development
- Inadequate internal size of proposed flats.
- Damage property values.
- Should be houses rather than flats
- Lack of adequate public consultation

- 4.3 Cllr Harwood has made a number of comments highlighting the above topics and requested a meeting with the developers.
- 4.4 One local resident has commented that improvements should be made to riverside facilities such as tow paths, waste bins and lighting..
- 4.5 GL Hearn, acting on behalf of Redrow Homes Limited who have a land interest at Springfield Mill which also forms part of the Submitted Policy H1(11) Site Allocation, make the following points:
- The provision of open space under policy DM22 should be considered for the current application;
 - Seek assurances that a high density development with limited open space provision on Springfield Park will not have implications on the requirements of the Springfield Mill site.

5.0 CONSULTATIONS

5.01 **KCC Archaeology** – development is acceptable subject to condition.

5.02 **KCC Highway Services** – proposal considered acceptable, with the following issues highlighted:

5.02.1 The site is currently accessed via the Springfield arm of the Springfield Roundabout on Royal Engineers Road (A229). The applicant should be required to address parking on the mini-roundabout accessing the Springfield arm of the Springfield roundabout which suffers from high levels of on-street parking this issue.

5.02.02 The site is well located for walking, cycling and public transport.

5.02.03 Trip Generation, highways safety and Highway Capacity

Although KCC Highways are aware that conditions on the network have changed over the 10 year period since MA/05/2350 was approved, the need to take account of the extant planning permission means that there are no justifiable grounds on which to warrant detailed junction capacity testing and any further mitigation of the network.

5.02.04 Parking

The provision of 187 car parking spaces and 310 cycle parking spaces are considered acceptable.

5.02.05 It is requested that the applicant is invited to consider the following issues:

- ☐ Means of managing or preventing parking along the access route to/from the Springfield roundabout;
- ☐ Inclusion of a turning area at the barriers;
- ☐ Upgrading of the crossing facilities and bus stops on Royal Engineers Road;
- ☐ Achieving more direct access for cyclists wishing to use Route 17;
- ☐ Investigating the scope for improved connectivity to The Mallows; and
- ☐ Increasing on-site parking provision to reduce the potential for overspill.

5.03 **Kent Downs AONB** – there is no significant adverse impact on AONB, so no objection.

5.04 **NHS West Kent Clinical Commissioning Group (CCG)** -The proposed development noted above is expected to result in a need to invest in the Brewer Street Surgery which is 1.2 mile(s) distance of the development NHS West Kent CCG therefore seeks a healthcare contribution of £185,616

5.05 **Kent Wild Life Trust** – no objection, subject to the following clarifications:

- Supportive of the use of a biodiverse roof and also of the native planting indicated on the Landscape Plan for trees and shrubs. native planting specified
- How does the “Ecological Zone” relates to the overall Landscape Plan and Public Open Space. If it is the intention that this area is provided as ecological mitigation then it should not overlap the area designated as Public Open Space. This needs to be clarified because recreational pressure will impact upon the purpose and functionality of land provided for the purpose of ecological mitigation.
- Maidstone Borough Council (MBC) need to be satisfied that the “Temporary Ecology Zone” indicated on the plans has sufficient carrying capacity for the translocated animals prior to the phasing of the “Permanent Ecological Zone”. This includes establishing pre-existing population levels in Area 1. We would recommend that MBC requests that clarification and assurance is provided on this point.
- We would recommend that MBC conditions as lighting strategy in order to avoid adverse impact upon bats, birds and invertebrates as a result of inappropriate lighting.

5.06 **KCC Ecology** - comments will be reported verbally

5.07 **Southern Water** – no objection, subject to provision of a drainage strategy

5.08 **Kent County Council**

5.08.01 The following planning obligation were requested:

Service requirement		Total	Project
per applicable two bed dwelling (x136) *			
Primary Education	£590	£80,272	Towards the enhancement of North Borough Primary School Towards phase 1 of the new Free School of Science and Technology, Valley Park, Maidstone opening September 2018
Secondary Education	£1272	£173,114	
Per Dwelling (x310)		Total	Project
Community Learning	£30	£9,515	Towards the enhancement of St Faiths Adult Education Centre, St Faith's St, Maidstone

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Youth Service	£8	£2,630	Towards Youth equipment for the new attendees at Infozone Youth Centre, Maidstone
Libraries	£48	£14,884	Towards Kent History & Library Centre additional bookstock
Social Services	£55	£17,322	Towards Changing Place Facility in Sessions House, Maidstone

* This applies to the two bed flats. The proposal gives rise to 10 additional primary school pupils during occupation of the development and 7 additional secondary school pupils.

5.08.02 Three Wheelchair Adaptable Homes are requested as part of the affordable homes delivery on this site

5.08.03 Superfast fibre optic broadband to be provided to all buildings.

5.09 **Lead Local Flood Authority** - no objection to the development from a surface water perspective subject to the consideration of the following recommendations within any detailed design work:

- Peak discharge rates
- Volume Control
- Off-site works
- Ground conditions

5.10 **Highways England** – no objection - satisfied that the proposal will not detrimentally affect junctions 6 and 7 of the M20.

5.11 **Natural England** – no objection

5.12 **Defence Infrastructure Organisation** – no objection.

5.13 **Police** - no objection – conditions suggested

5.14 **Environment Agency** – no objection but clarity regarding location of historic tanks requested.

INTERNAL MBC COMMENTS

5.15 **MBC Landscape:**

5.15.1 Although no reference has been made to the Medway Valley Strategic Landscape Enhancement Plan, Final Report, March 2015, the applicant's landscape and townscape assessment is acceptable in principle. The relevant landscape considerations are listed below:

5.15.2 Issues

- Encroachment of existing (and future) urban development in views of and from the Medway Valley. This is a particular problem where the urban edge is very abrupt, and/or where houses/ caravans are light in colour.

- Many recent developments (large and small) lack design quality, and do not respect local building styles, scale or materials.
- Poorly-sited development, particularly with regard to the setting of historic sites and villages.
- Ridge top development (including vertical structures such as telecommunications masts) visually prominent from within the valley.
- Much recent development in Maidstone town centre faces away from the river rather than towards it, creating a poor visual relationship between the river and its built surroundings.
- Light pollution associated with new developments, particularly floodlights and street lighting along roads.

5.15.3 Opportunities for Enhancement

- Encourage high quality design for new developments (large and small): respect traditional scale, character and materials for buildings, referring to published design guidance.
- Integrate sustainable drainage systems with biodiversity and landscape aspirations where appropriate.
- Consider the settings of historic buildings and landscapes: ensure that new development is not detrimental to the settings of historic buildings/ structures
- Respect the setting of the Kent Downs AONB.
- Carefully site new development and minimise its visual impact: avoid visually prominent locations, particularly in rural/ undeveloped contexts, and respect traditional settlement patterns. Avoid linear sprawl along roads.
- Masterplans should include appropriate screen planting and open space (perhaps utilising fruit trees in community orchards) to help the development integrate into its surroundings and reduce its visual impact.
- Use the river as a positive focus for development within the urban context of Maidstone: new riverside developments on brownfield sites should have a positive visual and functional relationship with the river.
- Use sensitive materials which respect the character of the river, and avoid visual clutter.
- Conserve the undeveloped skyline and night skies: restrict development which will appear on the skyline in views across or from the valley. Minimise impacts of light pollution from existing and new development.

