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| <b>REFERENCE NO - 18/502683/FULL</b>   |  |   |
| <b>APPLICATION PROPOSAL</b><br>Demolition of the existing chicken sheds and associated structures, the erection of 85 residential dwellings, together with associated access, parking, landscaping and drainage.   |  |   |
| <b>ADDRESS</b> Lyewood Farm Green Lane Boughton Monchelsea Maidstone Kent ME17 4LD   |  |   |
| <b>SUMMARY OF REASONS FOR RECOMMENDATION</b><br>The scheme is a more extensive development than the Local Plan allocation by 60 units which has no significant extra impacts and the scheme would satisfactorily deal with or mitigate the planning issues from the proposed development subject of planning conditions or obligations in a s106 legal agreement.<br>The impact of the development on the landscape acceptable whether viewed from the wider countryside or a more local viewpoint. The proposed development would replace existing built form of farm buildings on the site and there would be beneficial effects, through the substantial new woodland structure, new green infrastructure including the new areas of open space and new coppice woodland, all of which would contribute positively to the local landscape. Furthermore, the proposed landscape framework would contribute over time to softening views of the proposed development and the resultant visual impact would therefore reduce through the maturing of the vegetation.<br>The scheme complies with the Government's definition of sustainable development as defined in the new NPPF. It is in a relatively sustainable location in environmental terms and the social and economic benefits of the new housing would be significant, especially regarding the increased in the stock of the offer of affordable housing: 24 units of affordable rent and 5 units of shared ownership and 5 units of shared equity, all subject to a local lettings plan.<br>The site provides 85 units of which 60 would be part of the Council's "windfall" housing supply. Policy SS1 (Maidstone Borough Spatial Strategy) refers to housing target being made through the granting of planning permissions in addition to allocations. The increase in number of units in this planning application therefore adds to the "windfall" contribution from this site by 60 units without any impact that cannot be satisfactorily mitigated.<br>By their greater scale, the proposals provide greater benefits over and above than the policy H1(54) requires by the provision of a large area of publically accessible open space on site, biodiversity enhancements including the provision of community woodland for use of both existing and future residents and land secured in perpetuity for the benefit of the village via Boughton Monchelsea Amenity Trust. |  |   |
| <b>REASON FOR REFERRAL TO COMMITTEE</b><br>The proposal does not accord with Policy H1(54) of the Local Plan.  |  |   |
| <b>WARD</b><br>Boughton<br>Monchelsea And Chart<br>Sutton  | <b>PARISH/TOWN</b><br>Boughton<br><b>COUNCIL</b><br>Monchelsea | <b>APPLICANT</b><br>Crest<br>Nicholson<br><b>AGENT</b> DHA Planning |
| <b>TARGET DECISION DATE</b><br>31/08/18  |  | <b>PUBLICITY EXPIRY DATE</b><br>09/07/18                            |

## **Relevant Planning History**

n/a

## **MAIN REPORT**

### **1. DESCRIPTION OF SITE**

- 1.01 The application site measures 12.9 ha in size. It is to the North East of and outside the village of Boughton Monchelsea and is thus in the countryside. It comprises a former egg farm plus open agricultural land. It encircles Lyewood Farm House, which is outside the red line of the application site. Lyewood Farm Oast is situated to the west of the site, but also does not form part of the application site.
- 1.02 It is sited to the east of Boughton Monchelsea. To the south is Green Lane with residential properties beyond. To the north is a quarry face and then residential properties in The Quarries. To the east, the site is bounded by Old Tree Lane, a small group of residential properties and farmland beyond.
- 1.03 The site has been used for egg production farming purposes in the past and consists of several large chicken shed buildings ranging from 1 to 2 storeys in height, with associated structures and hardstanding.
- 1.04 The site lies on the edge of countryside with no specific landscape policy protection. It does fall within the Local Landscape Character Type of Farleigh Greensand Fruit Belt in the Maidstone Landscape Character Assessment of 2012, as amended in 2013.
- 1.05 A public right of way (PROW) footpath KM106 runs north into the site from Green Lane then turns westwards to join with the restricted byway of KM104A which runs along the western boundary. This links Green Lane with The Quarries, North West of the application site it forks into KM103 and KM104.
- 1.06 The site is located on a north facing valley slope, with ground levels falling approximately 11m from south to north , and with the general topography of the area continuing to fall towards The Quarries and then rising again further to the north. An overhead power cable runs east to west across the northern part of the site.

### **2. PROPOSAL**

- 2.01 The scheme is for 85 dwellings on approx. 2.85 ha central part of the overall red line application site, giving a density of 30 dwellings per hectare. Generally the new houses are detached and semi detached. They are all 2 storeys dwellings in a mix of 2, 3 and 4 bed properties. Of these, 32 units (70%) will be affordable rented and 14 (15%) will be shared ownership and 15% will be Shared Equity. All will be delivered through a local lettings plan with priority to Boughton Monchelsea. This is policy compliant provision.

- 2.02 The development will provide new pedestrian routes (including hoggin paths) through the encircling landscaped open spaces (4.65 ha) and to connect to existing footpaths and the public rights of way. One part of the PROW KM106 is to be re-aligned slightly southwards under a separate process direct with KCC.
- 2.03 Planting along the southern boundary of the site will be retained and enhanced, and a 3 row strip of cobnut plat to the north of Green Lane in the southeast corner of retained arable farmland is proposed, in order to mirror existing planting to the south of Green Lane and also to create a gateway to village Furthermore it is intended to create a visual link with the nut plat proposed in the southwest corner of the site. A footway/cycleway link to the west will be provided.
- 2.04 In terms of renewable and low carbon design, the applicants state the Government Guidelines place significantly more emphasis on the building fabric rather than renewables. This is because renewable energy may require maintenance or replacement in time, and because of the technical nature of most forms of renewable energy this could be a costly and difficult exercise. The building fabric, however, has a much longer and more sustainable lifespan. The external fabric of a building well insulated and air tight. Improved building fabric can save on the energy required to heat a property and provide a substantial reduction in carbon emissions. Building materials to all dwellings, will have a favourable rating from the Green Guide. The development drawings indicate traditional external materials, which would have a good (D – A+) rating.
- 2.05 In order to reduce the consumption of potable water, water efficient kitchen and bathroom fittings will be used to restrict the predicted average water consumption to 125 litres per person per day (to comply with the minimum building regulation requirements).
- 2.06 A palette of traditional materials is proposed.
- 2.07 The perimeter is surrounded by open space with a multipurpose landscape screening, ecological and recreational function. The open space and communal areas which are publicly accessible are generally overlooked by adjacent dwellings providing a natural surveillance.
- 2.08 Parking is adjacent the dwellings generally in a tandem format. Vehicle parking is provided to accord with locally applied standards, as is cycle parking and car parking for visitors.
- 2.09 There will be no street lighting: parking areas will be lit by bollards and there will be lighting affixed to the dwellings, details to be provided by condition.
- 2.10 A comprehensive ecological appraisal in support of the application addresses biodiversity issues.
- 2.11 The Tree Report submitted concludes that the proposed development results in very minor loss of trees and an overall increase in the amount of tree cover with an emphasis on locally native species.

- 2.12 A Landscape and Visual Impact Assessment states that the proposed scheme will have no visual impact on the landscape that cannot be mitigated by landscape screening etc within 15 year time frame of maturity.
- 2.13 Trip forecasts and traffic speeding monitoring to determine the impacts on the surrounding highway network conclude that the proposed development is in a sustainable location with respect to local facilities, whilst its impact on the safety of the local highway network is judged to be minimal.
- 2.14 Foul drainage is intended to connect to the mains sewer and surface water to infiltrate to ground in a dispersed pattern as part of SuDS scheme
- 2.15 An Archaeological report advises that the site is considered to have a moderate archaeological potential for the Iron Age and Roman periods, and a low potential for all other past periods of human activity which will necessitate further archaeological works will be required before work commences.
- 2.16 The applicant submits that Gas SGN has confirmed that there is a sufficient capacity in its Low Pressure network to accommodate this development.

