

<b>REFERENCE NO -</b> (A) 18/506028/SUB (B) 18/506426/SUB		
<b>APPLICATION PROPOSAL</b> (A) Submission of Details to Discharge Condition 3 (Construction Method Statement) Condition 16 (Contamination) and Condition 23 (Foul Water and Surface Water Drainage Strategy) Subject to 17/502072/OUT  (B) Submission of Details to Discharge Condition 15 Air Quality assessment and mitigation measures subject to 17/502072/OUT.		
<b>ADDRESS</b> Land South Of Forstal Lane Coxheath Kent		
<b>RECOMMENDATION</b> Application Permitted		
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b> The submitted details as revised are all acceptable and no concerns are raised by technical consultees and hence these conditions can be discharged.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> The Planning Committee of 31 January 2019 resolved that all details pursuant to the planning permission on this site must be reported to Planning Committee		
<b>WARD</b> Coxheath And Hunton	<b>PARISH/TOWN COUNCIL</b> Coxheath	<b>APPLICANT</b> Mr Thijs Bax <b>AGENT</b>
<b>TARGET DECISION DATE</b> (A) 08/02/19  (B) 18/01/19		<b>PUBLICITY EXPIRY DATE</b> N/A

### **Relevant Planning History**

17/502072/OUT - Outline Application for residential development for up to 210 dwellings together with access off Forstal Lane, 1.85 hectares of open space and associated infrastructure (Access being sought). Approved 27.02.2018.

Pursuant to the outline permission a number of details have already been approved, principally:

- Condition 4(i): Archaeological field evaluation works. Approved 25.07.2018
- Variation to Condition 5: All Existing Hedgerow To Be Retained to allow a temporary construction access. Approved 09.10.2018
- Variation to Condition 18: Badger Mitigation Strategy. Approved 08.11.2018
- Condition 13 - Ecological Design Strategy. Approved 24.10.2018
- Condition 4(ii) - Further archaeological investigation to amend the Badger Mitigation Approach. Approved 12.11.2018
- Approval of Reserved Matters for Appearance, Layout, Scale and Landscaping and details pursuant to conditions 6 (Arboricultural Method Statement); 7 (Tree Protection) and 24 (Minimise Risk of Crime). Approved 18.02.2019

- Non Material Amendment to vary Condition 19 (EV Charging Points) for the provision of 'Wallpod' charging points of 3.6kW or faster. Approved 17.12.2018

Details relating to: Conditions 8 and 9 (Drainage), 12 (Lighting scheme) and 22(Footpath and PROW), are currently pending consideration.

## **MAIN REPORT**

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

- 1.01 The site of 7.79ha was allocated in the adopted Plan (H1(58)) and lies to the south of Forstal Lane, adjoining the existing estate of Park Way and Mill Road to the west and south the recently constructed housing development of Willow Grange.
- 1.02 The site is currently laid out as rough grassland and is generally enclosed by hedgerows to its boundaries. The site has an existing site access onto Forstal Lane to the northern boundary and a public footpath, KM67 runs north to south along the eastern boundary, into the Willow Grange development and then to Heath Road.
- 1.03 To the North East of the site, Forstal Lane becomes Well Street, a narrow lane which leads to Loose.

### **2. PROPOSAL**

- 2.01 This report deals with 2 applications that seek to discharge details required by 4 conditions attached to the outline planning permission.
- 2.02 Condition 3 requires a Construction Method Statement (CMS) to address:

(i) Loading and unloading of plant and materials and (ii) the parking of vehicles of site operatives and visitors

The phasing plan shows development commencing near the NW corner (with 4 show homes/parking) and proceeding in a generally anti-clockwise manner. The construction compound and operative parking are located in the NE corner, accessed from a construction only access off Forstal Lane. In the final phases, the compound and operative parking remain in communal parking courts of the completed housing plots next to the construction access. At no point are the compound or operative parking located on the intended Public Open Space or public highway.

(iii) A jet/wheel wash facility will be located at site entrance/exit.

(iv) Other construction phase measures include the use of dust extraction equipment; water suppression/wet cut methods; delivery of concrete premixed and mortar dispensed from a silo; during dry weather damping down will take place by suppression/spays.

(v) recycling/disposing of waste will be managed by waste hauliers

(vi) the provision of a permanent drainage system and road construction base early in the development process will provide clean running surfaces

for all site vehicles. The system will retain all surface water runoff within the curtilage of the site.