5.15.4 The trees shown to be protected by TPO do not appear to be accurate.

I have concerns over the potential impact on the following trees:

- The removal of three trees, T24, a B category Beech T35, a B category Lime and, T29, a C category Beech. T25, another B category Beech may also need to be removed and the crown of T34, a B category Horse Chestnut is likely to be detrimentally affected.
- The tree group to the southwest tip of the site, trees T49 to T53, are also likely to be compromised by the construction of a swale within their root protection areas.

5.15.5 I welcome the use of native species within the proposed landscape scheme, I do have some concerns about the space available to establish a scheme using the numbers and extent of the robust large spreading species proposed.

5.16 **MBC Conservation:**

5.16.1 The site lies within the former KCC complex at Springfield, immediately to the south of the main vehicular access to the site. The Grade II listed Springfield Mansion lies a short distance to the north west.

5.16.2 The setting of the listed building has long been compromised by additional buildings dating from the occupation of the site by KCC, many of which have now been replaced by modern residential flat blocks erected in close proximity to the listed mansion. Consent has also been granted for 12 storey blocks on the library site. Although the current proposals would be taller I consider that given this precedent on an adjoining site it would be difficult to argue that the present proposals would cause any greater harm to the setting of the listed building and on balance I raise no objections on these grounds.

5.17 **MBC Housing**

5.17.1 In accordance with the emerging Local Plan (Policy DM13 – Affordable Housing) this site is expected to yield a target rate of 20% affordable, which with 300 dwellings would equate to 60 dwellings.

5.17.2 If it is justified that no affordable housing can be provided, I welcome the mention of a covenant in the s106 agreement that if any PRS units convert to open market sale within a specified period, then a payment mechanism kicks in whereby payment is made to the council for compensation for the loss of affordable housing units. It would also be worth exploring further prioritisation given to people who already live and work in the Borough for the PRS units.

5.17.3 Wheelchair accessible units are not required.

5.18 **MBC Environmental Health** had the following comments:

- Some contamination has been found on site in the form of lead, TPH, PAH and asbestos fibres. A remediation strategy has been proposed, which should be followed, and a remediation validation statement must be supplied.
- The development site is in an air quality management area, however, the air quality assessment supplied with the application suggests that there will not be a significant air quality impact either on existing receptors or new occupants of the development.
- The applicant has included the damage cost mitigation assessment but has not indicated any scheme for mitigating the air quality impacts of the site.
- No objections subject to conditions regarding land contamination, air quality and noise.

6.0 **BACKGROUND PAPERS AND PLANS**

6.01 The development proposals are shown on drawing numbers
15.046_100.01 P02; 15.046_100.02 P00; 15.046_100.03 P01; 15.046_200.01 P01;
15.046_200.02 P01; 15.046_200.03 P01; 15.046_200.04 P01; 15.046_200.05 P01;
15.046_200.06 P00; 15.046_200.07 P00; 15.046_200.08 P00; 15.046_200.09 P00;
15.046_200.10 P01; 15.046_200.11 P01; 15.046_200.12 P01; 15.046_200.13 P01;
15.046_200.14 P01; 15.046_200.15 P01; 15.046_200.16 P01; 15.046_200.17 P01;
15.046_200.18 P01; 15.046_200.19 P01; 15.046_200.20 P02; 15.046_200.30 P01;
15.046_200.31 P01; 15.046_200.32 P01; 15.046_200.33 P01; 15.046_200.34 P01.

6.02 The application is supported by the following documents:

- Planning application forms and certificates
- Application drawings
- Air Quality Assessment
- Arboricultural Impact Assessment

- Archaeology Report
- Bat Survey
- Contaminated Land Assessment
- Daylight and Sunlight Report
- Design and Access Statement
- Economic Benefits Assessment
- Energy Strategy
- Flood Risk Assessment and Drainage Strategy
- Heritage Impact Assessment
- Noise Assessment
- Planning Statement
- Reptile Mitigation Strategy
- Reptile Survey
- Phase 1 Habitat Survey
- Statement of Community Engagement
- Structural Summary
- Sustainability Statement
- Townscape and Visual Impact Assessment
- Transport Assessment and Travel Plan (including servicing plans/details)
- Viability and Housing Statement
- Waste Management Strategy

6.03 MBC have commissioned an Independent Viability Assessment to assess the submitted viability statement.

7.0 APPRAISAL

7.1 Weighting of considerations and Principle of Development

7.1.1 I consider that the Submitted Local Plan, currently at Examination in Public, has significant weight. The site is allocated under that plan, as part of the wider Springfield site, for 692 dwellings.

7.1.2 Notwithstanding the emerging site allocation, the residential development of the site has been accepted the approval of two residential-led mixed use developments in 2001 and 2006 (Refs:MA/01/1357 and MA/05/2350). Both schemes included residential accommodation, which established the acceptability of such development on the site. The requirement for joint delivery of offices and housing has been removed through an agreed amendment of a previous s106 agreement.

7.2 Heritage

7.2.1 The site lies close to the listed Springfield House, a Grade II listed building. The northern façade of the proposed development will be visible to Springfield House; elsewhere, there will be limited visibility of Springfield House to the proposed development.

7.2.2 The immediate setting to Springfield House has been heavily compromised in recent years through the development of residential blocks in close proximity to the north and west of the listed building. Adjacent to the Springfield House is the former KCC Headquarters, which included a 13 storey tower and a 2 storey building previously used as the former Kent County Library.

- 7.2.3 The site was previously occupied by the County Council in a concrete block building that had no relationship with the Grade II listed building. The subsequent revised development (Ref: MA/05/2350) proposed residential blocks of 6 and 7 storeys in height. This permission is extant and the 192 flats which form part of that development are expected to be built in the near future. Although higher than the previous scheme the buildings which form the current application are located further away from the listed building.
- 7.2.4 Given the previous consents the conservation officer does not object to the proposal as he considers that the proposal's impact on the listed Springfield House would result in less than substantial harm. The listed Rag Room, chimney and other buildings on the former Springfield Mill site will not be affected as they are not part of the application site.
- 7.2.5 The proposed development will maintain the setting of the listed buildings through its attractive elevational detailing and high quality public realm/landscaping. I agree with the conservation officer's assessment and conclude that the development is acceptable in terms of its impact on the historic environment. Consequently I have assessed the impact under paragraph 134 of the NPPF and on balance and considering the public interest I consider that the proposal is acceptable in relation to the less than substantial harm to the setting of the listed buildings.