### **3. POLICY AND OTHER CONSIDERATIONS**

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Maidstone Borough Local Plan 2017 (MLBP) SS1; SP17; SP19; SP20;  
SP23; DM1; DM3; DM6; DM8; DM12; DM19; DM20; DM21;DM23;DM30;  
H1; ID1  
Supplementary Planning Documents: Air Quality

### **4. LOCAL REPRESENTATIONS**

#### **Local Residents:**

- 4.01 They have been 19 representations received from local residents with 13 objections. They raise the following (summarised) issues
- roads cannot accommodate the additional load from cars of 85 houses
  - Vehicles already use Green Lane as a cut through to Brishing Lane
  - Speeding vehicles on Green Lane
  - roads would need additional footpaths and potentially widening.
  - Poor broadband supply
  - disappointing that such a large increase has been proposed from the allocation

- needs a commitment to the landscaping, provision of open space and the granting of land to BMAT together with new footpaths (particularly to the north of Green Lane
- there is a "pinch point" outside Tudor Cottage where the footpath north joins
- The proposed pathway to the north of the hedge is welcome,
- footpath KM104A with Green Lane: visibility is poor and it is difficult to navigate
- views from Green Lane northwards currently reach to the North Downs
- Green Lane already floods
- would ask that no street lighting is installed
- an increase of 85 houses with an average of 300 people, with 2 cars per family would have a large impact on the village,
- insufficient amenities in the village, e.g 1 shop, small village school, no doctors
- limited bus service.
- increase to noise and light pollution.
- Busy crossroads by the Albion Restaurant: the hazards that already exist if they then turn into Church Street.
- two recent housing developments in Hubbards Lane and a third has now started off Heath Road.
- village does not have sufficient resources to accommodate such an increase in population
- too higher density housing for this site.
- The parish council survey identified 14 affordable houses being required and yet 34 are proposed.
- There is talk of medical facility- where and when ?
- PRoW track(KM106) lying to the south of the oast is to be moved further south to facilitate the development with the view to increasing the size of the development itself.
- There is a proposal to use low level bollard lights and house wall lights to light the site, this means 117 parking lights and 85 house lights, so will create a glow in an otherwise 'dark' village- a detrimental visual impact
- The boundary at the upper edge of the Quarry face is currently a wire fence and indigenous hedging of varying age, condition and size. If publically accessible open space will allow pedestrians and cyclists to access to the top edge of a fragile and sensitive geological quarry face.

- ecological landscaping needed protection for the northern boundary: public access too close the edge will result in its alteration and harm.
- the quarry face is subject to erosion by water: the impact of water run-off from the development, percolating down the quarry face will speed up the process
- the landscape appraisal has not considered the northern aspect and the potential impact on the quarry edge. It is not on public view and I have not been approached
- landscape areas should be indigenous hedging and vegetation that can knit the soil and prevent further erosion
- Large trees next to Quarry face will eventually need felling or surgery if planted too close or allowed to get too large
- the quarry has a wealth of important species and the impact of this development could affect their habitat. eg feeding bats above a pond at the base of the face, a sensitive habitat for birds and burrowing bees.
- There is an established badger set, a high reptile and amphibian population including indigenous snakes, frogs and newts.
- Quarry face: potential public safety issue
- The main sewer running undergoes significant bore size reductions which is the root cause of the blockages. would exacerbate an already intolerable situation,
- Too close to The Quarries which will impact on its very rural atmosphere: 85 dwellings should be moved to a more central position
- the affordable housing is situated at the closest point to The Quarries, affecting peace and tranquillity
- This application does not comply with Policy H1 (54) and should be refused because call for sites concluded this site could accommodate up to 25 units not 85. A sensible compromise to 40 units.
- development should be restricted to the footprint of the existing chicken sheds
- The application does not accord with DM30 in the local plan.
- local plan is quite recent and must be upheld in applications otherwise the plan going forward is completely meaningless.
- the access be moved east to relieve impact on the existing houses on Green Lane,
- need to push the traffic east away from the village centre during the school run
- glare from car headlights

- Variety of commercial vehicles possibly resulting in about 600 movements per day.
- concern at construction phase
- Loss of privacy: need planting of trees on the border of our property adjacent to the development.
- reduced safety from the potential foot traffic so the footpath need to be diverted

## **5. CONSULTATIONS**

*(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)*

### **5.01 Boughton Monchelsea PC:**

- concerned at road safety, including the speed of traffic along Green Lane.
- mitigation measures to include improvement work to the Green Lane / Heath Road / Brishing Lane junction,
- a suitably designed permanent access onto Green Lane and a speed limit reduction along the length of Green Lane
- concerns regarding the number of vehicle movements: seek reassurance that the traffic surveys were performed during term time and not school holiday periods.
- The landscaping buffer zone at the south east corner of the site should be increased to reduce the visual impact of the development on the surrounding countryside
- lighting within the development should be only low level, downward pointing lights within the boundary of individual properties
- the current access road to the site is not suitable for the construction phase of the work and would like to see a temporary access road constructed across the field
- vital that construction traffic is not allowed to use the narrow and already congested lanes around the site. All construction traffic should enter and leave site via the Cock Inn junction, exiting onto Heath Road and then A-roads thereafter (eg Sutton Road, Loose Road)
- Boughton Monchelsea Parish Council fully support this application and look forward to it being realised on a site which, in our view, is appropriate for such a development.

**5.02 West Kent CCG** The CCG require a financial contribution of £83,556 towards new general practice premises for Orchard Medical Centre and Greensands Health Centre (now merged as Greensands Health Centre). The obligation should also include the provision for the re-imburement of

any legal costs incurred in completing the agreement. The existing premises of the practices are located 2 miles from the development and would therefore be where the majority of the new residents register for general medical services. The Practices are taking forward a premises development project for a new building; the trigger of any healthcare contribution to be available linked to commencement of development. There are no more than four other s106 obligations pooled towards this project.

5.03 KCC Education/ Economic Development :

- Community Learning £2609.20 Towards Portable equipment for the new learners for use in the Maidstone area
- Youth Service £721.25 Towards additional equipment and sessions for the Maidstone outreach Youth Service
- Libraries £4081.34 Towards additional bookstock for the new borrowers from this development
- Social Services £5402.60 Towards Boughton Monchelsea Village Hall accessibility improvement works
- Primary Education £265,089.00 Towards South Borough PS permanent expansion to 2 Forms of Entry
- Secondary Education £373,789.00 Towards Phase 1 of the new School of Science and Technology Valley Park Maidstone
- Plus seek High Speed Fibre Optic Broadband connection and 1 Wheelchair Adaptable Home as part of the Affordable Homes delivery on this site

5.04 Environment Agency- No objection to the proposal providing contamination conditions are imposed.

5.05 KCC Ecology: Suitable habitat for reptiles is present on site: a reptile survey will need to be undertaken. These surveys and any necessary mitigation, will need to be submitted prior to determination. Breeding bird surveys and any required mitigation strategy should be submitted prior to determination of any planning application. Any further necessary surveys, and mitigation measures, will need to be submitted prior to determination of any planning application. It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.

5.06 (Reptile and breeding bird survey results have now been submitted and KCC Ecology comments have been sought which will be reported in an urgent update)

5.07 KCC Archaeology- The site of the application lies within an area which contains considerable evidence for Iron Age and Romano-British activity. Boughton Camp, a Late Iron Age oppidum and Scheduled Ancient Monument lies to the west and there are possibly associated earthworks



to the south. Evidence for Iron Age and Romano-British activity- Condition is needed for archaeological field evaluation works.

