

REPORT SUMMARY

REFERENCE NO - 19/503995/EIFUL

APPLICATION PROPOSAL Erection of 136 residential dwellings together with access, parking, drainage, landscaping and associated works.

ADDRESS Land At Old Ham Lane Lenham Maidstone Kent

RECOMMENDATION Conditional planning permission be granted subject to delegation to the Head of Planning to secure the detailed wording of highway conditions and the terms of the s106 agreement set out below.

SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL

Policy SP8 of the adopted Maidstone Borough Local Plan 2017 identifies Lenham as a Rural Service Centre and a broad Location for future housing growth, to be delivered between 2021 and 2031.

The policy states that future housing sites should be determined by either (i) a Neighbourhood Plan and master plan process, in accordance with the criteria of policy H2(3) or (ii) through a review of the Local Plan.

Whilst limited weight can be attached to the draft Neighbourhood Plan, this proposal is consistent with the current draft and has been formulated in liaison with the Parish Council, who do not object.

The site will deliver a modest proportion (14%) of the growth area requirement and forms part of a wider landholding being promoted by the developer through both the draft Local Plan review and the Neighbourhood Plan. This application will enable a proportionate delivery of infrastructure identified as necessary to support the wider draft Neighbourhood Plan objectives to be delivered. Early delivery of the site will therefore assist both the Council and the Parish in achieving the growth area / draft neighbourhood plan targets.

However, Members should note that this application must be considered on its own merits and in this respect it is not dependent upon wider schemes coming forward.

The development proposes a good quality neighbourhood set within an attractive landscape setting. The proposed housing mix and 40% affordable provision will make a significant contribution to identified needs.

The site is considered to be a sustainable location with good access to the village centre, local amenities, local bus routes and the railway station.

The proposals have been the subject of a lengthy pre-application process with Officers, the Parish Council and have been subject to engagement with the wider local community.

REASON FOR REFERRAL TO COMMITTEE

The application has been called in by local councillors due to its significance in the context of the village and the emerging neighbourhood plan.

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|--|--|---|
| WARD Harrietsham And Lenham | PARISH/TOWN COUNCIL Lenham | APPLICANT Countryside Properties & The Estate Of A Crouch AGENT DHA Planning |
| DECISION DUE DATE 18/01/20 | PUBLICITY EXPIRY DATE 21/09/19 | OFFICER SITE VISIT DATE Various throughout 2019 |
| RELEVANT PLANNING HISTORY: The application site has no planning history. To the north east, Wealden Homes received planning permission earlier in 2019 for a scheme of 55 units, whilst to the north, adjacent to the A20, Jones Homes are on-site constructing a housing scheme allowed on appeal. | | |

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The Application Site lies immediately to the west of the built up area of Lenham and fronts onto Old Ham Lane, beyond which, to the east, are a row of cottages and beyond the large Lenham Storage site. To the south Old Ham Lane crosses the railway via the so-called 'Smokey Bridge'.
- 1.02 To the north east the site abuts the William Pitt Playing Field, itself a draft neighbourhood plan housing site, beyond which are the residential development sites being brought forward by Wealden and Jones Homes respectively.
- 1.03 Old Ham Lane connects to Ham Lane a short distance east of the site, which gives access into the village centre and station to the east and to the A20 to the north. Subject to local enhancements proposed by this scheme, the site has acceptable pedestrian connections to both the village centre and bus and train services.
- 1.04 To the west the land comprises open countryside. This fallow arable land, of which the Application Site forms part, comprises a wider landholding of 18.6 ha, which the draft Neighbourhood Plan promotes as a future housing site.
- 1.05 The current Application Site, however, represents only 7.5ha of the overall land holding, this being the first phase of the potential overall site. The Design and Access Statement demonstrates how this application would fit

into the wider masterplan, should this come forward. However, to be clear, Members should consider this application on its merit and not assume that any of the wider draft Neighbourhood Plan Sites will definitely come forward.

- 1.06 The Application Site comprises mainly open arable field with limited trees or hedgerows, other than site boundaries. An area of ancient woodland lies further west, but does not abut the application site. The western edge of the site is marked by a shallow dry valley which follows the gentle north to south slope of the land. This feature is used to inform the open space and drainage strategy.
- 1.07 The AONB boundary lies north of the A20. The site will be separated from the AONB boundary by approved developments that are under construction to the north / north east. The relationship with the AONB is assessed in further detail below.

2 THE PROPOSALS

- 2.01 This detailed planning application has been submitted following an extensive series of pre-application discussions with the Parish Council and Officers at both MBC and KCC, together with other local stakeholders. The scheme has also been presented to MBC Members as part of the pre-application process – but Members should note that discussion centred around the Applicant’s masterplan for circa 360 dwellings across their wider landholding, of which this Application forms just part.
- 2.02 The planning application seeks detailed planning permission for the erection of 136 dwellings, 55 (40.5%) of which will be affordable, together with extensive areas of open space, internal highway infrastructure, a new site access onto and improvements to Old Ham Lane and the junction with Ham Lane, plus a new access to the adjacent Parish Council site. The proposals reserve land within the south part of the site adjacent to Old Ham Lane that would provide for improved connections for other proposed housing sites south of the railway, should they come forward at a future stage. However, this is not necessary as part of this initial phase. The Applicant has agreed a strategy with KCC requiring the construction of this link, should it be necessary, before the completion of this first phase of development.
- 2.03 The proposed dwellings are principally two storey in height with a limited 3 storey element provided by two apartment blocks. The scheme delivers a mixture of 1 and 2 bedroom apartments plus 2, 3, 4 and 5 bedroom houses, with the following mix:

| | |
|---------------------|----------|
| 1 Bedroom apartment | 8 units |
| 2 Bedroom apartment | 16 units |
| 2 Bedroom house | 23 units |
| 3 Bedroom house | 59 units |
| 4 Bedroom house | 26 units |
| 5 Bedroom house | 4 units |

- 2.04 Traditional materials are proposed with a combination of brick, tiling and weatherboarding that, together with their scale and building typologies has taken reference from an assessment of the wider character of Lenham. The materials, together with the placement of buildings of interest and open space and landscaping seek to create streetscapes that possess a variety of forms and interest.
- 2.05 The dwellings form clusters set off a central landscaped spine road and are contained within extensive areas of public open space to the west south and east. Established boundary planting to the south adjacent to the railway will be retained and enhanced. Both the proposed open spaces and highway infrastructure have been designed to engage with the wider areas of development promoted within the draft Neighbourhood Plan.
- 2.06 Accounting for the extensive areas of open space the overall density of the development is very low at 18.1 dph. Dwellings types and tenures are varied across the scheme to ensure that a genuinely mixed neighbourhood is created.
- 2.07 The proposed open spaces comprise a range of formal (principally streetscape) and semi-natural areas that will serve townscape, recreational and ecological functions. Native planting will be used throughout and habitat for birds, bees and bats created within both the landscape and built fabric. It has been demonstrated that the landscaping proposed, for example, the central landscape corridor, can link into future phases of development should adjoining sites come forward at a future stage.
- 2.08 The planning application is accompanied by a series of technical and environmental reports, plus an Environmental Statement, the scope of which has followed the Council's pre-application advice.

3 RELEVANT POLICY CONSIDERATIONS

- 3.01 Relevant strategic policies within the Maidstone Borough Local Plan 2017 (MBLP) are: SS1, SP3, SP5, SP8, SP17, SP18, SP19, SP20, H2(3) (Lenham broad location for housing growth), ID1.
- 3.02 Relevant development management policies within the MBLP are: DM1, DM2, DM3, DM4, DM6, DM8, DM12, DM19, DM20, DM21, DM23, DM30.
- 3.03 The Officer assessment has also been guided by relevant advice with both the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).
- 3.04 The draft Lenham Neighbourhood Plan (LNP) is afforded limited weight in the assessment of this application as, at the time of this report being drafted it has not yet progressed to Regulation 16 stage. However, as identified within the assessment below, the location, form and scale of development is, where relevant, consistent with the current draft.