Visual Impacts

- 7.2.6 The site lends itself to a prominent development given the previous consent (for three substantial office buildings), and consents and buildings on the adjoining former KCC library site, until recently the site of a 13 storey tower block. This in turn is reflected in policy H1 (11) as amended which identifies the north eastern corner of the wider site for particularly high density.
- 7.2.7 The above position reflects the nature of the site which, given its setting on a major gateway to Maidstone: the A229 dual carriage way, and the sharply sloping nature of the site to the west, suggests a gateway building. This is supported by the need to protect the sylvan nature of H1 (11) and the constraints of noise and air quality caused by close proximity to Royal Engineers Road.
- 7.2.8 The assessment of visual effects resulting from the proposed development found effects ranging from negligible to minor beneficial having regard to the principle of development established by the extant scheme. The proposal does not affect any protected views or vistas.
- 7.2.9 The proposed scheme will be more visible than the extant scheme. However, this additional visibility would have a negligible effect on long views into Maidstone from the AONB, be seen in the context of the residential element of the extant scheme in views from Whatman Park and has been assessed as having an overall beneficial effect in local views due to the enhancement in legibility.
- 7.2.10 The new development would be seen along the Medway Valley in the context of existing large scale buildings in the urban area. Whilst it would be a notable change to the existing view, the principle of development on the site and land to the south has already been established. The proposed development is compatible with this character and would introduce a visually interesting element that will improve legibility in providing clearer way-finding and orientation.
- 7.2.11 The proposal would be visible to from the north but would not have a prominent impact on the Kent Downs ANOB given the setting of the site, with Maidstone town

centre to the south. The more local views of the site are considered acceptable given the following:

- Indicative use of high quality materials (to be secured by condition) and a design which succeeds in softening and greening the proposal;
- Minimal effect on overshadowing, overlooking, daylighting and sunlighting of adjoining properties;
- Less than substantial harm upon the listed Springfield House, when compared to the previous office consent.
- The impact of the proposal upon the Medway Valley will be minor. The buildings will be visible from the west but its setting substantially enhanced by thick vegetation and mature woodland, and further mitigated by its high quality design and materials.

7.2.12 The 18 storey tower has been designed as a chamfered cuboid, which, together with use of different colours on its elevations in a diagonal or diamond pattern, means the bulk of the building will be disguised. The resulting form is considered to be a graceful and thoughtful addition. The slope of the building's roof, lower at the west and higher where it addresses the roundabout on Royal Engineers Road, provides both a focus at the entrance and lessens the impact of the more sensitive western elevation, as well as creating attractive roof terraces.

7.2.13 Block B 'has been kinked: an architectural device which lessens the buildings bulk. This means from many vantage points only two of the four main elevations will be read. Similarly the use of different high quality materials of the separate elements of the building together with extensive greening and planting will help blend the building into its surroundings.

7.2.14 The materials proposed including the use of brick slips, copper cladding, ragstone walling, translucent glass balconies, are of high quality and will add to the positive impact of the proposal. The indicative materials are detailed in Appendix 2 and proposed to be controlled via condition. Taking into account what has previously been granted permission on and adjoining the site, I consider that the proposal is acceptable in terms of external appearance and in terms of visual appearance, represents a high quality development suitable for this important site.

7.3 **Housing**

7.3.1 The proposal consists of 90 private units for sale and 220 units as Build to Rent (BtR). I consider that the provision of BtR housing will widen the choice of available housing within Maidstone and provide a high quality flexible form of housing, distinct from traditional (non-purpose built) private sector rental accommodation and owner-occupied housing.

7.3.2 As set out in the Viability Assessment, the reduced viability of the BtR housing and the need to meet the other planning and design requirements of the scheme (including constructing a new car park to provide a publicly accessible podium garden) and the provision of S106 funding for mainly social infrastructure requirements, means that the proposed scheme is unable to support on site affordable housing. This assessment has been confirmed by the independent viability assessment commissioned by the Council, the executive summary of which is included as exempt papers.

7.3.3 No affordable housing is being proposed as part of the scheme. This is justified on viability grounds and in terms of the Build to Rent product which provides permanently rented accommodation with the benefits of communal services. A restriction requiring an appropriate sum of money to be paid should that

accommodation become owner occupied units is suggested to ensure suitable control.

Mix of Dwellings

- 7.3.4 The NPPF emphasises the need to significantly boost the supply of housing and establishes that applications for housing should be considered in the context of the presumption in favour of sustainable development (para 48). It states that local planning authorities should seek to deliver a wide choice of high quality homes, to widen opportunities for ownership and to create sustainable, inclusive mixed communities (para 50).
- 7.3.5 Submitted Local Plan Policy DM 11 (housing mix) promotes the delivery of sustainable mixed communities across housing developments and seeks a range of housing sizes, types and tenures that reflect the needs of those living in Maidstone Borough now and in years to come. There is a higher need for smaller 1 and 2 bedroom units and a lower need for 4+ bedrooms within Maidstone Town when compared to the Borough average. The SHMA also identifies that Maidstone Town has a younger population profile than other parts of the Borough, with a higher proportion of people in their 20s and early 30s, and a lower proportion of people aged over 45. Maidstone is identified as having a higher proportion of households who rent, with around 16.5% of households living in either social or private rented accommodation .
- 7.3.6 Given the above, I consider that the proposed dwelling mix of studio, one and two bed flats, is acceptable.
- 7.4 **Transport and Parking**
- 7.4.1 Chapter 4 of the NPPF (Promoting Sustainable Transport) states that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 7.4.2 The NPPG (ID: 42) states that *“the Transport Assessment or Transport Statement may propose mitigation measures where these are necessary to avoid unacceptable or “severe” impacts”*.
- 7.4.3 Submitted Local Plan Policy DM 24 requires that development proposals must:
“i. Demonstrate that the impacts of trips generated to and from the development are remedied or mitigated, including where feasible an exploration of delivering mitigation measures ahead of the development being occupied;
ii. Provide a satisfactory Transport Assessment for proposals that reach the required threshold and a satisfactory Travel Plan in accordance with the threshold levels set by Kent County Council’s Guidance on Transport Assessments and Travel Plans; and
iii. Demonstrate that development complies with the requirements of policy DM5 for air quality.”
- 7.4.4 Parking standards are set out in Submitted Local Plan policy DM27. The policy states that parking provision should take account of the type, size and mix of dwellings and the need to provide visitor parking and that the layout of development should be both efficient and attractive whilst also ensuring appropriate provision of car parking. The allocation for the site also requires that development improves pedestrian and cycle links to facilitate the connection of the site to Maidstone town centre. Two car club

spaces are proposed for the development, allowing short term car rental and providing a convenient and cost-effect alternative to car ownership.

- 7.4.5 The proposals include a 187 car parking spaces in total which will be used for resident parking, with a total of 5 disabled parking spaces for 310 units. Each of the 90 sale units are proposed to have a car parking space. The remaining 97 spaces are for the 220 BtR units, visitors and the commercial premises.
- 7.4.6 With respect to cycle parking, 310 secure cycle spaces are proposed within the Ground Floor and the Basement Floor to encourage cycle trips. Additionally, two direct pedestrian connections to the footway on Royal Engineers' Road form part of the development proposal.
- 7.4.7 The development does not provide 1 space per dwelling suggested by Submitted local plan Policy DM27 but given the location and type of accommodation a reduced provision is considered acceptable in the light of the following:
- access to town centre,
 - access to cycle route on Royal Engineers Road;
 - restrictions to off-site car parking for residents of the BtR units.
 - The provision of cycle parking, car club parking and visitor parking.
 - The need to encourage modal shift
 - A restriction that no occupiers will be eligible for a Maidstone residents parking permit.
- 7.4.8 The transport evidence, including the observations of the highways authority concludes that, when compared with the previously permitted schemes, the proposals should not have a significantly detrimental impact in on local transport congestion, amenity, road safety or the environment.
- 7.4.9 A number of highways and parking concerns raised are being addressed as though the application or other measures under the control of the applicant. These include:
- Addressing existing commuter parking issues in the local environment;
 - Providing the facility for vehicles to turn prior to the site access barrier;
 - Providing access to cycle routes;
 - Pedestrian access through the site.
- 7.4.10 This parking provision is considered acceptable.
- 7.4.11 In conclusion the impact of the proposal upon the highway is considered acceptable and is not severe. In my opinion the improvements suggested by KCC highways are not required in order to make the development acceptable in planning terms.