- 5.08 KCC (PROW)- PROW KM104A restricted byway runs along the western boundary of the site and should not affect the application and footpath KM106 runs through the site, and should not affect planning. A Temporary 6 month closure is needed when the road is made up along the eastern side of the footpath to ensure the safety of pedestrians.
- 5.09 KCC (Drainage) – Conditions recommended: Flood issues in relation to properties at the Quarries are separate. The underlying strata is the Hythe Formation (Ragstone). The installation of soakaways may lead to ground instability if loosely infilled features known as ‘gulls’ are present and are inundated with water. However ground investigation may identify these issues and technical solutions may be found to construct within these areas.
- 5.10 Variable infiltration results from were found across the site. Based on the Phase I/II Geo-Environmental Assessment undertaken by Gemco (March 2018), further investigation to assess potential deep soakaways does not appear to have been submitted with the application.
- 5.11 The final overflow pond is located within the northern green open space. close to the steep slopes on the northern boundary. We would prefer if the pond was moved south in closer proximity to the road boundary. Alternatively, need confirmation from a geotechnical professional as to likelihood of any soil/ground stability issues so that any risks are managed for the location selected.
- 5.12 The infiltration measures proposed are for the most part shallow features which may be contrary to the initial geo-environmental assessment therefore further investigation at the specific locations of any infiltration measure should assess the presence of existing solution features.
- 5.13 Infiltration rates should be determined at the location of any infiltrating drainage measures and reflective of the infiltration zone of the drainage measure. Utilisation of deep bore soakaways should also be assessed at this time.
- 5.14 The Microdrainage calculations included within the Drainage Strategy utilise rainfall statistics based on FSR. At the detailed design stage, we would expect to see the drainage system modelled using FeH rainfall data in any appropriate modelling or simulation software or 26.25mm should be manually input.
- 5.15 The drainage strategy should be integrated with the landscape strategy for the site and that consideration given to small portions of retained water with appropriate plantings in small pockets within the swales. An appropriate planting scheme may also address ecological matters raised with respect to reptiles. Overall, there is sufficient open space within the development to accommodate surface water management.
- 5.16 KCC (Highways and Transportation): The applicant has proposed to upgrade the existing site access onto Green Lane that is located towards the south western corner of the site. The access serves the 5.5m wide

development access road and incorporate a 1.8m wide footway. Junction visibility sightlines of 2.4m x 45m and 2.4m x 51m have been proposed in either direction on the basis of measured speeds. The hedge fronting Green Lane will need to be cut back to ensure the sightlines. The Safety Audit recommended that the 30 mph speed limit on Green Lane is extended further to the south east in view of its proximity to the site access. This important as a greater number of vehicles will be slowing, stopping and turning to access the site. A Traffic Regulation Order will be required as part of a Section 278 Agreement.

- 5.17 Swept path analysis has been provided to demonstrate how the turning manoeuvres of refuse vehicles will be accommodated at the junction. The Safety Audit has recommended that the radii is adjusted to reduce the potential for conflicts with passing vehicles on Green Lane. Whilst KCC Highways agree that the potential for conflict is low, the importance attached to maximising highway safety warrants an adjustment to the junction layout to satisfy the audit recommendation.
- 5.18 The TA highlights how the site is well-placed in relation to several key local facilities. The site is not currently well connected to Boughton Monchelsea village. To the west of the site the applicant has proposed to widen the existing footway along Green Lane to achieve a minimum width of 1.2m by narrowing of the carriageway to a minimum width of 4.1m. The TA shows the footway widening necessary to achieve a consistent width of 1.2m to extend over a length of around 6m, thereby meeting the minimum requirement. The proposed narrowing of the carriageway to a width of 4.1m will enable two cars to pass but result in conflicts when there are larger vehicles present. Green Lane already serves a sizable number of residential properties, is a bus route and is regularly used by farm vehicles. It must therefore continue to be suitable for use by larger vehicles, particularly in view of the additional traffic movements that will be generated by the proposed development. KCC Highways regard it to be essential that a minimum 4.8m carriageway width is achieved so as to enable a car to pass a large vehicle. It is therefore recommended that the applicant is asked to investigate the following: relocation of the stone wall to enable footway widening to be achieved that does not require narrowing of the carriageway; and/or confirmation, in the form of a drawing, that a minimum 4.8m carriageway width can be achieved within the limits of the publicly maintainable highway alongside a minimum footway width of 1.2m.
- 5.19 Public transport will only play a marginal role in meeting the accessibility needs of residents and visitors in the absence of any improvements.
- 5.20 The net change in traffic generation has regard to the previous permitted use as a poultry farm. The trip generation forecasts in the TA indicate that the proposed development will 47 vehicle trips in the AM peak hour and 45 vehicle trips in the PM peak hour. These forecasts are based on the exact breakdown of proposed housing types (i.e. private/affordable). The vehicle trip rates are based on the TRICS database: use of 'edge of town' site locations and achieving a sufficient site sample size within the selection criteria, in line with that expected for this site location. Subtracting the existing use gives a net daily residual impact of 413 trips.

- 5.21 The distribution of trips onto the network indicates that 57% of trips are expected to route via Green Lane to the east, with 25% using the Brishing Lane/Wallis Avenue corridor to access the A274. Of the remaining 43%, 27% will use Boughton Lane to access the A229 and 11% will use Church Street to access the B2163. In total, 26% of trips are expected to pass through the A229 Linton Crossroads junction.
- 5.22 The assessment of traffic impact has been founded on surveys undertaken in April 2018 at the junctions at either end of Green Lane, as well as the key junctions of A229 Linton Crossroads, A229 Loose Road/Boughton Lane/Cripple Street and A274 Sutton Road/Wallis Avenue. This was a Easter holiday time but was intended to measure traffic speeds and so was adequate for that type of data. The TA has included a summary of three-year (2014-2017) road crash data for the nearby Green Lane, Church Street, Heath Road and Brishing Lane corridors. No crash incidents occurred in the vicinity of the site access on Green Lane. The assessment of traffic impact has included background traffic growth and that from prospective developments in and around Marden, Coxheath, Staplehurst, Boughton Monchelsea and south east Maidstone to provide a robust representation of future conditions. KCC Highways do not envisage that capacity will be problematic in this instance.
- 5.23 Regarding the A229 Linton Crossroads and A229 Loose Road/Boughton Lane/Cripple Street junctions, the Linton Crossroads junction is already operating at a level above practical capacity in both peak periods but nonetheless confirm the considerable extent of congestion already prevalent and would continue to deteriorate in the absence of any intervention. The proposed development would add to the queuing and delays on the western Heath Road arm in the AM peak. Junction improvement is due to be implemented to achieve operating conditions that are better than the current situation in both 2023 and 2028. The proposed development will utilise a small element of the additional capacity created by the improvement but this does not represent justifiable grounds for objection.
- 5.24 A229 Loose Road/Boughton Lane/Cripple Street junction also operates under MOVA control and alterations were made to the signal stage configuration as recently as in June 2016. The TAA pre-dates the recent changes to the junction. This needs to be corrected.
- 5.25 Regarding the A274 Sutton Road/Wallis Avenue junction, when the development is fully occupied in 2023 and 2028, identified traffic increases of up to 12 PCUs in each peak period: some concerns over the additional local congestion this development would create. KCC Highways has considered the traffic assessment and the current and likely future conditions on the local highway network. This shows that the situation is likely to be worsened, but KCC Highways are not able to conclude that it will result in conditions that could be described as a severe impact on congestion or safety (NPPF test). However, the residual impact of this development is likely to be characterised by additional local traffic generation and some consequent increase in congestion, which the applicant cannot fully mitigate.

- 5.26 Green Lane, Church Street and Brishing Lane are used as alternative routes to avoid congestion on the A229/A274 corridors and will be the subject of further traffic increases. This could result in some worsening of conflicts and delays on sections where the carriageway width or forward visibility is more restricted. In view of the modest scale of the increases and good crash records on these routes, this does not however represent a sustainable ground for objection.
- 5.27 182 car parking spaces, which include 18 visitor spaces accords with requirements. Nearly half of the residential dwellings are proposed to be served by tandem parking arrangements, likely to result in higher levels of obstructive on-street parking. 5 of the 17 visitor spaces are positioned in the north western corner and only one space is on the central cul-de-sac to the east of the spine road. Cycle parking is proposed at a rate of one space per unit in accordance with the minimum standards.
- 5.28 The swept path analysis indicates that larger vehicles, including refuse vehicles, will overrun the edge of carriageway at numerous locations when turning within the site. Widening at the internal junctions and cul-de-sac turning heads will be needed to prevent future damage to grassed areas.
- 5.29 KCC Highways object subject to the applicant addressing the following: Road Safety Audit recommendations on junction radii and relocation of the 30 mph Green Lane speed limit; Provision of suitable carriageway and footway widths on Green Lane; Clarification on proposed public transport improvements; Site access and A229 Loose Road/Boughton Lane/Cripple Street capacity modelling; Site layout design deficiencies regarding parking and vehicle tracking. Subject to further submissions being satisfactory, it will then be necessary for the applicant to enter into a Section 278 Agreement to secure all required highway works. Suggested conditions: construction matters on site and for the duration of construction; prevent the discharge of surface water onto the highway; the provision and permanent retention of vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing; the provision and permanent retention of vehicle loading/unloading and turning facilities prior to the use of the site commencing; and the provision and permanent retention of cycle parking facilities prior to the use of the site commencing.
- 5.30 Southern Water- The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised. The impact of the proposed development on the existing public sewer network gives an increased risk of flooding unless network reinforcement is undertaken. This reinforcement will be provided through the New Infrastructure charge but Southern Water will need to work with and understand the development program and to review if the delivery of network reinforcement aligns with the occupation of the development.
- 5.31 Any SUDS scheme needs to specify the responsibilities of each party for implementation, a timetable for implementation plus provide a management and maintenance plan for the lifetime of the development, include the arrangements for adoption by any public authority or statutory

undertaker and arrangements to secure the operation of the scheme throughout its lifetime.