4 LOCAL REPRESENTATIONS

- 4.01 Letters were sent to neighbouring residents, plus notices were placed on site and in the local press. 10 responses have been received, principally raising objections on the following grounds (not all of which represent planning considerations):
- conflict with the MBLP
 - prematurity ahead of the Lenham Neighbourhood Plan
 - loss of open countryside
 - loss of agricultural land
 - the application should deliver the access links to the north (A20) and south (Old Ham Lane) at this stage
 - old Ham lane is inadequate to accept any growth in traffic
 - the development will create risks for pedestrians and cyclists
 - the proposals would encourage further use of the PROW that passes through the Lenham Storage site
 - no equalities assessment has been carried out
 - Lenham has inadequate infrastructure to accommodate such growth
 - too many larger houses
 - affordable housing should not be built adjacent to existing higher end housing
 - increased risk of surface water flooding
 - inadequate highways and ecological surveys
 - noise and light pollution

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 **Lenham Parish Council** – following discussion with the Applicant regarding their initial comments, the PC has now withdrawn their objections.
- 5.02 **Network Rail** – No objection in principle and invite further discussions with the Applicant on matters such as boundary treatment and surface water drainage.
- 5.03 **Environment Agency** – Raise no objection subject to a number of conditions.
- 5.04 **MHCLG** – Offer no comments.
- 5.05 Southern Water** – Provide advice on works adjacent to the sewer network and request that should this application receive planning approval, the following condition is attached to the consent: “Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.”
- 5.06 **KCC Ecology** – Acknowledge that the proposed development provides opportunities to incorporate features into the design which are beneficial to wildlife, such as native species planting and the installation of bat/bird nest boxes. Following the receipt of further information KCC are satisfied that the surveys of breeding birds and dormice is acceptable.

KCC note that mitigation measures have been provided which include precautionary working measures and the provision of replacement habitat for dormouse – KCC consider that these measures are sufficient to ensure that the works will not be detrimental to the favourable conservation status.

KCC note that further mitigation measures have been provided in relation to; badgers, a sensitive lighting strategy for bats, and hedgehogs and are satisfied with the outlined precautionary mitigation measures and advise

that these measures are secured via an appropriately worded planning condition.

At the request of KCC breeding bird surveys have been undertaken with a number of priority species recorded breeding on site (skylark and song thrush). Under the current proposals, habitat supporting skylark will be lost (i.e. large areas of arable farmland) and therefore mitigation will be required. (*Officer Note – KCC’s ecologist has now agreed a condition to address this matter*)

KCC advise that sufficient information has been submitted to enable MBC fully consider the impact the proposed development will have on other species recorded within the site.

- 5.07 **KCC Heritage / Archaeology** – Acknowledge that the site does not contain any known designated heritage assets and there are none nearby except for Boldrewood Farm and Lenham Court, which are south of the railway line.

From a wider heritage perspective KCC consider that the proposed development may have an impact on the historic character and significance of Lenham, as a medieval market town. The scale of development is such that there is likely to be an impact on the number of visitors and users of Lenham village centre, which contains many designated and non-designated historic buildings. In addition, there are still clear boundaries and an area defining Lenham medieval market town with open fields surrounding the historic core.

Recommend conditions to address archaeology.

- 5.08 **KCC Lead Flood Authority** - In principle have no objection to the proposal subject to conditions.
- 5.09 **KCC PRow** – Note that the development will provide new path links within the site that would be a valuable addition to the PRow network. Also consider that the development will increase the use of nearby PRow and suggest a financial contribution to their enhancement.
- 5.10 **KCC Highways** – Confirm that the site is well placed in relation to several key local facilities including the primary and secondary schools, which fall within the ‘preferred maximum’ walking distance of 2km (commuting/schools).

Support the provision of a new 1.8m wide footway on the northern side of the section of Old Ham Lane that is to be widened. This will connect with the footways proposed on both sides of the development access road.

Note that the widened section of Old Ham Lane incorporates a proposal for a new access junction to the playing fields and consider that this would achieve a highway safety benefit in view of the substandard nature of the existing playing fields access

KCC originally raised a number of matters following their initial assessment of the application including, which have since been addressed to their satisfaction:

- Clarity on safety audit and vehicular tracking at both access points to the site and the adjacent Parish Council land
- Clarity on cumulative impacts on the Ham Lane / A20 junction and any necessary works
- Detail as to how the southern link to Old Ham lane will be delivered.
- Cumulative impact analysis in respect of key junctions on the wider A20 corridor towards Maidstone (M20 J8) and Ashford, with mitigation proposals included

(Officer Note – these have each been addressed following a meeting between the parties and a series of conditions agreed by KCC, who now do not object subject to a number of conditions.)

5.11 **Kent Police** - Note that the submission acknowledges Secured by Design (SBD) in the Design and Access Statement (DAS), but recommend a condition to enable direct dialogue with the Applicant to address a number of matters. *(Officer Note – this would be an informative rather than condition)*

5.12 **MBC Parks and Open Spaces** – Initially assessed that the scheme provided only 2.32 ha of open space against a requirement of 2.70ha and advised that a financial contribution should be sought. *(Officer Note – the applicant has subsequently clarified that 2.74 ha of open space is to be provided.)*

5.13 **AONB Unit and Natural England** – no comments received.

6 APPRAISAL

6.01 Having regard to the form of development proposed and the consultation comments received, the key issues for consideration in relation to this application are:

- Development Plan Context – Lenham Growth Area
- Principle of Development
- Affordable Housing / Housing Mix
- Character and Appearance
- Landscaping and Open Space
- Highways and Accessibility
- Landscape and Visual Impacts
- Heritage and Archaeology
- Ecology
- Drainage and Flood Risk
- Residential Amenity
- Infrastructure and Open Space
- Other Matters:
 - EIA, Ground Conditions, Air Quality

Development Plan Context – Lenham Growth Area

6.02 Policy SP8 of the MBLP identifies Lenham as a broad location for housing growth, to be delivered in accordance with policy H2(3), which includes an expectation that housing site allocations and associated infrastructure requirements will be made through the Lenham Neighbourhood Plan (LNP) or, through the Local Plan Review.

6.03 The Lenham Neighbourhood Plan (LNP) has not yet reached Regulation 16 stage and limited weight can be afforded to its detailed policies. Nevertheless, Members are advised that this application has been brought forward following detailed engagement between the Applicant and the Parish Council, who have confirmed that they no longer have any objection to the proposal.

6.04 In the context of the draft LNP, it is relevant to note that this planning application:

- is consistent with the draft LNP's spatial strategy for housing, forming part of proposed 'Strategic Housing Delivery Site No. 5' (currently proposed are 136 units out of the 360 identified for the whole of site No. 5),
- demonstrates how the current layout would integrate into the wider areas promoted in the draft LNP
- in so far as the application site is concerned, provides or safeguards the wider connections sought by the LNP between housing sites and the A20, and
- enables the new access required for the adjacent PC owned site No. 6; provided through planned local highway improvements that are part of the Applicant's own mitigation works.

6.05 In response to third party comments that the application is premature and should first be considered as part of the LNP process, Officers would make the following comments.

6.06 The Local Plan Inspector considered the quantum and timing of delivery of housing in Lenham in some detail, identifying a total of 1,000, rather than 1,500 dwellings, but significantly, bringing the commencement of delivery forward from 2026 to 2021.

"The H2(3) Lenham Broad Location should be reduced from 1500 to 1000 dwellings to be delivered between 2021 and 2031. That would be a more realistic delivery rate. The reduced total development within the Plan period would also allow more flexibility for the individual site allocations. These allocations would be determined by a Neighbourhood Plan or, by default, in a Local Plan review before April 2021. The plans would need to address any infrastructure constraints..."

6.07 It is important to recognise that successful housing delivery requires homes to be ready for occupation, which involves not simply the construction of the relevant dwellings, but also the planning and delivery of the associated infrastructure that will be necessary to support the overall delivery of growth. In considering the nearby development at Loder Close, the Committee acknowledged that meeting future housing targets requires a degree of forward planning and that the granting planning permission is only part of this process.

6.08 Recent analysis of housing land supply projections indicates that it is not unrealistic to assume 3-4 years from a resolution to grant detailed planning permission to the actual delivery (occupation). As an example, the process post-Planning Committee can involve:

- completing a s106 agreement,
- formalising the purchase of land options,
- third party landowner agreements,
- preparing construction drawings and tender packages,
- discharging pre-commencement conditions,
- appointing contractors,
- site clearance and preparation,
- securing agreement of statutory undertakers,
- carrying out off-site works,
- enabling on-site infrastructure,
- laying out highways and open spaces and finally,
- phased build out.

6.09 Thus, in order to meet the need to deliver on average 100 homes per annum from April 2021, with only a limited number of units permitted thus far and an expectation that the delivery target for the first year after 2021 is not likely to be achieved; this application will assist in ensuring that an adequate housing supply pipeline is available for the early stages the delivery period. In addition, this site is one that would be required in order to enable access infrastructure to link wider LNP housing sites to the A20 and therefore inevitably, it must be prioritised within the overall trajectory for Lenham.