Open Space

- 7.5 In relation to provision of open space, the emerging site allocation (H1(11)) requires that publicly accessible open space is provided and that approximately 4.8ha of open space is provided in total across the whole of the allocated area.
- 7.5.1 Detailed open space standards are provided in Submitted Local Plan Policy DM22. The requirements for open space for the proposal are as follows:
- Amenity green 0.3349
 - Children's Play 0.1845

- Outdoor sports 1.1805
- Natural/Semi Natural Open space 4.7957
- Allotments: 0.0 (substantial allotments exist nearby to the east of the A229)
- Total: 6.5 hectares

7.5.2 The development includes provision of public and private amenity space, including:

- 2,002sq.m of ground level publically accessible open space
- 1,983sq.m of podium level publically accessible open space
- 761sq.m of roof level shared private amenity space

7.5.3 In total, 3,985sq.m of publically accessible open space and 761sq.m of shared private amenity space is proposed (totalling approximately 0.5 hectares), equating to 15sq.m per dwelling (excluding private balconies). Residents of the BtR units will additionally have use of the communal super lobby space within Building B, which will provide flexible indoor amenity space.

7.5.4 The s106 Agreement attached to planning permission MA/05/2350 required that an area of 3,912sq.m remained accessible to the public. This quantum of publicly accessible open space is still proposed as part of the extant development and occupation of the the current proposal can be conditioned to ensure the delivery of this open space prior to occupation.

7.5.5 The reference made on behalf of Redrow Ltd to the apparent mismatch of open space requirements to the different plots on H1 (11) is noted but such an arrangement is considered acceptable given the overall site constraints.

7.5.6 The proposal does not meet the requirements of DM22, in particular the provision of sports facilities and natural/semi natural open space. This is due to the following reasons:

- The development is high density and the site does not have scope to provide additional open space to that proposed.
- The financial viability evidence shows that it is not viable for the proposal to provide an in lieu payment instead of open space.

7.5.7 I consider that this deficiency and the failure of the proposal to fully meet the requirement of DM22 is acceptable for the following reasons:

- The need for a high density building on site;
- The provision of off-site open space under the previous consent (05/2350) adjoining Springfield House, which would be conditioned;
- The proposal provides high quality public and private open spaces, including landscaped podium, private balconies, roof top gardens and internal communal space;
- The close proximity of Whatman Park and other open space, included as Appendix 3, as well as towpaths and cycle ways provide opportunities for occupiers to exercise and enjoy the natural environment.

- Overall, the H1(11) allocation, of which the development forms part, is required to provide a substantial amount of open space and this requirement remains.
- The previous consent includes a similar built form with a similar amount of open space.
- The lack of available funding for off-site provision.

7.5.8 As a consequence I consider the lack of adherence to DM22 is a material issue. However I consider that the balancing measures set out above justify a lower than policy compliant scheme in this case and the amount and type of open space proposed is acceptable.

Residential Amenity

Daylighting , Sunlighting and Overlooking

7.6 The scale of the proposed development has been informed by a daylight and sunlight assessment considering both:

- the impact of the proposed development on surrounding uses and
- the impact of the proposed buildings on the proposed residential units.

7.6.1 In terms of Springfield Park (the implemented scheme for 192 units) and Lee Heights, the impact on average daylight factor (ADF) and daylight distribution (DD) meet the appropriate standard (BRE Report) in the vast majority of cases. Sunlight amenity analysis undertaken using the Annual Probable Sunlight Hours' test (APSH), shows that of the 80 windows analysed on Lee Heights, 79 will comply with the APSH guidelines. The one transgression (window W17 at first floor level, serving room R10) sees the winter sunlight values for the window reduced from 5% to 3%. This window is set back from the main elevation and beneath a pergola which restricts the amount of sunlight that can be received to this window. In addition, external observation indicates that the room served by this window is dual-lit and as such, sunlight amenity within the room will not be affected.

7.6.2 In terms of the development itself, taking into account the few windows that did not meet these standards, I consider the impact be acceptable taking into account the development site constraints including the need to provide high density housing in this location. The daylight and sunlight levels impact within the development are in-line with those typically found within urban areas such as the application site and are commensurate with the values considered acceptable for residents of flatted developments of this scale.

7.6.3 Overall, the assessment concludes that the proposed development will have a limited effect on the daylight and sunlight received by neighbouring and proposed properties. I concur with that assessment.

7.6.4 The closest residential properties to the site are located at Lee Heights, Bambridge Court, some 100m to the north of the site. Given the distance, the proposed development will have minimal impact on the residential amenities of neighbouring residents.

7.6.5 The design and orientation of the proposed scheme has been design to take account of its surroundings including a mixture of residential and commercial uses, as well as

the River Medway (to the west) and Engineers' Road (to the east). I do not consider the proposal will have a substantial negative impact upon the outlook of existing residents.

Noise, smells

- 7.6.6 I consider that the proposal will not have a significantly detrimental effect on the amenity of adjoining residents in term of noise and smells. Noise impacts on occupants of the development from neighbouring uses will be acceptable subject to mitigation. For the residential uses, this includes ensuring appropriate acoustic performance for glazing and ventilation systems, which have been designed into the proposals and/or will be developed further at the detailed design stage.

Air Quality

- 7.7 The emerging Maidstone Local Plan establishes that proposals in or affecting Air Quality Management Areas (AQMA) or of a sufficient scale to impact local communities should, where necessary, *"incorporate mitigation measures which are locationally specific and proportionate to the likely impact"* (DM5).
- 7.7.1 In line with Policy DM5, and acknowledging the scale of the wider Springfield site, the emerging allocation (Policy H1(11)) identifies that appropriate air quality mitigation measures should be agreed with the council and implemented as part of the development proposals.
- 7.7.2 The submitted Air Quality Assessment assesses the effect of the proposed development on local air quality and the effect of existing air quality on future residents.
- 7.7.3 In terms of operational effects, the assessment identifies that the proposed development will generate additional vehicle movements on the surrounding road network. The impacts are assessed as not being significant and the predicted concentrations of air pollutants at the façade are judged to be below the relevant Air Quality Objective. Of note, the assessment identifies that the air quality effects of the development are considered to be lower than those generated by the extant planning permission for the site.
- 7.7.4 Overall, I concur with the Air Quality Assessment which concludes that the operation and construction impacts will not be significant if the mitigation measures are followed. Environmental Health have assessed the proposal in relation to air quality and have no objection, subject to condition. Mitigation can be secured by planning condition.