- 5.32 A pumping station is proposed and all habitable rooms should be at least 15 metres away from the boundary of the site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.
- 5.33 Kent Police- Applicant has not demonstrated that they have considered crime prevention and have attempted to apply the seven attributes of CPTED in their submitted on-line plans or in a DAS. However, references within the Planning Statement to Create a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and anti-social behaviour; Local authorities are to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. To date we have had no communication from the applicant/agent and there are other issues that may need to be discussed and addressed including CPTED and a formal application for SBD if appropriate.
- 5.34 Environmental Protection No objection subject to suggested conditions.
- 5.35 Air Quality The site is not in or near an Air Quality Management Area, but may have the potential to impact if traffic is accessing/egressing the centre of Maidstone via the A274 or Loose Road. Recommend a robust air quality assessment be undertaken, taking account of all known proposed development in the vicinity and including consideration of the impact of the development on, amongst others, offsite receptors in the AQMA. Expect to see extensive air quality mitigation, as outlined in Maidstone's planning guidance.
- 5.36 Noise is not an issue at this location.
- 5.37 Contaminated Land: Owing to the site's previous agricultural use, a contaminated land condition should be imposed.
- 5.38 Any lighting scheme proposed for the site should have regard to the latest guidance, from the Institute of Lighting Professionals, in order to ensure that no a nuisance is caused from light spill.
- 5.39 Parks and Open Space- Based on the quantitative assessment of the area, the proposed site and the requirements of DM19, there would be a requirement of 0.516ha of open space within this development. There will be 4.65ha of semi-natural open space on site. Therefore there is no requirement for off-site contribution.

## **6. APPRAISAL**

### **Main Issues**

- 6.01 The key issues for consideration relate to:
- Principle of Development
  - Environmental Sustainability

- Ecology
- Landscape Impact
- Design and Layout
- Traffic and Highways
- Developer Contributions

### **Principle of Development**

- 6.02 Lyewood Farm is a housing allocation under policy H1 (54) in the adopted Local Plan. The allocation was on previously developed land (PDL or "brownfield") to deliver new homes in the Borough, including affordable homes.
- 6.03 Policy H1(54) states that Lyewood Farm is designated for a development of approximately 25 dwellings on 1.25 ha at an average density of 20 dwellings per hectare. In addition to the requirements of policy H1, planning permission will be granted if the certain criteria are met which include:
- Built development restricted to the current developed area of the chicken sheds
  - landscape and visual impact assessment that addresses the impact of from Cliff Hill and PROW KM100 that runs east/north east from Cliff Hill towards Pested Bars Road and from Green Lane and Old Tree Lane.
  - proposed layout to respect the clustered pattern of development
  - no built development to the north of the existing chicken sheds
  - use of vernacular materials.
  - A footpath/cycle path provided along the frontage to Green Lane on land within the landowner's control to the north of the existing hedgerow (which shall be retained)
  - surface water run-off from the site to not lead to an increased risk of flooding along the River Loose at The Quarries and downstream from The Quarries
- 6.04 The principle of residential development on 1.25ha of the site has therefore been established through the allocation within the local plan. The 85 unit proposal that lies on the allocation and on a small area of land to its east is considered to meet all the above criteria.
- 6.05 The yield of 25 dwelling (as with other allocations) is indicative and is not a policy criterion in itself. This is referenced in para 4.189 of the Local Plan: the actual number of dwellings on each site could be higher or lower following the detailed consideration of a planning application.
- 6.06 The developable area of H1(54) is tightly drawn around the actual chicken sheds but the application shows a greater area. As with the former, the

layout proposal needs to be primarily considered on whether it meets the site specific criteria in H1(54). One of these is the gap to the north being retained as per criterion 5 which is achieved in the scheme.

- 6.07 The remainder of the development proposal is uplift in the quantum of development over a larger site area that needs to be considered against Policy SP17 of the MBLP and also the overall wider objectives of H1(54).
- 6.08 That policy defines the countryside as outside the settlement boundaries of the Maidstone urban area, rural service centres and larger villages defined on the policies map. It states that development proposals in the countryside will not be permitted unless they accord with other policies in the plan and they will not result in harm to the character and appearance of the area.
- 6.09 The NPPF is less restrictive when it comes to assessing new housing in a countryside location such as this. Paragraph 79 states that planning decisions should avoid the development of isolated homes in the countryside. This scheme does not result in isolated homes due to the proximity to Boughton Monchelsea: the housing would not be isolated either geographically nor in terms of access to a number of key services.
- 6.10 The increase in the quantum of development aims to provide an opportunity to expand an existing allocated site in order to create a landscape led scheme and deliver more significant community benefits than the allocation secures:
- more affordable housing delivery overall: 34 units of affordable housing delivered through a local lettings plan to prioritise local people. This is adequate to meet specific local Housing Needs.
  - a S106 package to deliver benefits over and above what would have been secured with 25 units
  - a larger provision of open space for both existing and future residents
  - transferring 5.4 ha of land to gifted to Boughton Monchelsea Amenity Trust to be let as farmland to allow them to secure an income that will help maintain other areas of open space within their control
  - A coppice woodland and nut plat gifted to Boughton Monchelsea Amenity Trust to preserve the rural character of Green Lane
  - footpath widening adjacent to Green Lane that improve connectivity for existing residents in the village ( subject to KCC approval)
  - enhancement of the recreational value of the Site,
  - enhancement of the ecological and biodiversity value of the Site,
  - provision of new woodland areas, meadows, pedestrian paths and open space.
- 6.11 The BMAT is a local charity which aims to protect and enhance the environment in and around Boughton Monchelsea. The land transferred to BMAT as part of this application would be retained as farmland, for their

management in perpetuity and for the benefit of the community. It will contain restrictive covenants confirming the land can only be used as amenity or agricultural land. Further land in the form of the landscaped areas within and around the developable area will also be transferred to BMAT freehold, with a 999 year long lease granted back to a Residents' Management Company.

6.12 This element of the scheme would need to be secured by legal agreement.

### **Environmental Sustainability**

6.13 Paragraph 8 of the NPPF details that achieving sustainable development means three overarching objectives, which are interdependent: economic, social and environmental.

6.14 The site lies close to the village of Boughton Monchelsea which offers some local facilities and services including employment, shops, pubs, schools, library. There is adequate scope to cycle or walk to these local facilities

6.15 It is considered that development is environmentally sustainable.

### **Landscape Impact**

6.16 Certain principal views are referred to in the Design and Layout section of policy H1 (54). However, the application site has no designation of a national landscape value nor is it a Landscape of Local Value in the current Local Plan.

6.17 Policy DM30 for development in the countryside requires impacts on the appearance and character of the landscape to be appropriately mitigated and assessed in a Landscape and Visual Impact Assessment. The submitted LVIA is considered to be acceptable in principle.

6.18 The site lies within landscape character of Farleigh Greensand Fruit Belt. This area is categorised as being in good condition with a high sensitivity, leading to an overall guideline of conserve. The specific site has been assessed in more detail in the Maidstone Landscape Capacity Study: Site Assessments January 2015.