6.10 It has been demonstrated above that it is necessary to afford significant weight to the need for a pragmatic and realistic trajectory for the delivery of 1,000 housing units in Lenham and that this outweighs the strict application of Policy SP8 as currently worded, which has to some extent been overtaken by time and the relative lack of progress of the LNP.

6.11 Paragraph 50 of the NPPF provides the context for assessing prematurity. It states that the refusal of planning permission on grounds of prematurity will seldom be justified before the end of the Local Planning Authority publicity period on a draft neighbourhood plan. Thus any submission from third parties that prematurity should be a reason for the refusal of this application is not in accordance with clear national policy on that issue.

- 6.12 Some weight can also be given to the fact that the LPC do not raise any objection to the scheme.
- 6.13 It is therefore considered that the application is not premature and that it accords with the relevant housing delivery requirements of the MBLP and having regard to previously published drafts, does not present a risk of prejudice to any future LNP.

Principle of Development

- 6.14 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.15 The National Planning Policy Framework (NPPF) provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this again means approving development that accords with the development plan.
- 6.16 In order to support the Government's objective of significantly boosting the supply of homes, the National Planning Policy Framework states that it is important that a sufficient amount and variety of land can come forward where it is needed and that land with permission is developed without unnecessary delay *'by identifying a supply of specific deliverable sites sufficient to provide five years' worth of housing that will be achievable / deliverable and in a form that is viable'*.
- 6.17 It is a core principle of Government policy that the planning system must be plan-led. The Local Plan (together with the Kent Minerals and Waste Plan) forms the Development Plan for the Borough. In the context of this planning application it is up-to-date and must be afforded significant weight.
- 6.18 The Local Plan sets out a strategic approach to the location of housing development in order to deliver the housing needs of the Borough over the plan period. It adopts a presumption in favour of sustainable development within the context of the broad objectives of the Local Plan, which are, inter alia, to provide sufficient housing to meet identified local need, to develop sustainable communities and to protect the built and natural environment.

- 6.19 Policy SS1 sets out the overall housing growth targets for the Borough, whilst policy SP5 identifies Lenham as a 'Rural Service Settlement' and 'broad location for growth' where, inter alia, sustainable housing growth will be focussed. Policy SP8(6) states that:

Lenham is also identified as a broad location for growth by the delivery of approximately 1000 dwellings post April 2021 to be delivered in accordance with policy H2(3). Masterplanning of the area will be essential to achieve a high quality design and layout, landscape and ecological mitigation, and appropriate provision of supporting physical, social and green infrastructure. Housing site allocations and associated infrastructure requirements will be made through the Lenham Neighbourhood Plan (LNP) or through the local plan review to be adopted by April 2021. Housing sites should avoid significant adverse impact on the setting of the AONB and coalescence with neighbouring Harrietsham.

- 6.20 As identified above, the Applicant has developed the scheme in close liaison with the Parish Council and their neighbourhood planning team, who raise no objection. The scheme now before Committee closely accords with the draft LNP's direction of travel in terms of the location and scale of housing growth, whilst also enabling infrastructure that the draft LNP identifies as necessary to support planned growth. However, at the same time this Planning Application must be considered on its own merit.
- 6.21 Subject to the considerations within SP8, as assessed below, the principle of development is therefore considered to be in accordance with the Local Plan delivery policies identified above and the NPPF.

Affordable Housing / Housing Mix

Affordable Housing Provision

- 6.22 Having established that the principle of housing development is acceptable, we then turn to assess whether the specific proposal meets identified needs. Policy SP20 of the MBLP sets a target rate of 40% affordable housing with an indicative target mix of 70:30 affordable rent:intermediate. The policy also requires that any affordable housing is suitably integrated into the overall development.
- 6.23 The development proposes 40.5% affordable housing (55 units) and therefore exceeds the policy requirement. The Applicant has requested a 59% rent:41% intermediate affordable tenure split (rather than 70:30),

explaining that their site carries a disproportionate level of infrastructure costs as they are enabling / funding infrastructure identified within the LNP. Having regard to the fact that the Applicant has prioritised the overall number of affordable units, and will deliver, if required, the southern section of the link road, a site-specific variation to the tenure mix is considered to be acceptable in this instance, however, Officers recommend a 65% rent:35% intermediate split.

- 6.24 The affordable units are integrated across the overall development, with the following updated unit size mix:

| | <u>Affordable Rent</u> | <u>Intermediate</u> |
|-------------|------------------------|---------------------|
| 1-Bed Flat | 4 | 4 |
| 2-Bed Flat | 8 | 8 |
| 2-Bed House | 9 | 6 |
| 3-Bed House | 13 | 1 |
| 4-Bed House | <u>2</u> | - |
| | 36 | 19 |

The provision of a wide range of unit sizes, but with a higher proportion of family-sized affordable rent units is welcomed.

- 6.25 To conclude, the level of affordable housing and tenure split will make a significant contribution to the latest housing need requirements and having regard to the site specific circumstances, is considered to be acceptable and in accordance with MBLP Policies SP19 and SP20.

Housing Mix

- 6.26 Policy SP19 seeks to create sustainable communities through, not only a mix of tenures, but also a sustainable mix of unit sizes and types. Within the market housing element of the scheme the mix of units sizes is:

| | |
|-------------|----------|
| 2-Bed House | 8 |
| 3-Bed House | 45 |
| 4-Bed House | 24 |
| 5-Bed House | <u>4</u> |
| | 81 |

The emphasis on family housing is again welcomed and considered to be appropriate for this location. In addition, the weighting towards smaller sized (and thus by their nature more accessible/affordable) family housing units is again welcomed.

- 6.27 Overall it is considered that the mix of housing proposed across all tenures will make a significant contribution to meeting housing needs and creating

a sustainable community and, subject to a minor tweak in the affordable tenure guidance, is in accordance with Policy SP19.

Character and Appearance

- 6.28 This is a detailed application and therefore matters of layout and appearance are before the Council for approval.
- 6.29 The overall masterplan has developed through an extensive series of pre-application discussions, during which the context for the scheme was informed by an assessment of the sites topography and landscape setting. In addition a detailed character assessment of the existing village character areas was undertaken in order to establish a range of appropriate building styles and materials palette. Officers consider that the scheme successfully applies these contextual references to the overall masterplan, whilst building typologies create a development that compliments its location.
- 6.30 The scale and form of the development, including building heights and areas of landscaping has been informed not only by the existing village, but also its relationship to the wider landscape. The sensitivity of the relationship with the AONB and surrounding landscape has driven a principally two storey height limit, with three story elements limited to two flatted blocks within the central area and lower densities around the site perimeter.
- 6.31 The landscaped spine road defines the main vistas through phase 1, and provides a dedicated ped/cycle route. On the western boundary, the spine route links into the southern element of what may become a linear park, providing vistas on pedestrian routes through to the Downs.
- 6.32 Along the central spine, marker buildings and open spaces accentuate focal points and entrances to a series of character areas, themselves defined by perimeter blocks, where buildings principally face onto and animate streets. Off the central spine road, streets are designed so as to reduce the dominance of vehicle movements.
- 6.33 A wide range of dwelling styles are proposed, with the Applicant's house types being adapted to incorporate local styles, materials and detailing. The materials palette is principally brick, with elements punctuated by hanging tile, weatherboarding and the use of ragstone on key public frontages. Roofing materials are principally plain tiles and grey slate appearance.

- 6.34 The variety of house styles and materials serves to create interest within the street scenes and will ensure that the character of the development is in keeping with the village / countryside transition. This is emphasised by the low overall density of development and extensive boundary open space / landscape.
- 6.35 The scheme has also been formulated having regard to Maidstone Building for Life 12, with specific responses including:
- enhanced connectivity between the site and the surrounding area, with an emphasis upon pedestrian and cycle opportunities and links to public transport and local services
 - ensuring that the site masterplan is driven by local context and engages with local features, landscape and topography
 - the use of vernacular materials and locally driven architectural detailing
 - the integration of landscaping into the overall design, with integrated 'green corridors' which also function as ecological corridors which promote bio-diversity as an integral element of the scheme design
 - the application of sustainable design principles
- 6.36 The site layout, whilst recognising the site's potential as part of the draft LNP masterplan, has also been designed to be acceptable in its own merit.
- 6.37 In conclusion, it is considered that the development represents a high quality, contextually driven response which accords with the aspirations of the NPPF, MBLP policies DM1, DM2, DM3, in so far as it is relevant to the Lenham Growth Area DM30 and Maidstone BfL 12.