Ecology

- 7.8 The ecological value of site is protected by emerging Maidstone Local Plan Policy DM1. This requires that an ecological evaluation is undertaken as part of development proposals and that open space and the layout of the site should take advantage *"of the potential for multiple benefits including enhanced play, wildlife, sustainable urban drainage, tree planting and landscaping provision"*.
- 7.181 The application is accompanied by a:
- Preliminary Ecological Assessment;
 - Reptile Survey;
 - Reptile Mitigation Strategy; and
 - Bat Survey.

The Ecological Assessment comprised a desk study review exercise and a field survey. The field survey was completed in July 2016 within the optimal seasonal window for this type of survey.

- 7.8.2 Due to the build-up of vegetation over the many years that the site has remained undeveloped, the Ecological Assessment has identified the presence of some protected species. The scheme therefore seeks to retain a suitable habitat for the species on site so far as is compatible with the design.
- 7.8.3 The supporting Bat Survey and Reptile Mitigation Strategy identifies anticipated mitigation measures which include incorporation of bat and bird boxes and the creation of replacement habitats through green roofs above the residential buildings. These have been incorporated into the scheme through the landscaping proposals.
- 7.8.4 In terms of reptiles, a programme of translocation will be required in advance of works to remove animals from parts of the site to a suitable receptor habitat as agreed with the local planning authority. Rather than temporary translocation on-site it is preferable to relocate the relevant species to a permanent location and further work is suggested, provided via condition, in order to secure an acceptable outcome.
- 7.8.5 Subject to these further ecological studies, the Ecological Appraisal concludes that the proposals have the potential to enhance the ecological value of the site in the long-term. Kent Wildlife Trust have not objected to this approach subject to these further studies. I concur this approach and consider the proposal is acceptable in ecological terms.

Flood Risk Assessment

- 7.9 At a local level, appropriate surface water and flood mitigation measures, including sustainable drainage systems, are required on sites falling within Flood Zone 1 that are greater than 1ha (emerging Maidstone Local Plan Policy H1).
- 7.9.1 The site is approximately 1ha in size and is located entirely within Flood Zone 1, the area of the least risk of flooding and thus preferred for residential development when appraised in line with the NPPF Technical Guidance. The proposed development is not likely to result in an increase in flood risk or surface run-off from the development and the proposed development will provide an increase in the areas of permeable surfaces overall. Any residual issues with flooding would be addressed via condition. I consider that the development is acceptable in terms of its likely effect on flooding.

Trees/Landscaping

- 7.10 The site contains a number of mature trees which contribute to the character of the area and create a wildlife corridor running up from the river.
- 7.10.1 Whilst acknowledging that further evaluation of arboricultural value is needed, the submitted Local Plan allocation for the site (H1(11)) seeks to retain trees that are subject to a tree preservation order.
- 7.10.2 The applicants have put forward the removal of 12 existing trees which are predominantly grade 'C' (low quality) and 'U' (unsuitable for retention) trees. Only two are grade 'B' trees.

- 7.10.3 In mitigation of the 12 trees that will be needed to be removed, approximately 120 new trees will be planted. This will provide a substantial overall net uplift in the quantity and quality of trees.
- 7.10.4 The specific concerns raised by the Council's Landscape Officer reflect similar comments made regarding loss of TPO trees, and the isolation of one small group of trees on the previous extant scheme, a development which can be implemented. In particular the retention of mature tree T34 is uncertain: the proposal seeks to retain it but its crown is likely to require thinning. There is a good chance it would survive nearby building works, given its maturity. I suggest a condition is used to secure the retention of T34.
- 7.10.5 The proposals incorporate extensive new landscaping, including the podium throughout the site and, in my opinion, will more than mitigate for the loss of these trees through the planting of new and additional trees throughout the application site.
- 7.10.6 The current proposal protects a greater number of TPO trees than the extant consent and the built form has been designed to minimise the impact on significant trees. While concerns upon the impact on such trees are material, I do not feel they are overriding in this case, and further mitigation can be secured via planning conditions, such as the provision of details safeguarding of root protection areas.
- 7.10.7 In my opinion, borne out by the extant consent and bearing in mind the density and scale of the proposal, its impact on significant trees is minimal and acceptable.

Planning Obligations

- 7.11 The NPPF (203-206) and the Community Infrastructure Levy Regulations (2010) both set out the policy and statutory tests for planning obligations, such that planning obligations may only constitute a reason for granting planning permission if they are:
- necessary to make the proposed development acceptable in planning terms;
 - directly related to the proposed development; and
 - fairly and reasonably related in scale and kind to the proposed development;

The Independent Viability Assessment

- 7.11.1 A viability assessment has been submitted to the Council, which has been independently assessed. The development's viability issues have an impact upon the deliverability of these Section 106 matters.
- RICS guidance confirms that an objective financial viability tests the ability of a development project to meet its costs including the cost of planning obligations, whilst ensuring an appropriate site value for the landowner and a market risk adjusted return to the developer in delivering that project. The fundamental issue, in considering viability assessments in a town planning context, is whether an otherwise viable development is made unviable by the extent of planning obligations or other requirements. The RICS guidance note confirms that 'In certain instances financial viability may be relevant in the context of seeking to depart from planning policy'

Assessment of site as build to rent scheme

- 7.11.2 The application presented has been assessed using the independent consultants assumptions and produces a negative residual land value meaning that it would not be viable for the scheme to provide any affordable housing or s106 contributions.

Assessment of scheme as 'for sale'

- 7.11.3 As part of the viability testing process to provide an understanding of the distinct economics of the PRS proposal we assessed the scheme on the basis of a 'for sale' viability appraisal to compare to the appraisal for the build to rent scheme.

Our consultants assessment of this scheme is that it would produce a negative residual value therefore confirming that affordable housing contributions would not be supported by this scheme being provided as private sale.

- 7.11.4 In spite of the viability assessment, the developers offered the following in respect of Planning Obligations. These obligations meet the requirements of the relevant consultees and I consider that the social and community needs of the development, in respect of the services below, are fully met.

Contributions Summary

Facility	Proposed Contribution	Contribution Per relevant dwelling*
Community Learning	£9,515	£30
Primary education	£80,272.64	£590
Secondary education	£173,114.40	£1272
Youth services	£2,630.44	£8
Libraries	£14,884.90	£48
Social services	£17,322.80	£127
Healthcare	£185,616	£598
Total	£483,357	

*136 units for education, otherwise 310

- 7.11.5 As previously mentioned, no provision of affordable housing is proposed, nor a contribution in lieu of open space, given viability issues. The developers have agreed to fund social infrastructure requirement in full, as shown in the above table.
- 7.11.6 Submitted Local Plan policy ID1 addresses the priority to be given to competing demands for infrastructure in respect of residential development. Affordable housing, transport and open space are respectively given the highest priority. ID1 goes on to say that 'each site and development proposal will bring with it its own issues which could mean an alternative prioritisation is used'.
- 7.11.7 North Ward is one of the most deprived wards in Maidstone and suffers from a lack of accessible services, including community facilities such as community centres and doctors. In this case I do not consider affordable housing to be a priority in this case given the Build to Rent housing proposed which will provide a beneficial product which widens housing choice in Maidstone. In terms of transport I do not consider there are any substantive improvements which need to be addressed via S106. In terms of open space, I consider that, given the context and provision already referred to in this report in paragraph 7.5.7, there is sufficient open space adjoining the site and an in lieu payment for open space should not take priority over social and community needs.
- 7.11.8 I consider that the obligations proposed above meet appropriate tests, as stated in 7.11.