6.19 In that study, the landscape character sensitivity is categorised as moderate, the visual sensitivity as high, the overall landscape sensitivity as high and landscape value as moderate. This leads to a conclusion that there is a low capacity to accommodate housing with the following advice:

- Rural site that is detached from any significant residential development
- Site relates poorly to other surrounding development
- Extent of site is disproportionate to pattern and extent of existing surrounding development
- Development across this site would remove the gap between residential development at Boughton Monchelsea and The Quarries
- Retain and reinstate hedgerow boundaries



- Respect landscape setting of surrounding listed buildings
- Retain open landscape between separate areas of built development at Boughton Monchelsea and The Quarries
- Consider extensive visibility of this site and sensitive distant views from the North Downs

6.20 As the landscape here has been assessed as having an overall landscape value as moderate and landscape sensitivity as high, this leads to a conclusion that there is a low capacity to accommodate housing. Clearly this application would not accord with those guidelines as it introduces a major housing development albeit there is an attempt in the materials and design to be sensitive and to comply with the objectives listed above.

6.21 The LVIA submitted concludes that due to a combination of topography, built form and vegetation structure, the site of the existing farm buildings is not visible in its entirety from any publicly accessible viewpoint locations, but parts of the site are visible from a limited areas in proximity to the site: valley slopes to the north of the site, the PROW to the west (KM104A) and roads adjoining the site. The LVIA concludes that the site offers scope to accommodate development extra to the policy allocation subject to landscape buffer between the proposed development and The Quarries to the north of the site, and that development layout is designed within a landscape setting.

6.22 The conclusions of the LVIA have resulted in the area of built form being proposed on the expanse of the existing chicken sheds and on agricultural land further east where levels are lower. The enlarged development area means the number of units rising to 85 dwellings from the allocation of up to 25.

6.23 The development therefore extends beyond the allocation (the existing sheds and hardstanding on site) and moves to the east where levels are lower. The applicants state the there is a significant amount of soft landscaping will be provided through and around the site to ensure the development is not visually intrusive.

6.24 A landscape buffer is proposed along the western boundary of the site, to screen development from the PROW and woodland beyond. Semi natural open space and tree planting are provided to the east of the site to filter views from Cliff Hill etc and to provide a buffer between the proposed development and existing pig farm. A coppice woodland is proposed to the southwest, and to the south and southeast is the area of BMAT farmland, extending to approximately 5 hectares.

6.25 The strategic landscaping proposals within the housing layout are intended to limit the visual impact of the development from key views to the site. It includes corridors of tree planting along the north-south and east-west primary roads.

6.26 However, the screening around the houses is constrained to a degree by the land being transferred to BMAT as in order to transfer the required amount of viable farmland that appears to have restricted the opportunities for a full landscape buffer to the SE corner. The alternative

promoted by the applicant is to fill in gaps in hedgerows and plant a small nut plat in the SE corner of the field adjacent Green Lane to block low level view points of that part of the proposed development. It has been satisfactorily demonstrated that this is achieved.

- 6.27 Bearing in mind its intensive agricultural use to date, this planning application would give an opportunity to introduce greater ecological diversity. The detailed Landscape and Visual Appraisal seeks to demonstrate that the proposal will be contained within the landscape, given the height of the proposed houses and sensitive roof materials, existing hedgerows, proposed landscape screening.
- 6.28 The site is generally exposed to the open countryside and parts of the site are just visible from long range views currently and at near range through gaps in the hedgerows and via the bellmouth to the access. However, I am satisfied with the conclusions of the Appraisal regarding long range views to the site: over the longer term as screening matures, the development as detailed in this scheme will not significantly intrude into views from these directions.
- 6.29 Residential development over the larger extent and in greater numbers would not appear out of character in the medium to long term in the landscape with this form of strategic landscaping being implemented. The application sets out a number of landscape mitigation measures as landscape screening augmentation of the existing mixed planting on the bunds with local tree species and native Hedge and scrub planting.
- 6.30 The developed areas of the application site are set well back from the Green Lane. It is accepted that it would be an isolated pocket of suburban development but that is because of the general need to site the housing units clear of land being transferred to the Boughton Monchelsea Trust, away from the edge of the land rear of the Quarries.

### **Design and Layout**

- 6.31 Criterion 6 of the Design and Layout section of policy H1(54) requires development to be of a high standard of design and sustainability incorporating the use of vernacular materials.
- 6.32 Policy DM 30 relates to design principles in the countryside and as this site is outside of the settlement boundaries, there is an expectation for high quality design in terms of the type, siting, materials and design, mass and scale of development.
- 6.33 The proposed layout provides sufficient detail to demonstrate that the housing can be developed in a manner meeting the normal spacing, privacy, amenity space, parking and road layout standards. The site will be developed at a density of 30 dph which is the minimum recommended rural housing density in policy DM12.
- 6.34 The layout comprises 4 separate perimeter blocks generally facing open space. This gives a very open form to the development and allows landscape features be included in the open space around the site and along the 2 main axes.

- 6.35 Regarding design, the details show traditional 2 and storey pitched roof housing with the use of materials of vernacular appearance. The appearance of the new buildings is intended to replicate those typical to a Kentish village with pitched roofs, dominant gables and varied ridge heights with features such as bay windows, prominent chimneys and dormer windows, brickwork with tile hanging and a feature ragstone. The roofs will need to have clay tiles to weather well and be appropriate in the locality. Regarding policy H1(54) and DM1 of the Local Plan, the proposed form, scale, height, materials, detailing, and articulation are considered to meet the high design standards required by those 2 policies.
- 6.36 The amenity open space contains no formal play space, it is intended that it be informal in its nature. Overall this meets needs for on site open space (policy DM19) and will assist in providing an attractive setting and outlook for the dwellings. The majority of the dwellings will generally face outwards onto the perimeter open space. The layout and its landscaping attempt to ensure there are green corridors both on North-South and a East-West axes which incorporate the swales and thus integrates the drainage, the landscape setting and ecology.
- 6.37 Policy DM8 of the Local Plan refers to lighting. In terms of the potential for public and private artificial lighting to detract from the character of the area, the absence of formal street lighting is supported in this locality and the detail of any bollard or house external lighting can be considered at details stage.
- 6.38 The layout will provide passive surveillance in accordance with policy DM1 and accords with the principle of minimising the risk of crime.

### **Traffic and Highways**

- 6.39 Policy DM21 relates to the transport implications of development. Paragraph 109 of the new NPPF state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.40 The site is currently accessed from Green Lane which routes between B2163 Heath Road in the east and Church Street to the west. Heath Road provides wider connectivity to the primary road network, including the A229 at Linton Corner and the A274 at Five Wents. Access to Maidstone Town Centre can also be gained via Church Street, Beresfords Hill and Boughton Lane, which intersects with the A229 in Loose
- 6.41 The site will have a single point of vehicular in its existing location with the construction access provided off of the main spine road of the site.
- 6.42 The site's internal access layout accord with local standards, accommodating larger vehicle movements, including a refuse vehicle, fire tender, pantechnican and pumping station vehicle. The parking for cars and cycles is adequate. Garage provision is in addition to the requirement and provide outside cycle storage. Electric charging facilities will be provided within car barn and garage facilities.

- 6.43 The application includes details of the locations of the refuse and recycling storage, the bin collection points and the maximum extent of the 25m distance to a bin collection point where relevant.
- 6.44 The development will provide new pedestrian routes through the landscaped open spaces and will connect to existing footpaths and PROW which adjoin the site. An intention to divert the existing public right of way that currently runs along the access road to the Oast House to give it more privacy. The realigned footpath Public Footpath KM106 would be incorporated within the pedestrian access arrangements for the development. It will then connect with PROW KM104A along the western boundary of the site.
- 6.45 As required by policy H1(54), a 2.5m wide footpath/cycleway will pass along the Green Lane site frontage to the north of the existing hedgerow, providing connectivity to the existing footway to the west towards the village. Subject to approval by KCC (H&T), the footway on Green Lane will be widened to 1.2m. In conjunction with this, a minimum carriageway width of 4.1m to this section of Green Lane will be provided. The proposed footway and access improvements are currently being assessed as part of a Stage 1 Road Safety Audit and it appears that it will be feasible to retain carriageway width of 4.8 m to allow 2 vehicles to pass each other.
- 6.46 The site is located within a reasonable walking distance of a number of everyday amenities, including local bus services, a post office and a primary school. This will allow future residents choice as to how they travel, with accessibility options beyond that of a private vehicle.
- 6.47 Analysis of the TRICS trip rate database and trip distribution analysis undertaken using Census 2011, it has been shown that the worst impact at any one of the junctions to be assessed is at the B2163 Heath Road / Brushing Lane / Green Lane / Park Lane junction, but this is at a level that is not considered to be 'severe' in line with the NPPF test.
- 6.48 No crash incidents have been recorded within the vicinity of the site during the studied period. Given this and the nature of the incidents recorded in the wider area, it is considered that the proposed development should have no adverse impact on highway safety
- 6.49 In light of these findings, it is concluded that the proposals would not have a significant impact in terms of transport and therefore there should be no sound transport based objections to the proposals. No objection in principle was raised by the Local Highway Authority as the number of vehicle journeys generated by this proposal would represent only a very small proportion of journeys on the local network
- 6.50 Policy DM1 of the MBLP seeks to enhance the non-vehicular permeability of the proposed development and this is achieved by the pedestrian/cyclist links.
- 6.51 Subject to various suggested conditions and the applicant entering into a Section 278 Agreement in connection with local road improvements, I do not consider that the scheme can be refused on highway grounds although KCC will continue to be involved in securing further information

and details in the discharge of its statutory role as Local Highway Authority for some aspects.