Landscaping and Open Space

- 6.38 The principle of the development is based upon a landscape-led masterplan that will evolve through the future phases of development to create a comprehensive series of open spaces.
- 6.39 Within Phase 1 the Landscape Strategy will deliver an open landscaped gateway to the site off Old Ham Lane, the southern elements of a planned central blue/green corridor and a landscaped spine road.
- 6.40 With the exception of limited areas where the accesses will be created, existing hedgerow and trees will be retained and reinforced with new planting. Native species will dominate, with a limited element of

ornamental planting to provide seasonal interest. New wildflower meadows will provide new habitat as well as visual interest.

- 6.41 The overall level of 'green' open space accords with the highest levels required by policy and the respective areas are large and provide useable amenity without prejudice to their potential ecological functions.
- 6.42 Hard landscaping will incorporate a variety of surface finishes to denote different elements of the road hierarchy and parking areas, with junctions and crossings highlighted with contrasting materials such as block paving. Footpaths within the landscape areas will include more natural surfacing such as self binding gravel.
- 6.43 Play areas are integrated within the main landscape areas, with a range of both formal and informal areas. Trim trail elements will be included that are capable of linking into future phases.
- 6.44 A landscape management strategy will be secured by condition to ensure that an acceptable long term regime is put in place to the satisfaction of the Council. This will also address how the transition between this site and future developments will be managed.
- 6.45 The proposals are therefore considered to accord with the relevant requirements of MBLP Policies DM1, DM3 and DM19.

Highways and Accessibility

- 6.46 KCC Highways acknowledge that the site represents a sustainable location, with local services, schools and public transport services within an acceptable walking distance.

Pedestrian and Cycle Users

- 6.47 KCC support the proposal to enhance footway provision in the vicinity of the site, which will address the current absence of footways on Old Ham Lane and will connect the site into Ham Lane with a continuous roadside pedestrian route.
- 6.48 Some concerns have been raised regarding the potential of the site to encourage greater usage of the PROW to the south of the site, which runs through the heart of the Lenham Storage Site; which the operators of consider would cause additional safety concerns as pedestrians are vulnerable to commercial vehicle movements. This existing PROW is poorly marked and Officers agree that it presents an unattractive option

for walkers. The application site will generate a significant number of new pedestrian movements towards the village centre and station, however, in contrast to the poor quality of the existing PROW, the development will deliver high quality pedestrian routes that will not only be attractive to residents of the scheme, but also other walkers and cyclists passing east-west along the southern part of the site.

- 6.49 As such, it is considered that the development offers an attractive alternative to the southern PROW and will not exacerbate safety concerns. Nevertheless, whilst it is not considered that the application needs to deliver specific mitigation for the existing PROW, the Applicant has confirmed that they are willing to liaise with Lenham Storage, the parish and KCC to examine options to divert the PROW out of the storage yard and into the application site.

Public Transport

- 6.50 As identified above, the site is within reasonable walking distance of bus stops and the railway station.
- 6.51 It is an aspiration of the Parish Council, supported by KCC to offer a further potential bus route through the new housing sites promoted within the draft LNP. In response the Applicant has designed the central spine road to a width that will provide for safe bus traffic. This has also been designed to extend northwards through future phases of development towards the A20. However, as this element would be over-engineered should the bus route not be required in the future, the potential would exist to modify this route if necessary to provide additional landscaping and visitor parking.
- 6.52 In addition, at the request of KCC the Applicant has safeguarded an area of land to the South of the site in order to accommodate the potential future extension of the spine road to Smokey Bridge (and beyond to other proposed housing sites). A planning condition will secure the delivery of this southern link when required.

Car and Cycle Parking

- 6.53 Resident car and cycle parking, together with visitor parking spaces are provided in accordance with standards.

Junction and Capacity Assessment

- 6.54 KCC Highways have agreed the development's trip generation figures and the assessment of impacts on local junctions. The development will be

accessed via a new junction to Old Ham Lane and a re-prioritisation of traffic into the site. Ultimately the intention is that the majority of Old Ham Lane will become a no through route, with the future stopping up benefitting residents of the houses fronting it, as well as pedestrian and cyclists. This would be carried out as part of the southern link scheme identified above.

- 6.55 The short section of Old Ham Lane between the new site entrance and Ham Lane will be widened to enable improved and safer traffic flow. As part of this widening process, the Applicant has agreed to provide a new access to the William Pitt Site to enable its future development. This benefit is not necessary in order to make the development acceptable, but is reasonable having regard to the road widening across the existing playing field access.
- 6.56 KCC Highways have confirmed that the proposed site access is adequately designed to accommodate future traffic flows and that the existing junction of Ham Lane and the A20 has adequate capacity, without requiring improvements, to accommodate a growth in traffic levels in excess of those proposed within this application.
- 6.57 At the request of KCC, the Applicant has also modelled the potential cumulative impacts of the scheme upon the wider highway network, together with the wider planned growth in the area. This assessment does not identify any requirements for improvements as part of this application and should any wider capacity improvements be required in the future, these would be funded through CIL payments.
- 6.58 Road safety audits have been undertaken in association with the various works, to the satisfaction of KCC. Subject to the imposition of a range of conditions to ensure delivery of the improvement works, KCC support the application.
- 6.59 To conclude, in terms of accessibility, highways and transport matters, the proposals accord with MBLP Policies SS1, SP23 and DM21.

Landscape and Visual Impacts

- 6.60 The Planning Application has been the subject of EIA and as a consequence the potential landscape and visual impacts (LVIA) have thus been the subject of a detailed, methodological assessment which the Council's lead landscape officer advises is acceptable.

Relevant Landscape Designations / Policies

- 6.61 The Kent Downs Area of Outstanding Natural Beauty (AONB) lies immediately to the north of Lenham, the statutory designation of which seeks to protect, for example, landscape of national significance. The Countryside and Rights of Way Act 2000 requires that in determining planning applications local authorities must take into consideration the effects of development both within the AONB and within its setting, in order to ensure its distinctive landscape, as identified within the Management Plan is conserved and enhanced. Whilst the site lies outside the AONB, due to its proximity, consideration must be given as to whether the proposed development would impact upon the setting to the AONB.
- 6.62 The NPPF highlights the need to conserve and enhance the natural environment, particularly at paragraphs 170 to 172. At a Borough level Policies SS1, SP17 and DM3, inter alia, seek to balance growth with the need to protect the character of the AONB and wider countryside.
- 6.63 At a County level the 'North Downs Special Landscape Area' seeks to identify and afford protection to the scenic qualities and distinctive character of the rural landscape, whilst at a local level the site is not subject to any specific landscape designation.
- 6.64 The Maidstone Landscape Capacity Study (2015) includes a sensitivity assessment in relation to housing development in the landscape character area as well as a specific assessment of the site (H03-202, Old Ham Lane), advising of key sensitivities and opportunities to mitigate the impact of any development. This latter assessment identifies that the area is sensitive to change arising from residential development.

Assessment

- 6.65 Having regard to its current rural setting and relationship to the AONB to the north, the potential impact of the development upon the landscape has been assessed in accordance with guidance published by the Landscape Institute, which advises councils to "*consider the effects of development on the landscape as a resource in its own right and the effects on views and visual amenity*".
- 6.66 The EIA supporting the application identifies the key landscape characteristics as including:
- the Kent Downs AONB to the north
 - the site's topography sloping upwards towards the foothills and lower slopes of the North Downs – Lenham Scarp

- open views from the Lenham Scarp across the landscape to the south, including both the existing built up areas of Lenham and surrounding arable fields, many of which possess a strong sense of exposure
- the clear definition of the railway line, supplemented by mature tree planting on the railway embankment.

6.67 The assessment of LVIA impacts considers a number of factors, including, for example:

Users of the A20

- a primary commuter corridor, with significant traffic flows, but relatively low pedestrian traffic
- principal views are considered to be to the north towards the North Downs
- views towards the site are relatively 'poor', with only occasional views of partial sections of the site visible due to existing hedgerows and vegetation
- the value of any view towards the site, or across the site from the A20 is 'low' as there are no views of real merit
- as construction has also commenced on the Jones Home development, adjacent to the A20, the sensitivity is 'low'

Residents and Users of Old Ham Lane / Ham Lane

- a secondary route, with users including a mix of drivers and pedestrians, a limited number of residential properties have views towards the site
- otherwise views towards the site are restricted by established hedgerow and residential development
- two storey properties adjacent to the southern boundary will have uninterrupted views into the site
- however, the value of the view is identified as 'low' as the agricultural field has no features of merit and residential construction is underway in the foreground of the AONB; therefore, the sensitivity is 'moderate'

6.68 The EIA concludes that whilst the Application Site lies within a wider sensitive location in terms of natural landscape, it forms a relatively insignificant part of the wider Kent Downs landscape. This is informed by the physical and visual separation of the Application Site from the Downsland (AONB / SLA) landscape and the adjacency of the site to the existing settlement boundary of Lenham.