Economic Benefits

- 7.12 As proposed the developers have provided evidence to substantiate that the scheme provides overall benefits in the region of £60 million comprised of:

7.12.1 Employment:

- Support 240 temporary construction jobs.
- Indirectly support 90 FTE jobs per year of construction.
- Permanent on-site jobs: between 17 and 23.
- Additional off-site jobs – 45

7.12.2 Financial:

- 'Moving In' expenditure: £1.2 million;
- Gross occupant spending (existing relocating residents) £9.6 m per year.
- Net additional expenditure (from new residents) £4.5m
- New Homes Bonus: £2.8m
- Council Tax £511,700 per year (£3.1m over the first six years of occupation).

7.12.3 I consider that the above assessment is realistic and that the proposal represents a substantial economic benefit.

8. **Conclusions**

- 8.1 In accordance with policy guidance in the NPPF, there are three dimensions to sustainable development giving rise to the need for the planning system to perform environmental, economic and social roles. There would be minor impact upon the landscape but this would be limited and localised, and otherwise there would be no significant harm to the environment. Economic and social roles have also been considered, as have locational issues. As such, I consider the development would perform acceptably in terms of economic, social and environmental roles required under the NPPF and that judged in the round it would constitute sustainable development. Any adverse impacts would not significantly and demonstrably outweigh the benefits.
- 8.2 The scheme represents a high quality development, with high production values, including materials and design befitting the prominent site. The impact of the proposal's massing and height have been carefully designed and are shown to provide an appropriate response to the site and its surroundings. The townscape qualities of the site, when assessed from key local locations, are considered acceptable. In visual terms, the proposal is likely to make a positive contribution to the area and an attractive gateway to Maidstone Town Centre.
- 8.3 The scheme is limited in its ability to fully provide open space requirement as indicated by the independently completed viability assessment. The proposed infrastructure package is considered to be acceptable in such circumstances, bearing in mind the deprived nature of the local community, access to existing open spaces, the provision of new public and private open spaces and on-site requirements for the remainder of H1 (11).
- 8.4 No affordable housing is being proposed as part of the scheme. This is justified on viability grounds and in terms of the Build to Rent product which provides permanently rented accommodation with the benefits of communal services. A restriction requiring an appropriate sum of money to be paid should that accommodation become owner occupied units.
- 8.5 The proposal has been assessed is considered to be acceptable from a transport, noise, daylight and sunlight, air quality, archaeology, ecological, heritage, sustainability and flood risk perspective. There are concerns about the potential impact on a few protected trees. The development would be acceptable in terms of

its impact on the landscape, biodiversity, highways and parking subject to appropriate planning conditions and obligations. The proposal represents a high quality scheme which would enhance a major gateway to Maidstone.

- 8.6 Overall, the proposals will deliver a number of benefits for Maidstone and the wider Borough. These include:
- **Improved mix of housing within Maidstone.** BtR is new to Maidstone and will widen housing choice by filling a gap for high quality rental properties/accommodation;
 - Assisted **retention of local people** who want to stay in Maidstone but who cannot afford to buy a home;
 - **Younger demographic attracted** by the close proximity to Maidstone town centre, strong transport connections and high quality rental accommodation and public realm;
 - **Support the local business community** by generating increased levels of resident expenditure in the local economy;
 - **Efficient use of previously developed land** reducing pressures to develop in rural areas; and
 - An injection of around **£60m in private sector investment** into Maidstone.
 - It will widen housing choice in Maidstone and **regenerate an important gateway site** that has been vacant for over a decade.

Overall, the proposed redevelopment will secure the development of a vacant Site, and provide much needed housing for Maidstone as identified within the Submitted Maidstone Local Plan.

- 8.7 The proposals will deliver a high quality scheme and a number of important benefits. The proposals are considered to be largely in accordance with national and local planning policy and guidance.

- 8.8 For all of these reasons, and despite the lack of affordable housing and full open space requirements I consider that material considerations indicate, on balance that planning permission should be granted.

9. RECOMMENDATION

DELEGATED POWERS be given to the Head of Planning and Development TO GRANT PERMISSION subject to the imposition of the conditions as set out below:

SUBJECT TO the prior completion of a legal agreement, in such terms as the Head of Legal Services may advise, to provide the following:

- Contributions to the following: Healthcare, education, community facilities, transport as per the following table:

Facility	Proposed Contribution	Contribution Per relevant dwelling*
Community Learning	£9,515	£30
Primary education	£80,272	£590
Secondary education	£173,114	£1272
Youth services	£2,630	£8
Libraries	£14,884	£48
Social services	£17,322	£127

Healthcare	£185,616	£598
Total	£483,357	

Delegated authority to the Head of Planning to agree detailed wording of the following:

- A restriction requiring an appropriate sum of money to be paid in lieu of affordable housing should that accommodation become owner occupied units ('Clawback provision') for a period of not less than 10 years. It is suggested that this is based on the London Mayor's Housing SPG March 2016.
- That no occupants of the Build to Rent (BtR) dwellings shall be eligible for a residents parking permit in Maidstone.
- The open space as required under planning permission MA/05/2350 shall be provided prior to occupation.

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to construction of the external surfaces of the building hereby permitted, details and samples shall be submitted to and approved in writing by the Local Planning Authority. Such materials shall accord with the submitted list of materials dated 4th January 2017. These works shall be carried out in accordance with the approved details before the first occupation of the building.

Reason: To ensure a high quality of external appearance of the development.

3. No development above DPC level shall occur or external lighting shall be installed until a detailed scheme of lighting has been submitted to, and approved in writing by the Local Planning Authority. This scheme shall take note of and refer to the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005 (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The scheme of lighting shall be installed, maintained and operated in accordance with the approved scheme unless the Local Planning Authority gives its prior written consent to any proposed variation.

Reason: To minimise the impact of light pollution in the interests of the character and amenity of the surrounding area.

4. Development above DPC level shall not commence until a drainage strategy and surface water detailing the proposed means of foul disposal and a implementation timetable, has been submitted to and approved in writing by, the local planning authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.
5. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- a) A preliminary risk assessment which has identified: • all previous uses • potential contaminants associated with those uses • a conceptual model of the site indicating sources, pathways and receptors • potentially unacceptable risks arising from contamination at the site.
- b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons: To prevent pollution of controlled waters and comply with the National Planning Policy Framework

6. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved. Reasons: To prevent pollution of controlled waters and comply with the NPPF.
Reasons: To prevent pollution of controlled waters and comply with the NPPF.
8. (i) 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 upon the proposals of the drainage design note by Ramboll UK ref.1620002047 (dated 4th October 2016) 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 100 year storm) can be accommodated within the site boundary and disposed of at a rate and run-off volume that is as close as reasonably practicable to a greenfield situation for the site.

(ii) 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:

- a. a timetable for its implementation, and
- b. 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.

(iii) No infiltration of surface water drainage into the ground 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. The development shall be carried out in accordance with the approval details.

Reasons: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure ongoing efficacy of the drainage provisions, to protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

9. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

10. The capacity to accommodate Superfast fibre optic broadband or equivalent shall be provided to all buildings (residential, commercial, community etc.) of adequate capacity (internal min speed of 100mb to each building) for current and future use of the buildings.