- 6.52 Hence there is no objection to the proposal on highway or parking grounds as the scheme complies with policies DM21 and DM23. The local objections are noted but overall it is clear there will not be a severe impact on highway safety which is the test in the NPPF.

### **Developer Contributions**

- 6.53 Policy ID1 of the Local Plan relates to the need for development to provide the infrastructure needed to support growth. The Council's CIL policy comes into force on 1 October 2018 so up until that point, s106 agreements under the Town And Country Planning Act 1990 must be used where conditions cannot be imposed to secure the infrastructure.
- 6.54 The priority is Affordable housing. This is being met in full in terms of unit numbers and tenure split in terms of the requirements of policy SP20 in the Local Plan. All other types of infrastructure can be secured either by condition or by requiring the developer to meet planning obligations within the s106 legal agreement.
- 6.55 KCC seeks the following contributions as Local Education Authority
- Primary Education £265,089.00 Towards South Borough PS permanent expansion to 2 Forms of Entry
  - Secondary Education £373,789.00 Towards Phase 1 of the new School of Science and Technology Valley Park Maidstone
- 6.56 These have not been agreed by the applicant as it is claimed that they do not meet the CIL tests by being unnecessary and/or not sufficiently related to the development. I concur with the applicant's view on the secondary school request. The applicant is prepared to make contributions to local primary school(s) if they meet the CIL tests which will need further investigation. This can be secured in a s106 legal agreement.
- 6.57 KCC also seeks the contributions for:
- Community Learning £2609.20 Towards Portable equipment for the new learners for use in the Maidstone area
  - Youth Service £721.25 Towards additional equipment and sessions for the Maidstone outreach Youth Service
  - Libraries £4081.34 Towards additional bookstock for the new borrowers from this development
  - Social Services £5402.60 Towards Boughton Monchelsea Village Hall accessibility improvement works
- 6.58 The CCG requests contributions of £83,556 towards new general practice premises for Orchard Medical Centre and Greensands Health Centre ( now merged as Greensands Health Centre). The contributions satisfy the CIL tests as the scheme could serve the residents of the development and the

CCG has provided up to date confirmation that it would not exceed the pooling limits.

- 6.59 As detailed above, 40% of the development is affordable in a 70/30 tenure split which meets the requirements of the Affordable Housing policy SP20 of the MBLP. The final detail of the sizes of units for each tenure type will need to be considered in more detail in liaison with the Housing Officers.
- 6.60 Boughton Monchelsea PC asked for off site junction improvements in the village. These have not been supported by KCC as reasonably necessary to make the development acceptable in highway safety terms and thus would not be appropriate for the LPA to secure.

### **Other matters**

- 6.61 Paragraph 170 of the new NPPF requires planning decisions to contribute to and enhance the natural and local environment by recognising the wider benefits from natural capital and ecosystem services of trees; minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures
- 6.62 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity. Policy DM3 of the Local Plan requires new development to protect and enhance the natural environment; supporting opportunities to enhance, restore and connect habitats.
- 6.63 The ecological appraisal shows that these objectives will be met. It confirms that the majority of the site is of low ecological value, however the scrub and tree planted boundaries offer suitable habitats for breeding birds, reptile and hedgehogs. The chicken sheds are not considered suitable for roosting bats due to their past high levels of disturbance, light and noise. The majority of trees on site are not considered suitable for roosting bats due to their size, age and general lack of roosting features. However three trees, are considered suitable. The proposed layout has as such ensured these trees are retained and have a large buffer around them. Other mitigation: protection of retained hedgerows and off-site woodlands where possible, with compensatory planting where not; Invasive species walkover; Precautionary construction techniques sympathetic to badgers and a pre-construction walkover. To the north will be a pond feature proposed biodiversity enhancements which will be set amongst additional tree planting and landscaping.
- 6.64 The proposed site layout seeks to retain key ecological features and to maximise biodiversity gains. Bat and bird boxes will be incorporated into the built environment and soft landscaping which will contribute to an ecological network within the wider landscape. A mosaic of complementary habitats will include those listed on the Kent Biodiversity Action Plan such as species-rich hedgerows, lowland meadow, standing open water as well as the creation transitional habitats which complement existing boundary hedgerows. This will result in a significant biodiversity enhancement and allow connections to the wider habitats locally.

- 6.65 Through the above mentioned assessments and precautionary methods, it is considered that any impacts upon biodiversity will be satisfactorily mitigated in line with relevant legislation and the policies related to nature conservation within national and local planning policy. Overall, there will be significant positive ecological enhancement.
- 6.66 The main land use within the site is arable farmland, bound by mature hedgerow and trees. The trees within the site are predominantly along the site boundaries, and along the PRow track (KM106) connecting from the west of the site to the access track. There is also a cluster of trees around the south-western part of the chicken shed complex, including a row of poplar trees. Two lengths of hedges are present along the eastern edge of the hardstandings, east of the chicken sheds.
- 6.67 An Arboricultural Survey has been carried out to assess the existing trees on site and impact of the proposed development. A number of trees and groups are in very poor condition that they should be removed in any event. To facilitate the proposed scheme, a small number of trees and hedges will be removed which are located within the centre of the site and are well screened by the boundary vegetation to the surrounding fields. Where the sections of hedge are to be removed around the entrance to the site and at the junction with the footpath, the works only extend the openings, while the hedges themselves are maintained at a low level and do not offer full screening from the road.
- 6.68 The replacement planting scheme proposed reinforces the boundary screening as well as planting new lines of trees. Extensive planting is anticipated throughout the publicly visible elements in the new residential area as well as along the new access roads. Open space tree planting will use advanced nursery stock *Acer campestre*, *Betula pendula*, *Carpinus betulus*, *Prunus avium* 'Plena', *Quercus robur*, *Tilia cordata* 'Green Spire'. *Sorbus aria*, *Sorbus torminalis*. Street and parking court trees or trees for front gardens will be planted as semi-mature or advanced nursery stock of more ornamental species. SUDs and water associated tree planting; *Alnus glutinosa* (multi-stem) *Betula nigra*; *Cornus mas*. Coppiced Chestnut Woodland will be planted as transplanted *Castanea sativa* and the Nut Plat will be Planted as transplants *Corylus maxima* 'Kentish Cob' Native Mix
- 6.69 Semi- natural buffer planting as transplants with a mix of *Acer campestre*; *Carpinus betulus*; *Corylus avellana*; *Crataegus monogyna*; *Ilex aquifolium*; *Ligustrum vulgare*; *Prunus avium*; *Prunus spinose*; *Quercus robur*; *Rosa canina*; *Taxus baccata*.
- 6.70 The proposed development will not have an adverse impact on the arboricultural character and appearance of the local landscape, or on trees of significant amenity or biodiversity value, so it complies with national and local planning policy guidance in this regard.
- 6.71 The site is located in Flood Zone 1 with the lowest risk of flooding. Ground conditions surveys indicate that it is feasible to discharge generated surface water runoff into the ground by Infiltration. Due to the nature of the Hythe Formation and the location of existing residential properties to the north of the site (The Quarries) the discharge of surface water in

catchments across the site via shallow infiltration techniques. The SuDS will include a network of swales, permeable paving and a lined infiltration basin. So the pond will remain wet to provide both drainage and ecology benefits but also allow for some infiltration to the ground. The basin will have sediment forbays and landscaping to aid with pollution prevention.