- 6.69 In considering potential impacts upon the AONB, whilst the scheme will expand the physical extent of the built up area of Lenham, with associated visual impacts from new buildings and, for example, street lighting, it is relevant to note that the Jones Homes development, now under construction, will intervene in views towards / from the site and the AONB. In addition the site lies adjacent to the existing built up area to the east and south and when viewed from the AONB will be set against established development to the south, including a large industrial estate.
- 6.70 In order to further mitigate potential impacts, the proposal will retain and enhance existing boundary landscaping, manage building heights, form and materials to reflect local character and incorporate significant elements of landscaping and open space within the overall masterplan to assist in managing the impact of the development upon the visual amenity of the AONB and wider open countryside.
- 6.71 Whilst the net impact of the development upon the character of the countryside and the AONB will reduce over time as, for example, proposed new landscaping matures, long-term views of the site will still be achieved from the AONB / North Downs Way, including rooftops and lighting. However, from the AONB / North Downs Way these will be restricted by a combination of existing and enhanced boundary vegetation, adjacent developments and the intervening A20. In addition the site will appear as a relatively minor extension of the existing built up area with elements of existing buildings in both the foreground and background.
- 6.72 Having regard to the impact of the development on the Harrietsham and Lenham Vale Landscape Character Area, this is sensitive to change, with potential impacts including the loss of open countryside and the extension of the urban edge, including potential cumulative impacts with other developments. The scheme mitigates impacts by, for example, providing a low overall density of development with significant boundary landscaping and open areas to manage the transition between built development and countryside.
- 6.73 As a site proposed within the draft LNP, the PC has considered various options for growth in Lenham and potential impacts upon the countryside and considers this site appropriate. As before, the site will visually appear partly contained by existing and emerging development, which will serve to reduce the net visual impact.
- 6.74 The application proposes a number of further mitigation measures during both the construction and operational (occupation) stages that will be secured through conditions, for example, management of the construction site, design control and new planting.

- 6.75 Having regard to the existing / emerging setting, it is not considered that the proposal will cause any significant harm to the visual relationship between Lenham and the AONB and will not harm the character, quality or function of the AONB, or the wider countryside. As such, the proposals accord with the relevant guidance set out within the NPPF and Policies SP17 DM1, DM3 and DM30 of the MBLP.

Heritage and Archaeology

- 6.76 In considering development proposals, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the setting of listed buildings, whilst Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 6.77 The National Planning Policy Framework states that when considering the impact of new development on the significance of any designated heritage asset, great weight should be given to its conservation; advising that significance can be harmed or lost through development within its setting. The NPPF sets out tests which apply when considering a proposed development that may result in harm to a designated heritage asset. MBLP Policy DM4 reiterates the above considerations.

Built Heritage

- 6.78 No designated or non-designated built heritage assets are located within the Application Site or its immediate periphery. Three Grade II Listed Buildings lie to the south, separated by the railway and intervening hedgerows and treeline boundaries. These include Bolderwood Farmhouse and associated buildings, which lie between 200 – 250metres SW of the site, the principal significance of which is derived from their immediate setting. Whilst the agricultural land of which the site forms part represents part of the extended semi-rural setting of these buildings, due to the physical separation and intervening infrastructure and landscape, it is considered that the Application Site forms a largely unappreciable element of the wider agricultural setting of these buildings, does not contribute to their significance and has no legible historical or functional relationship with them. Officers conclude that the impact on these assets is neutral.
- 6.79 Grade II* Lenham Court lies circa 120m to the south. The building has origins dating to the 15th Century, with later 16th, early 18th and early

20th Century elements. It is considered that Lenham Court principally derives its significance from the architectural and historic interest of its surviving fabric rather than any relationship with its extended semi-rural setting.

- 6.80 Despite its more significant listing grade, Lenham Court is visually and physically separated from the Application Site by substantial hedgerows and wooded areas, including those which characterise and enclose its grounds. Officers concur with the submitted heritage assessment, which finds that the Application Site has no legible historical or functional association with Lenham Court and is not considered to make any contribution to its architectural or historic interest.
- 6.81 Again the heritage assessment concludes that whilst the development of the Application Site represents an alteration of the extended, "*unappreciable*" agricultural or semi-rural setting of Lenham Court, this alteration is considered to represent a neutral impact on the significance of the building.
- 6.82 The Lenham Conservation Area lies circa 750m to the east of the Application Site and separated from it by extensive intervening development which generally dates to the 20th Century. The Heritage Assessment concludes that the site is not identified as an appreciable element of how the Conservation Area is experienced, nor does it have a legible historical or functional association with the Conservation Area (see also 6.84 below). It is considered that the Site makes no contribution to the significance of Lenham Conservation Area, which is derived from the architectural and historic interest of its component built heritage assets. As such, the development will serve to preserve its character or appearance in accordance with the requirements of the Act, the NPPF and MBLP Policy DM4.

Archaeology

- 6.83 The NPPF requires that where development has the potential to affect heritage assets with an archaeological interest, LPAs should require developers to submit an appropriate desk-based assessment, and where necessary, a field evaluation. Policy MB4 of the MBLP also states that planning applications on sites where there is the potential for archaeological must be subject to an appropriate desk based assessment (DBA) of the asset.
- 6.84 The Planning Application is accompanied by a DBA (which accords with the '*Standard Guidance for Historic Environment Desk-Based Assessments*'); the principle findings of which are:

- there are no designated archaeological heritage assets, no designated World Heritage Sites, Scheduled Monuments, or Historic Battlefield sites within the vicinity of the study site
- the site has remained open land throughout its documented history
- the potential for pre-historic and Saxon remains is low and no evidence or iron age or Roman interest
- Lenham is first recorded in medieval times
- mapping from the 1800's shows the site positioned well away from the hamlet
- woodland across the site was cleared in the 1800's
- by the 1990's the site had been consolidated into part of a larger single field
- archaeological impacts will principally derive from any agricultural or horticultural use of the study site, which will have had a widespread, moderate truncating impact

The assessment concludes that the archaeological potential of the site is low, that agricultural activity will have reduced the likelihood of any significant finds, which are likely to be isolated to stray finds.

6.85 KCC's archaeologist recommends a condition to secure further field evaluation prior to the site being developed.

Ecology

6.86 The Habitats Regulations require the local planning authority to have regard to the requirements of the Habitats Directive when considering whether or not to grant planning permission. This includes having regard to whether the development proposal is likely to negatively affect any European Protected Species.

6.87 Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places duties on public bodies to have regard to the conservation of biodiversity in the exercise of their normal functions. Of the potential habitats within the site, the hedgerows are considered to qualify as 'Priority Habitats' and therefore constitute potentially important ecological features.

6.88 The NPPF requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity and delivering net gains in biodiversity where possible. The NPPF states that where

significant harm resulting from a development cannot be avoided, for example, through locating on an alternative site with less harmful impacts, such impacts should be adequately mitigated, or, as a last resort, compensated for.

6.89 Due to its history of cultivated arable use, the main body of the site contains limited existing hedgerow or trees, other than its boundaries. The site is not subject to any statutory or non-statutory ecological designations, with the nearest statutory designation being the Lenham Quarry SSSI 2.4km to the east. Local Wildlife sites are located to the north, in excess of 180m. The closest international designation is the North Downs Woodlands SAC, which is located approximately 10.6km from the site.

6.90 The application is accompanied by an ecological assessment which includes desktop, habitat and faunal surveys. The surveys concluded that the hedgerows, whilst a priority habitat, are of local significance only due to their managed nature, but are nevertheless potential habitat for bats and nesting birds. No evidence was found of dormouse.

6.91 The proposals are therefore accompanied by a number of both construction and longer-term mitigation / management measures targeted at, for example, creating enhanced habitat for bats, badgers, dormice and invertebrates, including:

- ongoing monitoring and removal of risks during construction phases
- protection of existing hedgerow during construction and subsequent enhancement, including future protection from light spillage
- creation of new habitat including native species
- new wildflower meadow, including nectar sources for bees
- bee bricks across the development to accommodate for reducing numbers of non-swarmed bees
- new wetland habitat
- bat sensitive lighting strategy
- new bat roosts and bird nesting boxes
- off-site skylark habitat

6.92 As indicated within Section 5 above, KCC Ecology are satisfied that adequate survey work has been undertaken to assess the potential impact upon protected and other species. Further surveys of nesting birds were undertaken at KCC's request and as a result of further dialogue between KCC and the Applicant, agreement has been reached in terms of a series

of conditions to ensure that impacts are mitigated, that alternative habitat created and where possible biodiversity enhancements secured.