Reason: In the interest of good communications.

11. The development hereby permitted shall incorporate measures to minimise the risk of crime. No development shall take place until details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

Reason: In the interest of Security, Crime Prevention and Community Safety and in accordance with Policies of the Borough/District Council's Core Strategy Plan (dated, page, section) and the guidance within The Kent Design Initiative (KDI) and protocol dated April 2013 or in accordance with good design NPPF

12. Development should only be carried out in accordance with drawing numbers:
15.046_100.01 P02; 15.046_100.02 P00; 15.046_100.03 P01; 15.046_200.01 P01;
15.046_200.02 P01; 15.046_200.03 P01; 15.046_200.04 P01; 15.046_200.05 P01;
15.046_200.06 P00; 15.046_200.07 P00; 15.046_200.08 P00; 15.046_200.09 P00;
15.046_200.10 P01; 15.046_200.11 P01; 15.046_200.12 P01; 15.046_200.13 P01;
15.046_200.14 P01; 15.046_200.15 P01; 15.046_200.16 P01; 15.046_200.17 P01;
15.046_200.18 P01; 15.046_200.19 P01; 15.046_200.20 P02; 15.046_200.30 P01;
15.046_200.31 P01; 15.046_200.32 P01; 15.046_200.33 P01; 15.046_200.34 P01.

Reason: in order to ensure the development is constructed in accordance with approved plans.

13. Prior to commencement of development (including ground works, demolition and site clearance) a Construction Method Statement shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

The approved Statement shall be adhered to throughout the construction period and shall provide for:

- a) the parking of vehicles of site operatives and visitors;
 - b) the loading and unloading of plant and materials;
 - c) traffic management, including delivery times, lorry routing, traffic control and construction access, as necessary;
 - d) the storage of plant and materials used in constructing the development;
 - e) the erection and maintenance of hoarding or fencing necessary for public safety, amenity and site security;
 - f) wheel washing facilities;
 - g) measures to control the emission of dust and dirt during construction;
 - h) measures to control noise and vibration during construction;
 - i) a scheme for the recycling or disposal of waste resulting from construction works.
 - j) Code of Construction Practice (see Informatives)
14. Prior to commencement of development (including ground works, demolition and site clearance) a Construction Environmental Management Plan (CEMP:Biodiversity) which shall be informed by the ecological design strategy (EDS) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities;
 - b) Identification of “biodiversity protection zones” clearly depicted on a map
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - d) The location and timing of sensitive works to avoid harm to biodiversity features;
 - e) The times during construction when specialist ecologists need to be present on site to oversee works if required;
 - f) Responsible persons and lines of communication;
 - g) The roles and responsibilities on site of an ecological clerk of works (EcoW) or similarly competent person if required;
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Detailed protective species mitigation strategies if required.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of ecological preservation.

15. Details of the following submitted to and approved in writing by the Local Planning Authority prior to installation. These works shall be carried out in accordance with the approved details before the first occupation of the building.
- a) cycle storage and powered two wheeler (motorbikes) facilities

- b) car parking arrangements, including visitor parking and parking space allocation.
- c) The provision of car club car parking spaces

Reason: in the interests of sustainable transport.

16. Prior to the erection of any fencing, walling and other boundary treatments, details shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out in accordance with the approved details before the first occupation of the building.

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

17. The development shall not commence until details of the proposed slab levels of the building and the existing site levels have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels.

Reason To ensure a satisfactory external appearance to the development taking into account the topography of the site.

18. The approved details of the parking/turning areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use.

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

19. The commercial unit shall achieve a Very Good BREEAM Retail 2014 rating. A final certificate shall be issued to the Local Planning Authority for written approval to certify that a Very Good BREEAM Retail 2014 rating has been achieved within 6 months of the first occupation of the development.

Reason: To ensure a sustainable and energy efficient form of development.

20. Details relating to on-site renewable energy generation shall be submitted and approved by the Local Planning Authority, prior to first occupation. The approved details shall be implemented prior to first occupation and maintained thereafter.

Reason: To ensure a sustainable and energy efficient form of development.

21. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) 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 external appearance for the development.

22. Prior to the first occupation of the buildings, details of any external plant (including ventilation, refrigeration and air conditioning) or ducting system to be used in pursuance of this permission shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to that the noise generated at the boundary of any noise sensitive property shall not exceed Noise Rating Curve NR35 (*in areas of low background sound levels a target of NR30 shall be achieved*) as defined by BS8233: 2014 Guidance on sound insulation and noise reduction for buildings and the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide 2006. The equipment shall be maintained in a condition so that it does not exceed NR35 as described above, whenever it is operating. After installation of the approved external plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority.

23. Prior to commencement, the applicant should submit a report from a suitably qualified acoustic consultant which should include a specification for a suitable glazing scheme, a ventilation scheme, and a scheme to minimise noise impact in the outdoor areas. This report should be submitted to and approved by the local authority prior to commencement of the development and thereafter the development should be completed in accordance with the provisions of the scheme.

Reasons: In the interests of residential amenity of future occupiers.

24. Prior to occupation of that unit, the proposed use of the commercial unit shall be submitted to and approved by the local planning authority.

Reason: in the interests of good planning and amenity.

25. Any facilities used for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume of the tanks.

Reason: to ensure the development does not harm the environment.

26. Details of the layout of superlobby shall be submitted to and approved in writing by the Local Planning Authority prior to occupation and works shall only be carried out in accordance to those approved details. The superlobby shall include a disabled accessible toilet.

Reason: In order to ensure the provision of accessible services.

27. Prior to commencement of development an ecological mitigation study shall be submitted and approved by the Local Planning Authority including details of species mitigation and methods and locations of translocation. Such works shall be carried out as agreed prior to works to affected locations.

Reason: in the interests of ecological mitigation.

28. AIR QUALITY RE OFFSETTING EMISSIONS (Calculation of Mitigation/Compensation)
Due to the scale of this proposal, a calculation of pollutant emissions costs from the vehicular traffic generated by the development should be carried out, utilising the most recent DEFRA Emissions Factor Toolkit and the latest DEFRA IGCB Air Quality Damage Costs for the pollutants considered, to calculate the resultant damage cost.
The calculation should include:
Identifying the additional vehicular trip rates generated by the proposal (from the Transport Assessment);

- The emissions calculated for the pollutants of concern (NO_x and PM₁₀) [from the Emissions Factor Toolkit];
- The air quality damage costs calculation for the specific pollutant emissions (from DEFRA IGCB);
- The result should be totalled for a five year period to enable mitigation implementation.
- The calculation is summarised below:

Road Transport Emission Increase = Summation [Estimated trip rate for 5 years X Emission rate per 10 km per vehicle type X Damage Costs]

The pollution damage costs will determine the level of mitigation/compensation required to negate the impacts of the development on local air quality.

- No development shall commence until the developer has developed a scheme detailing and where possible quantifying what measures or offsetting schemes are to be included in the development which will reduce the transport related air pollution of the development during construction and when in occupation. The report should be submitted to and approved by the Local Planning Authority, prior to development. [The developer should have regard to the DEFRA guidance from the document *Low Emissions Strategy -using the planning system to reduce transport emissions January 2010.*]

Reason: in the interests of air quality.