- 6.72 The discharge of surface water will be in catchments across the site via shallow infiltration techniques rather than conveying flows to a single point of discharge to the north of the site. The attenuation pond in the northeast corner of the site will now primarily form ecology benefits rather than being the main point for infiltration to ground. The scheme therefore comprises a series of (dry) swales, infiltration trenches, permeable paving, plot soakaways and an infiltration basin within the scheme. The swales and permeable paving will aid water quality. The SuDS will remain private and therefore its features will need to be periodically inspected and be maintained by a management company.
- 6.73 Southern Water has completed a foul sewer capacity check for the new development site and stated there is currently inadequate capacity within the foul sewerage network to accommodate a foul flow. Southern Water has stated that additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development. Southern Water would not seek to challenge foul connections to their network for new residential developments that are part of the local authority Local Plan. The foul drainage condition suggested will need to be phrased to factor in the stance of Southern Water.
- 6.74 South East Water (SEW) have reviewed the effect of the proposed development on water supply network and have advised that the additional demand can be accommodated without the need for offsite reinforcement, subject to there being no other development taking place before the connection works are programmed.
- 6.75 Telecoms BT will provide fibre infrastructure to all developments in excess of 30 units at nil cost to the developer.
- 6.76 UKPS has provided a proposal which includes the installation of a single 315kVA substation for electricity needs to be met.
- 6.77 In terms of heritage matters, the key areas of heritage value are The Quarries Conservation Area to the north of the site, the listed buildings of Elm House, Tudor Cottage and Lewis Court to the south of the site. . Any impacts upon the significance of these built heritage assets has been reduced or removed through careful detailed design of the proposed development, including ensuring building heights and external materials are in keeping with the surrounding built form. As such the proposed development is in accordance with the duties set out in the 1990 Act and the relevant policies of the NPPF. A desk-based built heritage and archaeological assessment has been undertaken. Any further archaeological investigations could be secured by an appropriately worded planning condition.
- 6.78 The Environmental Protection section advises that Air Quality can be dealt with by condition.



- 6.79 On the basis of the desktop and site investigation, it is considered that the site can be decontaminated and made suitable for the proposed end users subject to conditions.
- 6.80 KCC (H&T) and the PC suggest conditions on a Construction Environmental Management Plan and/or the hours of the construction. It is not considered that in the context of this specific site that these could be justified as planning conditions so an informative is suggested to relate to these issues.

## **7. CONCLUSION**

- 7.01 The scheme is a more extensive development than the Local Plan allocation by 60 units which has no significant extra impacts and the scheme would satisfactorily deal with or mitigate the planning issues from the proposed development subject of planning conditions or obligations in a s106 legal agreement.
- 7.02 The impact of the development on the landscape acceptable whether viewed from the wider countryside or a more local viewpoint. The proposed development would replace existing built form of farm buildings on the site and there would be beneficial effects, through the substantial new woodland structure, new green infrastructure including the new areas of open space and new coppice woodland, all of which would contribute positively to the local landscape. Furthermore, the proposed landscape framework would contribute over time to softening views of the proposed development and the resultant visual impact would therefore reduce through the maturing of the vegetation.
- 7.03 The scheme complies with the Government's definition of sustainable development as defined in the new NPPF. It is in a relatively sustainable location in environmental terms and the social and economic benefits of the new housing would be significant, especially regarding the increased in the stock of the offer of affordable housing: 24 units of affordable rent and 5 units of shared ownership and 5 units of shared equity, all subject to a local lettings plan.
- 7.04 The site provides 85 units of which 60 would be part of the Council's "windfall" housing supply. Policy SS1 (Maidstone Borough Spatial Strategy) refers to housing target being made through the granting of planning permissions in addition to allocations. The increase in number of units in this planning application therefore adds to the "windfall" contribution from this site by 60 units without any impact that cannot be satisfactorily mitigated.
- 7.05** By their greater scale, the proposals provide greater benefits over and above than the policy H1(54) requires by the provision of a large area of publically accessible open space on site, biodiversity enhancements including the provision of community woodland for use of both existing and future residents and land secured in perpetuity for the benefit of the village via Boughton Monchelsea Amenity Trust.

### **7.06 .**

7.07 The application was advertised as a Departure from the development plan. The recommendation is for approval but in the event that Members do resolve the permit the application, it does not need referral to the NCPU under the criteria of the current (2009) Direction.

## **8. RECOMMENDATION**

The Head of Planning and Development BE DELEGATED POWERS TO GRANT planning permission subject to the prior completion of a legal agreement to provide the following (including the Head of Planning and Development being able to settle or amend any necessary terms of the legal agreement in line with the matters set out in the recommendation resolved by Planning Committee):

- Community Learning £2609.20 Towards Portable equipment for the new learners for use in the Maidstone area
- Youth Service £721.25 Towards additional equipment and sessions for the Maidstone outreach Youth Service
- Libraries £4081.34 Towards additional bookstock for the new borrowers from this development
- Social Services £5402.60 Towards Boughton Monchelsea Village Hall accessibility improvement works
- Primary Education £265,089.00 Towards local facilities.
- West Kent CCG £83,556 towards premises for Greensands Health Centre
- 34 affordable housing units comprising 24 units being affordable rented and 5 being shared ownership and 5 being shared equity (sizes and tenure mix to be agreed)
- A Travel Plan and £5000 monitoring fee
- The transfer of land to the Boughton Monchelsea Amenity Trust

And the imposition of the conditions as set out below:

- 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) The development hereby permitted shall not commence until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved by the local planning authority:

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.

A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in 3. This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean; Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: To avoid pollution.

- 3) No development shall take place until the applicant has secured and implemented
  - i. archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
  - ii. further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To enable the recording of any items of historical or archaeological interest.

- 4) The development hereby approved shall not commence until details of the proposed finished floor, eaves and ridge levels of the building(s) and the existing site levels have been submitted to and approved in writing by the local planning authority and the development shall be completed in accordance with the approved levels.

Reason: In order to secure a satisfactory form of development having regard to the countryside location of the site.

- 5) The development hereby approved shall not commence until a detailed sustainable surface water drainage scheme for the site consistent with the principles of the Foul and Surface Water Drainage Strategy prepared by Fairhurst Consulting (April 2018) has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme 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 and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters. The drainage scheme shall be implemented in accordance with the approved details prior to first occupation of the development (or within an agreed implementation schedule).

Reason: In the interests of prevention of pollution and flood

- 6) No building hereby permitted shall be occupied until an operation and maintenance manual for the proposed sustainable drainage scheme is submitted to and approved in writing by the local planning authority. The manual at a minimum shall include the following details:

- A description of the drainage system and its key components
- An as-built general arrangement plan with the location of drainage measures and critical features clearly marked
- An approximate timetable for the implementation of the drainage system
- Details of the future maintenance requirements of each drainage or SuDS component, and the frequency of such inspections and maintenance activities
- Details of who will undertake inspections and maintenance activities, including 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

The drainage scheme as approved shall subsequently be maintained in accordance with these details.

Reason: In the interests of prevention of pollution and flood

- 7) No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To comply with the National Planning Policy Framework. Please note that the use of soakaways in the Hythe Beds are not recommended as they can promote instability of the geology via washout of the sandier

horizons, leading to the opening and enlargement of fissures within the Hythe Beds, and subsequent collapse.

- 8) Piling or any other foundation designs using penetrative methods shall not be 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 groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect controlled waters, including groundwater and to comply with the National Planning Policy Framework.

- 9) The development hereby approved shall not commence above slab level until samples and large scale drawings of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted (incorporating those material and architectural detailing on drawings hereby approved including ragstone, clay tiles and segmental gauged arches) have been submitted to and approved in writing by the local planning authority. These shall accord with the materials described in the Design and Access Statement hereby approved. The development shall be constructed using the approved materials.

Reason: To ensure a satisfactory appearance to the development.

- 10) The development hereby approved shall not commence above slab level until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The details shall include a double staggered hedgerow to the rear of plots 84 and 85 consisting of 80% hawthorn/blackthorn, 10 % hornbeam and 10% privet. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed, provide details of on site replacement planting to mitigate any loss of amenity and biodiversity value together with the location of any habitat piles and include a planting specification, a programme of implementation and a 5 year management plan. The landscape scheme shall specifically address the need to provide landscape screening to the site perimeters.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

- 11) The development hereby approved shall not commence above dpc until details of the foul drainage works (which may be for a phase or sub phase of the development) have been submitted to and approved by the local planning authority and these works shall be completed in

accordance with the approved details before the first occupation of the building within that phase or sub phase "

Reason: To ensure adequate drainage arrangements.