- 6.93 In relation to the North Downs Woodlands SAC, where potential impacts would relate to air quality and dust, having regard to the separation of the sites and intervening road infrastructure and development, there is no evidence that there would be either a direct or in-combination impact. As such no wider mitigation is required.
- 6.94 As such, Officers are satisfied that the Council is able to meet its statutory duties and that the application accords with the relevant provisions of the NPPF and Policy DM3 of the MBLP by delivering significant net enhancement of biodiversity opportunities on the site.

Drainage and Flood Risk

- 6.95 Both flood risk assessment and surface water management are guided by a number of regimes set by, for example, Defra, the EA and guided by policy at national, county and local levels.
- 6.96 The Application Site lies within Flood Zone 1 - the lowest level of risk of fluvial flooding. Flood risk from groundwater and reservoirs is also low. An existing surface water flow path has been observed through the dry valley within the site and requires management as part of the proposed surface water management system. The dry valley has been incorporated into the proposed masterplanning as open space and highways.
- 6.97 In responding to the Planning Application KCC requested that the Applicant provide an additional analysis with an increased climate change risk of 40%. This has been undertaken and the flood risk assessment concludes that the site is appropriate for residential use, subject to the implementation of an acceptable surface water management strategy.
- 6.98 There are no public surface water sewers accessible to the site. The proposed SuDS strategy accords with KCC's Drainage Policy Statement and seeks to mimic the existing drainage regime by conveying surface water a planted detention basin to the southern boundary of the site, where surface water would outfall, at pre-development runoff rates, into a new shallow scrape. Water within the scrape would subsequently drain from the site via a weir into the ditch and by slow infiltration through the base of the scrape. Any overland flow through the dry valley will be kept separate from the

6.99 This approach has been discussed and agreed with both the LLFA and Network Rail.

6.100 In terms of foul water drainage, an existing pump station is located close to the south-western corner of the site. It is proposed that foul flows from the proposed development would connect into this pumping station. Due to the level difference between this pumping station and the lower parts of the proposed development site, it is anticipated that the proposed development will require its own pumping station to convey foul drain to the existing pumping station on Old Ham Lane. Such matters will be agreed between the Applicant and the relevant water authority.

6.101 The proposals are therefore considered to accord with relevant guidance on SuDS, the NPPF and MBLP policies H2/H2(3) DM3.

Residential Amenity

6.102 Policy DM1 of the MBLP requires respect for the amenities of occupiers of neighbouring properties and uses, together with adequate residential amenities for future occupiers of the development.

6.103 There are a limited number of neighbouring residential properties, principally a small group to the south on Old Ham Lane, although a number of other properties front, or gain access from Ham Lane to the north east, through which this initial phase will gain access to the A20.

6.104 A significant open space buffer will be provided within the site's southern area to provide an adequate separation to housing on Old Ham Lane, including retention and reinforcement of existing hedging and planting, such that there will be no unacceptable level of overlooking or overbearing impact. It is possible that residents of Old Ham Lane may experience an additional level of passing traffic, but this is not predicted to be sufficient to alter the character of Old Ham Lane or their amenity. Further, when the southern link between the site and Old Ham Lane is delivered (see above), through traffic past these properties will be stopped and thus their overall amenity will be substantially improved.

6.105 With regard to properties on or adjacent to Ham Lane, the development has no common boundary, so will not cause any impacts in terms of direct amenity. Whilst there will be an increase in traffic, again this is not considered to be such that it would result in adverse noise or air quality conditions.

6.106 Finally, the adjacent William Pit playing field is identified as a potential future housing site within the draft LNP. The layout of the proposed development has taken this into account and provides sufficient separation that the future development of the adjacent site will not be prejudiced.

6.107 Having regard to the low density of development and significant open amenity spaces proposed, it is considered that the development will offer a high quality of amenity for future occupiers of the development.

Infrastructure and Open Space

Infrastructure

6.108 The planning application will be subject to CIL, which will cover the majority of the scheme's net contributions to local infrastructure. Subject to the progress of the neighbourhood plan, a proportion will be made available to the Parish Council.

6.109 One exception to the above is the recent amendment to the Council's R123 list, which states that the development will be required to contribute through s106 to the expansion of Lenham Primary School, which the Applicant has accepted. The level of contribution is to be agreed with KCC, who have initially suggested £3,324 per 'applicable' house (x112) and £831.00 per 'applicable' flat (x16).

6.110 KCC have also requested social care provision of 2 Wheelchair Adaptable Homes (Bldg Reg Part M4 (2)) as part of the on site affordable homes delivery.

6.111 Affordable housing delivery will be secured through the s106 agreement.

6.112 The proposals will contribute infrastructure necessary to support the aspirations of the draft LNP through (to be secured via a s278 agreement):

- the ability to deliver the southern access to Old Ham Lane and thus to the sites to the south of the railway,
- the improvement to the eastern section of Old Ham Lane and its junction with Ham Lane
- improvements to the access to LPC owned land and the ability for a future connection to be made via land to the north, to the A20.

The measures proposed are considered to be proportionate to the scale and impact of the development and in accordance with the CIL Regulations.

Open Space

6.113 The development will secure some 2.74 ha of open space on site in accordance with Policy DM19 of the MBLP. This will comprise

- amenity Green Space 0.25ha
- provision for children & young people 0.09ha
- natural/semi-natural areas of open space 2.4ha

6.114 This space will be accessible to the wider public, as well as future occupiers of the scheme and will therefore make a significant contribution to the recreational amenity of Lenham. A Landscape Management Strategy will be secured via a s106 agreement in order to secure the appropriate long-term maintenance of this significant amenity and ecological asset.

Other Considerations

Environmental Impact Assessment

6.115 EIA is a process for ensuring that the likely significant environmental effects resulting from a new development are fully understood and taken into account before development is allowed to proceed.

6.116 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 set out which types of development may require an Environmental Impact Assessment ("EIA"). Development types listed in Schedule 2 could potentially require EIA where the site is in a "sensitive area" or exceeds relevant criteria or thresholds and has the potential to result in likely significant environmental effects.

6.117 The Proposed Development is of a type listed in Schedule 2 (10(b)) and given the scale and location of the development could potentially give rise to likely significant environmental effects.

6.118 The Planning Application is accompanied by an Environmental Statement (ES), volunteered by the Applicant, the scope of which was agreed by the LPA and statutory consultees. The findings of the EIA have been considered and are incorporated into the above assessment of the

application and where necessary, recommended mitigation will be secured by conditions.

6.119 It is not considered that the development would lead to significant adverse environmental effects or other impacts that have not, or cannot be mitigated through detailed design or conditions.

Ground Conditions

6.120 Historical surveys suggest that site has been largely unchanged since the first records in 1866 as open field agriculture. Whilst there are commercial uses to the south, the DBA concludes that the risk of migration of any contaminants to the site itself appears unlikely. Equally the potential for significant airborne pollutants within the soil from the nearby Marley works is not considered to be an issue.

6.121 No evidence of unacceptable groundwater or standing water conditions has been identified.

6.122 Having regard to the above, and the potential for historic use of pesticides, whilst traditional shallow strip foundations would normally be employed for a development of this type, a precautionary condition regarding piling is advised to ensure no risk to groundwater sources.

Air Quality

6.123 There are a range of strategies at national and local levels which establish the approach to assessing the impact of development on air quality. Legislation at European and national levels aims to protect human health and the environment by avoiding, reducing or preventing harmful concentrations of air pollution.

6.124 The NPPF states that the planning system should contribute to protecting and enhancing the natural and local environment and whilst making an effective use of land and minimising pollution, by preventing new/existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, inter alia, unacceptable levels of air pollution. It also requires the effects of air pollution and the potential sensitivity of the area to its effects, to be taken into account in planning decisions.

6.125 Development of this type has the potential to adversely affect air quality during both the construction phase and operational phase. The ES identifies that during the construction phase, the main potential effects

relate to dust and fine particulate matter (PM10) and for road traffic nitrogen dioxide (NO₂) and fine particulate matter (PM10 and PM2.5).