29. The development hereby approved shall not be occupied until the details of the car club are provided and approved by the Local Planning Authority, and those approved works are carried out.

Reason: In the interests of sustainable transport.

30. Tree T34 shall be safeguarded and retained, unless removal is approved in writing by the Local Planning Authority.

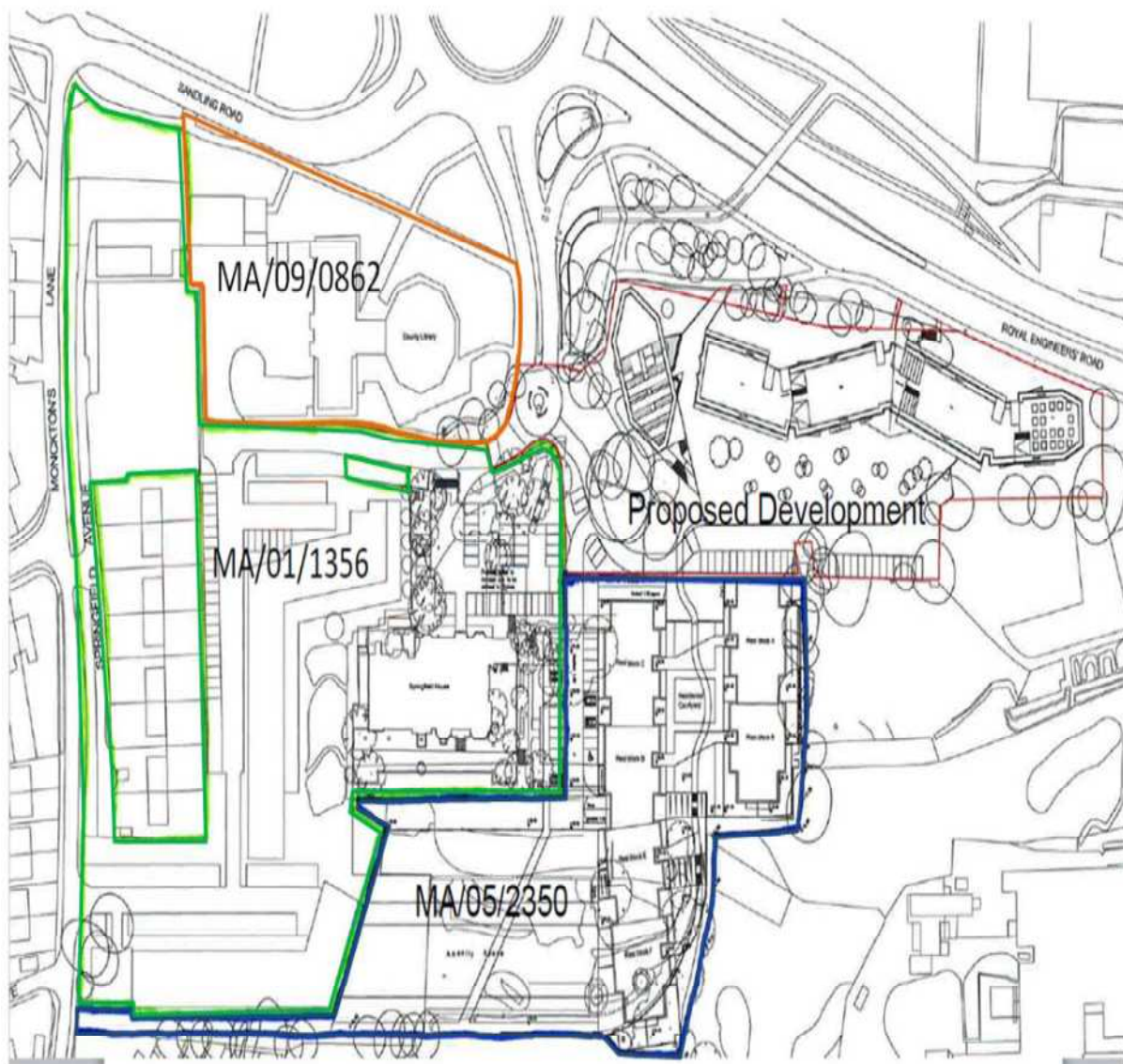
Reason: In the interests of safeguarding of a significant landscape feature.

INFORMATIVES

31. The open space required under planning permission MA/05/2350 should be provided prior to occupation.
32. As the development involves demolition and / or construction, I would recommend that the applicant is supplied with the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected.
33. As the development involves demolition and / or construction, I would recommend that the applicant is supplied with the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected.
34. Waste to be taken off site. Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes: ☐ Duty of Care Regulations 1991 ☐ Hazardous Waste (England and Wales) Regulations 2005 ☐ Environmental Permitting (England and Wales) Regulations 2010 ☐ The Waste (England and Wales) Regulations 2011

35. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at <https://www.gov.uk/government/organisations/environment-agency> for more information.
- Drainage The following points should be noted wherever infiltration drainage (such as soakaways) is proposed at a site:
- Appropriate pollution prevention methods (such as trapped gullies or interceptors) should be used to prevent hydrocarbons draining to ground from roads, hardstandings and car parks. Clean uncontaminated roof water should drain directly to the system entering after any pollution prevention methods.
 - No infiltration system should be sited in or allowed to discharge into made ground, land impacted by contamination or land previously identified as being contaminated.
 - There must be no direct discharge to groundwater, a controlled water. An unsaturated zone must be maintained throughout the year between the base of the system and the water table.
36. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.
37. A formal application for connection to the public sewerage system is required in order to service this development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
38. Detailed design of the proposed drainage system should take into account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding.
39. It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.
40. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.
41. Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Appendix 1



Appendix Two

Indicative Proposed Materials

BLOCK A – PRIVATE FOR SALE

<u>MATERIAL</u>	<u>COLOUR</u>
Galvanised steel profile balustrades	Yellow, Orange, Red, Grey
Toughened laminated glass balustrades	Yellow, Orange, Red
Corium brick slip cladding system	Light grey, Grey and Dark Grey
Double glazed window with anodised aluminium frame	Dark grey (frame)
Double glazed door and fixed window with anodised aluminium frame	Dark grey (frame)
Tilt & turn double glazed window with anodised aluminium frame	Dark grey (frame)
Kentish Ragstone wall cladding	Grey (Ragstone)

BLOCK B – BUILD TO RENT

<u>MATERIAL</u>	<u>COLOUR</u>
Galvanised steel profile balustrades	Yellow, Orange, Red, Grey
Toughened laminated glass balustrades	Yellow, Orange, Red
Corium brick slip cladding system	Light grey, Grey and Dark grey
Double glazed window with anodised aluminium frame	Dark grey (frame)
Double glazed door and fixed window with anodised aluminium frame	Dark grey (frame)
Double glazed fixed window with anodised aluminium frame	Dark grey (frame)
Tilt & turn double glazed window with anodised aluminium frame	Dark grey (frame)
Mesh cladding panel for car parking	Stainless steel
Pre oxidised copper cladding system	Light brown
Metal cladding for lift overrun	Light grey

Appendix Three: Existing Open Spaces and routes adjoining the site