- 2.03 Condition 16 (Contamination): The site has been investigated by sampler boreholes, trial pits and hand augers, with selected soil samples analysed. The chemical analysis reported a single localised elevated level of lead concentration within an area that will be under a roadway, so will most likely be removed at the site strip phase. This was not identified as a widespread issue and will not impact upon private garden areas. No other elevated contaminants of concern were recorded. In conclusion, no further specific remediation is proposed unless there is unforeseen contamination encountered.
- 2.04 Condition 23: The foul drainage is to be provided on rising mains, in association with the proposed location of the pumping station in the NE corner of the site.
- 2.05 The SuDS surface water drainage strategy will include attenuation cellular storage on the western part of the site and infiltration swales and basins on the eastern part of the site. There are relevant calculations to demonstrate the effectiveness of this strategy. It details the maintenance regime and confirms that service charges for the development will cover the costs of the regular maintenance of the site drainage system. A separate sinking fund will be maintained to provide for the anticipated replacement cost of the major components at the end of the manufacturer's design life. In terms of the timetabling of the installation of drainage measures, this is detailed as; Surface Water March 19 - 01/08/20 and Foul Water 19/03/19- 04/11/19.
- 2.06 Condition 15 relates to Air Quality Mitigation. The nearest AQMA is over 1km to the north-east in Maidstone. A detailed Air Quality Mitigation Statement has been submitted which assesses both the construction and operational phases of the development. In terms of dust soiling/deposition there is an identified medium risk during earthworks and construction. A package of mitigation measures are proposed, such as use of shields/dust suppression on machinery, appropriate site management and operation, water sprays.
- 2.07 With regard to the residential phase (estimated completion 2023) a 5-year damage cost calculation has been carried out (without mitigation being applied), which assesses the net impact of traffic generation on air quality. This is based on likely vehicle trips (981 daily movements, with only 1.4% being HGVs) and factors in general improvements in vehicle emissions over the 5 years after completion. The strategy then sets out proposed mitigation to address, with measures including: Late night bus service contribution; Travel Plan monitoring; a total of 103 wall EV charging points; bus travel voucher scheme.
- 2.08 There is a Green Infrastructure Plan detailing the tree species (160 trees and 1274 whips) and their CO<sub>2</sub> uptake rates, which cumulatively are significant. The development includes the installation of low NO<sub>x</sub> boilers.

### **3. 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)

- 3.01 Southern Water Services: No objections to the proposed foul drainage. Approval for the connection is subject to completion of sewer improvement works.
- 3.02 KCC (Flood and Water Management). Note the intention to deliver the drainage works as part of Phase 1 of the development. We would highlight that an application to discharge condition 8 related to the provision of a detailed surface water drainage scheme has not yet been considered. It is therefore possible that the documents above could be subject to change in the event that any design alterations were found to be necessary.
- 3.03 Environment Agency: no comments
- 3.04 Environmental Protection: advise that the Construction Management Plan is satisfactory.
- 3.05 The reports identified a single sample with elevated lead (TP15) located beneath a proposed road. The report advises that no remediation of the site is required except for this localised area of soil. Once the site works are complete, the applicant can then submit a Closure Report.
- 3.06 The AQ measures proposed will be suitable and sufficient to discharge Condition 15.

#### **4. APPRAISAL**

##### **Construction Method Statement**

- 4.01 The submitted details indicate that all of the key matters required in the condition are satisfactorily dealt with and that there is minimisation of impact on the public highway as far as is practicable.

##### **Contamination**

- 4.02 There is no contamination other than one isolated find of lead which will in all likelihood be removed or covered over when the road above is constructed and so no sensitive end user will be affected. The site does not therefore need further remediation unless unforeseen contamination is encountered during the build. A closure report will need to be submitted for information at the completion of the works.

##### **Foul Water and Surface Water Drainage Strategy**

- 4.03 The foul water drainage strategy involves a connection to the main sewer via a pumping station, which is acceptable, and no concerns are raised by Southern Water Services subject to their own processes being followed.
- 4.04 The principle of the design and maintenance and timetable of the surface water drainage is satisfactory. The technical detail needed for conditions 8 and 9 to be approved are in a pending submission ref 19/500667/SUB which will be reported to Planning Committee in due course. If those require any consequential change to what has been proposed to discharge condition 23, then that will need to be resubmitted as an amended submission in due course.

## **Air Quality Mitigation**

- 4.05 The issue is whether the proposed mitigation will offset the identified air quality impacts given the assessment of risk and damage costs arising from the development.
- 4.06 The assessment of construction phase risk and the proposed mitigation measures are considered appropriate and acceptable.
- 4.07 With regard to the operational phase, the uncertainty of take-up of bus vouchers is acknowledged. However, the additional information on Green Infrastructure (extensive tree and whip planting absorbing CO<sub>2</sub>) and low NO<sub>x</sub> boiler type means that submitted package of mitigation is acceptable overall.

## **5. CONCLUSION**

- 5.01 The submitted details as revised are all acceptable and no concerns are raised by technical consultees and hence these conditions can be discharged.

## **6. RECOMMENDATION**

### **7. (A) 18/506028/SUB**

- 7.01 Approve the submitted details.

Informative

- 1) This decision is based on the following documents/drawings:

Strategy Document Rev D  
7054/1030 Rev P1 Proposed Rising Main Long Sections  
Construction Management Plan  
Final Phases CMP  
Drainage Design Report Network  
Timetable of Drainage  
Drainage Maintenance & Management Manual  
Remediation Statement  
Email From Agent re Swale/Basin

### **(B) 18/506426/SUB**

- 7.02 Approve the submitted details.

Informative

- 1) This decision is based on the following documents/drawings:

Air Quality Mitigation Statement  
Forstal Lane Checklist  
Supporting Landscape Statement  
Green Infrastructure Plan

Planning Committee Report  
14 March 2019

Case Officer: Marion Geary