6.126 The following activities have been identified as having the potential to cause emissions of dust during the construction phase:

- site preparation including delivery of construction material, erection of fences and barriers
- earthworks including digging foundations and landscaping
- materials handling such as storage of material in stockpiles and spillage
- construction and fabrication of units and
- collection and disposal of waste materials off-site

6.127 The Applicant has assessed the potential magnitude of dust emission for the construction phases with potential receptors including residential properties and Dickley Wood, a designated area of ancient woodland, which is located approximately 90m at its closest point. The ES concludes that with appropriate mitigation measures to be captured within a Construction Environmental Management Plan (CEMP), potential impacts on ecological receptors are low and that overall impacts can be managed to acceptable levels.

6.128 Operational impacts are focussed upon the impacts of road traffic generated by the development on NO₂, PM10 and PM2.5 concentrations. The ES identifies negligible impacts on air quality with no requirement for additional traffic mitigation measures. Nonetheless, an emissions mitigation assessment (EMA) has been undertaken to quantify the cost of mitigation required in accordance with the Kent and Medway Air Quality Planning Guidance

6.129 The EMA calculates the 'central present value' of the emissions mitigation required as £15,891 for NO_x and £12,613 for PM2.5. Therefore, the total cost of mitigation required equates to £28,504, over a five-year period. The Applicant proposes that this cost can be offset by provision of mitigation measures incorporated into the design of the Proposed Development, such as:

- one electric vehicle charging point per dwelling with dedicated parking
- one charging point per ten spaces for (unallocated parking)
- all gas-fired boilers to meet a minimum standard of <40mgNO_x/kWh

In addition, Officers consider that the following mitigation measures will contribute to offsetting the EMA:

- travel plan measures, including mechanisms for discouraging high emission vehicle use and encouraging the uptake of low emission fuels and technologies
- improved pedestrian and cycle connections to the village centre
- using new green infrastructure / trees to absorb pollutants

Whilst the specific net benefits associated with such soft measures cannot be calculated in detail at this stage, having regard to the low levels of impact predicted and the travel plan target of a 10% reduction in private trips by car, it is considered that there are no air quality constraints that would justify refusing the application and that it is therefore in accordance with legislation and relevant national and local policies, including MBLP DM6. A planning condition is proposed in order to ensure that the mitigation measures identified are implemented to a level that acceptably offsets the EMA.

7.0 CONCLUSION

- 7.01 The planning application has been the subject of a lengthy pre-application process and formal consideration, during which it has addressed and taken on-board the views of consultees and stakeholders, including the Parish Council.
- 7.02 The Planning Application has been considered on its merit against the Development Plan and other relevant considerations, including the submitted environmental statement.
- 7.03 It is considered that the development will not adversely impact upon the setting or function of the AONB and having regard to the growth requirements of the development plan, provides an appropriate response to its setting within countryside on the edge of Lenham.
- 7.04 This is achieved through a combination of; low density development, a sensitive masterplan layout that incorporates substantial areas of open space and landscaping, including views towards the AONB, management of the scale of buildings and the use of contextual materials and designs.
- 7.05 Consideration of the scheme's potential impacts upon heritage assets concludes that no adverse impacts will occur.

- 7.06 The accompanying environmental statement concludes that no significant environmental impacts will arise and proposes mitigation measures, to be secured by condition to mitigate both construction and operational phase impacts.
- 7.07 Whilst limited weight can be afforded at this stage to the draft Lenham Neighbourhood Plan, the application demonstrates that it would not prejudice the future delivery of the LNP and that the scheme provides the scope for the delivery of necessary infrastructure to support the draft LNP's wider masterplan aspirations. Whilst this has resulted in the over-engineering of some elements of this scheme, such as highway widths to accommodate buses, it is appropriate to safeguard future capacity at this stage and should there be no future requirement to connect to wider sites, the scheme is capable of adaptation.
- 7.08 It is considered that proposed development represents a high quality response to the site's context and opportunities and will provide a high quality environment for both residents and the wider public, with new public open spaces and biodiversity enhancements. In doing so the scheme responds positively to the development plan and has demonstrated that it would not prejudice either the draft LNP or MBLP review processes.

8.0 RECOMMENDATION

8.01 Officer recommend the GRANT Conditional Permission subject to delegation to the Head of Planning to secure the following s106 heads of terms:

- Provision of 40.5% affordable housing on-site, with a 65:35 rent:intermediate split
- Provision and implementation of a landscape and ecological management plan
- Financial contribution to local primary school provision

Conditions

Proposed conditions are set out below. Members should note that a late KCC Highways request details a numbers of further suggested conditions. Officers will seek to agree these with KCC and present them as an urgent update ahead of the meeting. Alternatively, Members may delegate authority to the Head of Planning to prepare.

1) Time Limits

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) Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

- Drawing 19039 S100 Site Location Plan
- Drawing 19039 P100 Overall Site Layout
- Drawing 19039 C101A Coloured Site Layout
- Drawing 19039 P110 Plans and Elevations Affordable 2 Bedroom House Brick
- Drawing 19039 P111 Plans and Elevations Affordable 2 Bedroom House Boarding
- Drawing 19039 P112 Plans and Elevations Affordable 2 Bedroom House Tile Hanging
- Drawing 19039 P113 Plans and Elevations Affordable 2 Bedroom House Tile Hanging
- Drawing 19039 P114 Plans and Elevations 3 Bedroom House Types 3 Affordable Brick
- Drawing 19039 P115 Plans and Elevations 3 Bedroom House Types 3 Affordable Brick
- Drawing 19039 P116 Plans and Elevations 3 Bedroom House Types 3 Affordable Boarding
- Drawing 19039 P117 Plans and Elevations 3 Bedroom House Types 3 Affordable Boarding
- Drawing 19039 P118 Plans and Elevations 3 Bedroom House Types 3 Affordable Boarding
- Drawing 19039 P119 Plans and Elevations 3 Bedroom House Types 3 Affordable Tile Hanging
- Drawing 19039 P120 Plans and Elevations 4 Bedroom House Types 4 Affordable Boarding
- Drawing 19039 P121 Plans and Elevations 2 Bedroom House Type 2B (HT204) Brick
- Drawing 19039 P122 Plans and Elevations 2 Bedroom HT 2B + 3A (HT204+301) Brick
- Drawing 19039 P123 Plans and Elevations 2 + 3 Bedroom HT 2B + 2C (HT204) Tile Hanging

- Drawing 19039 P124 Plans and Elevations 3 Bedroom House Types 3A (HT301) Brick
- Drawing 19039 P125 Plans and Elevations 3 Bedroom House Types 3A (HT301) Brick
- Drawing 19039 P126 Plans and Elevations 3 Bedroom House Types 3A (HT301) Brick
- Drawing 19039 P127 Plans and Elevations 3 Bedroom House Types 3A (HT301) Brick
- Drawing 19039 P128 Plans and Elevations 3 Bedroom House HT 3A + 3C (HT301 + 305) Brick
- Drawing 19039 P129 Plans and Elevations 3 Bedroom HT 3A + 3C (HT301 + 305) Brick and Boarding
- Drawing 19039 P130 Plans and Elevations 3 Bedroom House Types 3B (HT303) Brick
- Drawing 19039 P131 Plans and Elevations 3 Bedroom House Types 3B (HT303) Boarding
- Drawing 19039 P132 Plans and Elevations 3 Bedroom House Types 3B (HT303) Tile Hanging
- Drawing 19039 P133 Plans and Elevations 3 Bedroom House Types 3B (HT303) Brick
- Drawing 19039 P134 Plans and Elevations 3 Bedroom House Types 3C (HT305) Brick
- Drawing 19039 P135 Plans and Elevations 3 Bedroom House Types 3C (HT305) Tile Hanging
- Drawing 19039 P136 Plans and Elevations 3 Bedroom House Types 3D (HT307) Boarding
- Drawing 19039 P137 Plans and Elevations 3 Bedroom House Types 3D (HT307) Tile Hanging
- Drawing 19039 P138 Plans and Elevations 3 Bedroom House Type 3D (HT307) Tile Hanging
- Drawing 19039 P139 4 Bedroom House: Plans and Elevations Type 4A (HT404) Brick
- Drawing 19039 P140 Plans and Elevations 4 Bedroom House Type 4A (HT404) Brick
- Drawing 19039 P141 Plans and Elevations 4 Bedroom House Type 4A (HT404) Brick
- Drawing 19039 P142 Plans and Elevations 4 Bedroom House Type 4A (HT404) Boarding
- Drawing 19039 P143 Plans and Elevations 4 Bedroom House Type 4A (HT404) Tile Hanging
- Drawing 19039 P144 Plans and Elevations 4 Bedroom House Type 4A (HT404) Tile Hanging
- Drawing 19039 P145 Plans and Elevations 4 Bedroom House Type 4B (HT406) Brick