- 12) The development hereby approved shall not commence until a report, undertaken by a competent person in accordance with current guidelines and best practice, has been submitted to the local planning authority for approval. The report shall contain and address the following:
- i. An assessment of air quality on the application site and of any scheme necessary for the mitigation of poor air quality affecting the residential amenity of occupiers of this development.
  - ii. An assessment of the effect that the development will have on the air quality of the surrounding area and any scheme necessary for the mitigation of poor air quality arising from the development. Any scheme of mitigation set out in the subsequently approved report shall be implemented prior to the first occupation of the building and maintained thereafter.

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<sub>x</sub> and PM<sub>10</sub>) [from the Emissions Factor Toolkit]; - The air quality damage costs calculation for the specific pollutant emissions (from DE EV Charging Points 1 Publically accessible EV "rapid charge" point (of 22kW or faster) should be provided per 10 residential dwellings (where no dedicated off-street parking is provided) and/or per 1000m<sup>2</sup> of commercial floor space. Any dwellings with dedicated off-street parking should be provided with their own charge points for low-emission plug-in vehicles. Where these things are not practicable, contribution towards installation at nearby locations should be considered.

Reason: In the interests of pollution control.

- 13) No development above slab level shall take place until details of plots where electric vehicle charging points can be installed have been submitted to and approved in writing by the Local Planning Authority. The approved plots shall not be occupied until a minimum of one electric vehicle charging point has been installed on each property, and shall thereafter be retained for that purpose.

Reason: To promote the reduction of CO<sub>2</sub> emissions through the use of low emissions vehicles

- 14) The development shall not be occupied until details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the local planning authority. The details shall include large scale drawings of 2/3 coursed and coped ragstone walling along the eastern boundary of plot 21. The housing areas and open space shall be implemented in full in accordance with the approved details before the first occupation of any of the dwellings hereby approved, or in accordance with a programme to be agreed in advance in writing by the local planning authority.

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.

- 15) No dwelling shall be occupied until off site highway improvements under s278 of the Highways Act 1980 have been completed.

Reason: In the interests of highway safety.

- 16) The access to the site from Green Lane shall be carried out in accordance with drawings hereby approved and shall be completed before the first occupation of the buildings hereby permitted. The visibility splays hereby approved shall be retained free of all obstruction to visibility above 1m thereafter.

Reason: In the interests of road safety.

- 17) A landscape and ecological management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped and open areas other than privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to first occupation of any dwelling on the site. Landscape and ecological management shall be carried out in accordance with the approved plan unless the local planning authority gives written consent to any variation.

Reason: In the interests of biodiversity, landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- 18) The occupation of any phase or sub phase of the development shall not commence until all planting, seeding and turfing specified in the approved landscape details has been completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved

landscape scheme unless the local planning authority gives written consent to any variation.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

- 19) The Ecological Mitigation shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of biodiversity.

- 20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Classes A-H (inclusive) to that Order shall be carried out without the permission of the local planning authority.

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

- 21) No external lighting shall be installed on the site without details and specifications having been submitted to and approved by the Local Planning Authority.

Reason: In the interests of visual amenity and ecological interest

- 22) 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. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them.

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.

- 23) The development hereby permitted shall be carried out in accordance with the following approved plans:  
;2692-C-1005-Q ;2692-C-1005.1-Q (LOW RES) ;2692-c-1021-A  
;123071-C02 ;123071-C03; Tree Protection Plan 1 Rev D REV P02  
;123071/C06 REV P2 ;123071/C07 REV P2 ;123071/C09 REV P2  
;1522/002 Rev d ;1522/003 Rev C ;2692-A-1000-A ;2692-A-  
1020-A ;2692-A-1023-A ;2692-A-1025-A ;2692-A-1028-A  
;2692-A-3000-A ;2692-A-3005-C ;2692-A-3006-B ;2692-A-  
3007-B ;2692-A-3010-A ;2692-A-3011-A ;2692-A-3015-A



;2692-A-3016-A ;2692-A-3020-B ;2692-A-3025-A ;2692-A-3026-A ;2692-A-3027-B ;2692-A-3028-B ;2692-A-3029-A ;2692-A-3030-B ;2692-A-3031-A ;2692-A-3035-C ;2692-A-3036-B ;2692-A-3037-B ;2692-A-3040-A ;2692-A-3045-A ;2692-A-3046-A ;2692-A-3050-A ;2692-A-3051-A ;2692-A-3052-A ;2692-A-3055-A ;2692-A-3060-A ;2692-A-3061-A ;2692-A-3065-A ;2692-A-3066-A ;2692-A-3067-A ;2692-A-3070-A ;2692-A-3080-A ;2692-C-1022-A ;2692-C-1024-C ;2692-C-1026-A

### **INFORMATIVE**

- 1) No demolition/construction activities shall take place, other than between 0700 to 1900 hours (Monday to Friday) and 0700 to 1300 hours (Saturday) with no working activities on Sundays, Bank or Public Holidays.
- 2) The Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

You are advised to ensure provision of:

- construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction;
  - parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction;
  - wheel washing facilities prior to the commencement of work on site and for the duration of construction;
  - measures to prevent the discharge of surface water onto the highway;
- 3) Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight

gauge must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund. During the decommissioning of storage facilities, product could be lost to ground as a result of either deliberate or accidental release during dismantling and removal of tanks and pipework. In addition, a risk could arise off-site if contaminated tanks and pipework are not disposed of in an appropriate manner. It would be preferable to remove all redundant tanks and pipework. If tanks are left in-situ, a risk could arise if any residual product remains in the tanks. As the integrity of the equipment would no longer be maintained or monitored, the potential risk posed might be greater than during the operational lifetime of the site. Any residual product should be removed from the tanks. This process is known as bottoming. Care must be taken to ensure that no product is lost to ground. Following bottoming, the tanks need to be made safe by the removal of any explosive vapours. One method involves filling the tanks with inert gases or water. All tanks must be bottomed and made safe before removal from the ground. Similar methods should be employed prior to removal of pipework. As water used for this purpose will become contaminated with the residual product, a risk of contamination of controlled waters could arise if this water is not disposed of in a manner appropriate to the degree of hydrocarbon contamination. Typically this would involve consignment to a suitable waste treatment facility or, possibly, discharge to foul sewer. It is normal good practice to remove tanks, pipework and dispensers. The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project some naturally occurring clean material can be transferred directly between sites. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, we should be contacted for advice at an early stage to avoid any delays. We recommend that developers should refer to: the Position statement on the Definition of Waste: Development Industry Code of Practice and The Environmental regulations page on GOV.UK contaminated soil that is, or must be,

disposed of is waste. Therefore, its handling, transport, treatment and disposal are 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

- 4) 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, we 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 the Hazardous Waste pages on GOV.UK for more information
- 5) No works can be undertaken on a Public Right of Way without the express consent of the Local Highway Authority. Should any temporary closures be required to ensure public safety then: The applicant pays for the administration costs; the duration of the closure is kept to a minimum; alternative routes will be provided for the duration of the closure. A minimum of six weeks notice is required to process any applications for temporary closures. This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.
- 6) Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. This information shall be submitted prior to commencement and as a basis for detailed design. The development shall only then be carried out in accordance with the approved details.
- 7) No development or new tree planting should be located within 3 metres either side of the external edge of the public sewer and all existing infrastructure should be protected during the course of construction works. No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public (also adoptable) gravity sewer, rising main or water main. Due to changes in legislation that came in to force on 1st October 2011

regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

- 8) 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. 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. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

- 9) Appropriate pollution control methods (such as trapped gullies/interceptors or swale & infiltration basin systems) should be used for drainage from access roads, made ground, hardstandings and car parking areas to reduce the risk of hydrocarbons from entering groundwater.

Only clean uncontaminated water should drain to the proposed infiltration system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures).

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 infiltration system and the water table. A series of shallow infiltration systems are preferable to deep bored systems, as deep bored systems can act as conduits for rapid transport of contaminants to groundwater.