- Drawing 19039 P146 Plans and Elevations 4 Bedroom House Types 4B (HT406) Brick
- Drawing 19039 P147 Plans and Elevations 4 Bedroom House Type 4B (HT406) Ragstone
- Drawing 19039 P148 Plans and Elevations 4 Bedroom House Type 4C (HT409) Brick
- Drawing 19039 P149 Plans and Elevations 4 Bedroom House Type 4C (HT409) Brick
- Drawing 19039 P150 Plans and Elevations 4 Bedroom House Type 4C (HT409) Tile Hanging
- Drawing 19039 P151 Plans and Elevations 4 Bedroom House Type 4C (HT409) Ragstone
- Drawing 19039 P152 Plans and Elevations 5 Bedroom House Type 5B (HT503) Brick
- Drawing 19039 P153 Plans and Elevations 5 Bedroom House Type 5B (HT503)
- Drawing 19039 P154 Plans and Elevations 5 Bedroom House Type 5B (HT503) Ragstone
- Drawing 19039 P160 Apartment Block A – Plots 53 – 64 Proposed Floor Plans
- Drawing 19039 P161 Apartment Block A – Plots 53 – 64 Proposed Elevations
- Drawing 19039 P162 Apartment Block B – Plots 105 - 116 Proposed Floor Plans
- Drawing 19039 P163 Apartment Block B – Plots 105 - 116 Proposed Elevations
- Drawing 19039 P170 Garage (Sheet 1 of 2) Plans and Elevations
- Drawing 19039 P171 Garage (Sheet 2 of 2) Plans and Elevations
- Drawing 19039 P172 Car Barn Plans and Elevations

Reason: For the purpose of clarity and to ensure a satisfactory appearance to the development and a high quality of design.

3) Surface Water Drainage

Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Drainage Strategy Report (Stirling Maynard Construction Consultants, April 2019) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

4) Surface Water Verification

No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

5) EA Drainage

Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason: To protect the underlying groundwater from the risk of pollution. Infiltrating water has the potential to cause remobilisation of contaminants

present in shallow soil/made ground which could ultimately cause pollution of groundwater.

6) Groundworks

If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority.

If evidence of potential contamination is encountered, the closure report shall include:

- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be submitted for information.

Reason: In the interests of protecting the health of future occupants from any below ground pollutants.

7) Piling

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it can be demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters

8) Earthworks

The development hereby approved shall not commence until details of earthworks have been submitted to and approved in writing by the local

planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform;

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

9) Levels

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 and the relationship with neighbouring dwellings.

10) Design Details

Above ground construction work on the approved buildings shall not commence until full details of the following matters in the form of large scale drawings (at least 1:20 scale) have been submitted to and approved in writing by the Local Planning Authority

- a) New external joinery
- b) Details of eaves and roof overhangs
- c) Details of balconies, projecting bays and porch canopies
- d) Details of door and window headers (which shall be in the form of segmental gauged arches) and cills

The development shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the rural locality.

11) Materials

The materials to be used in the construction of the external roofs, elevations and boundary treatment hereby permitted shall incorporate those materials and architectural detailing on drawings hereby approved unless alternative similar materials have agreed in writing by the Local Planning Authority.

Reason: To accord with the terms of the application and to ensure a satisfactory appearance to the development.

12) Samples

The development hereby approved shall not commence above slab level until, until samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted have been submitted to and

approved in writing by the local planning authority and the development shall be constructed using the approved materials;

Reason: To ensure a satisfactory appearance to the development.

13) Boundary Treatment

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 where hereby approved. The ragstone walling shall use a lime based mortar and be completed with flush joints. The housing areas and open space shall be implemented in full in accordance with the approved details before the first occupation of any of phase 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.

14) Soft landscaping

The development hereby approved shall not commence above slab level until a landscape scheme which follows the principles of drawing 2845 LA 01 P2 has been submitted to and approved in writing by the local planning authority.

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

15) Hard landscaping

The development hereby approved shall not commence above slab level until, details of hard landscape works have been submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved details before the first occupation of the building(s) or land;

Reason: To ensure a satisfactory appearance to the development.

16) Landscape Implementation

The approved landscape details relevant to an individual dwelling or phase of which it forms part shall be completed by the end of the first planting season following completion of that dwelling. Any other communal shared or street landscaping shall be completed by the end of the first planting and seeding season following completion of relevant phase in accordance with a landscape phasing plan to be approved pursuant to this condition. 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.

17) Tree protection

The development hereby approved shall not commence until details of tree and hedgerow protection in accordance with the current edition of BS 5837 have been submitted to and approved in writing by the local planning authority. All trees and hedgerows to be retained must be protected by barriers and/or ground protection. No equipment, plant, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre commencement operations approved in writing by the local planning authority. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority. These measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

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

18) Lighting

No external lighting shall be installed on the site except in accordance details to be approved in writing by the local planning authority. All lights shall be suitably cowled or shall have light directed downwards to minimise light pollution, having specific regard to the potential light spillage into the open countryside and AONB. Any lighting approved shall be implemented prior to the occupation of that part of the development and associated vehicular and pedestrian routes to the site access.

Reason: In the interests of visual amenity and ecological interest.

19) Ecological Mitigation

No development shall take place (including any ground works, site or vegetation clearance) until a method statement for ecological mitigation has been submitted to and approved in writing by the local planning authority. The content of the method statement shall specially include (but not be limited to) measures with respect to Dormice and breeding birds, specifically setting out the following:

- a) Purpose and objectives for the proposed works:
- b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives;
- c) Extent and location of proposed works, shown on appropriate scale maps and plans;

- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works;
- f) Use of protective fences, exclusion barriers and warning signs;
- g) Initial aftercare and long-term maintenance (where relevant);
- h) Disposal of any wastes for implementing work.

The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction.

20) Biodiversity Enhancement

Prior to the commencement of the development hereby approved, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. These shall include the installation of bat and bird nesting boxes along with provision of generous native planting and a detailed management plan. The approved details will be implemented and thereafter retained.

Reason: To enhance biodiversity

21) LEMP

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. This shall give details of all the mitigation measures hereby approved and shall include details of the numbers and locations of the following: bird bricks and bat tubes; wildlife gaps in boundary fencing; deadwood piles; wildlife friendly gullies.

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

22) EV Charging

No development above slab level shall take place until details of plots where electric vehicle charging points are to 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: In the interests of pollution control.

23) Parking

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.

24) Archaeology

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

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 following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: To ensure that features of archaeological interest are properly examined and recorded and that due regard is had to the preservation in situ of important archaeological remains.

25) Refuse Storage/Collection

Prior to the development hereby approved reaching slab level a scheme for (a) the storage and screening of refuse bins, and (b) the collection of refuse bins shall be submitted to and approved by the Local Planning Authority. The approved details shall be in place before first occupation of the development hereby approved, and maintained thereafter.

Reason: In the interests of amenity and the streetscene.

26) Highways

The Highway Authority has requested that conditions be imposed to address the following matters (Members are requested to delegate authority to Officers to draft the detailed wording together with KCC Highways):

Site Access

The access to the site from Old Ham Lane shall be carried out in accordance with drawing number 1533-H-11 P3 hereby approved and shall be

completed before the first occupation of the buildings hereby permitted.
Reason: In the interests of highway safety.

Southern Link

A southern link road delivery scheme shall be submitted to and approved by the local planning authority prior to any development above slab level. Such a scheme shall comprise vehicular, pedestrian and cycle connections from the development to Old Ham Lane at the southern end adjacent to the Smokey Bridge and must be laid-out and constructed prior to the occupation of the 136th dwelling in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. Reason: to ensure that the development does not prejudice the comprehensive development of the area.

William Pit Field

No development to be occupied until the works to widen Old Ham Lane are implemented in accordance with a delivery scheme to be agreed in writing by the LPA – such scheme to include measures for the phased delivery of the access to William Pit Playing Field and the subsequent permanent closure of the existing playing fields access to motor vehicles when the proposed new playing fields access is brought into use.

Visibility Splays

Provision and maintenance of the visibility splays shown on the submitted plans with no obstructions over 0.9 metres above carriageway level within the splays, prior to the use of the site commencing; and

Provision and maintenance of 2 metres x 2 metres pedestrian visibility splays behind the footway on both sides of the access with no obstructions over 0.6m above footway level, prior to the use of the site commencing.

Air Quality Mitigation Scheme

- Provision approval and implementation of a site-wide Travel Plan.
- Provision approval and implementation of a CEMP to address dust mitigation measures
- EV Charging
- Other measures necessary to provide an adequate mitigation of EMS

Refuse Storage & Collection