

Urgent Update: Planning Committee 16 January 2025

Item 15 Pages 44 - 58

Land North East Of Redwood Glade, Bredhurst, Kent ME7 3JX

APPLICATION: 24/502769/FULL

Effect on Kent Downs National Landscape

A new statutory duty came into force in all National Landscapes (formerly known as AONBs) in December 2024. The new duty (in Section 245 of the Levelling-up and Regeneration Act 2023) requires all relevant authorities to '*seek to further*' the purpose of conserving and enhancing natural beauty of any landscape with AONB designation, such as the Kent Downs. *Seen as an active duty, and outcome focussed. Requires all reasonable steps to be taken to avoid harm and to take measures to further the conservation and enhancement of the National Landscape.*

Policy LPRSP9 identifies that "Great weight should be given to the conservation and enhancement of the Kent Downs National Landscape". The policy further advises that proposals should not have a significant adverse impact on the settings of the Kent Downs National Landscape or the High Weald National Landscape, which has the highest status of protection.

The application site has existing residential development to the east, west and south with this development including substantial two storey dwellings, and the proposals would not involve an extension to the built envelope associated with the village. The site is occupied by a large scaffolding structure and small garden shed. Whilst the proposals would include an increase in built form, the upper floor of the dwelling is set within the roof space, which would assist in reducing its effect on the landscape. It would thus, appear in keeping with the surrounding built form.

Additionally, the proposed scheme retains a large amount of outdoor amenity space around the proposed dwelling, with good separation to the site boundaries. As such, the scale, design, siting and plot coverage would reflect the rural character and the pattern and grain of development to the east and south of the application site.

The site is contained in views from the north, east and west by the close board fencing and surrounding vegetation. Partial views of the site would be possible from Forge Lane and from existing dwellings within Redwood Glade. Views from outside the application site from the south, east and west would be interrupted by existing residential development, and from the across the M2 motorway to the north by boundary vegetation.

The scale, design and plot coverage in this case would conserve the scenic beauty of the national landscape and rural character of the area. Accordingly, the proposal would comply with policies LPRSP9, LPRQD4 and LPRSP15 of the Maidstone Borough Local Plan Review (2024), the Maidstone Landscape Character Assessment, Kent Downs AONB Management Plan and the NPPF (2024) which jointly require development to preserve national landscapes and respect and complement the local character and avoid harm to visual amenity.

Update to Conditions

Amendment to Condition 4 (ii) to remove reference to the number of trees to be planted within the site. The condition is worded as follows:

The development hereby approved shall not commence above slab level until details of a scheme of landscaping, using indigenous species, together with a programme for the scheme's implementation, has been submitted to and approved in writing by the local planning authority. The scheme shall include indications of all existing trees and hedgerows on the land to be retained and shall also include:

(i) A scheme designed in accordance with principles of Council's landscape character guidance (Landscape Character Assessment Supplement 2012);

(ii) Details of the number, size, species, maturity, spacing and position of proposed native trees and landscaping to be planted within the site, a minimum of standard size;

(iii) A ten year landscaping management plan;

Only non-plastic guards shall be used for the new trees and hedgerows, and no Sycamore trees shall be planted. The landscaping of the site and its management thereafter shall be carried out in accordance with the approved details. Reason: In the interests of landscape, visual impact, and amenity of the area; and in the interests of biodiversity enhancement.

All landscaping specified in the approved landscape details shall be carried out in the first planting season (1 October to end of February) following the first occupation of the dwelling hereby approved. The approved landscaping shall be retained for at least 10 years following its implementation and shall be managed and retained strictly in accordance with the approved specification/management plan, and any approved or retained seeding or turfing which fails to establish or any trees or plants which, before a period of 10 years from the completion of the development has expired, die or become so seriously damaged or diseased that their 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. Reason: In the interests of landscape, visual impact, and amenity of the area; and in the interests of biodiversity enhancement.

Noise from the M2 motorway

The application site is located close to the M2 motorway, and the previous application was refused for its failure to demonstrate the acoustic environment both internally and externally would be within acceptable tolerances.

This current application is supported by a Noise Impact Assessment Report which sets out the results of a 24-hour noise survey. The survey confirms “*the development site is exposed to moderate levels of external environmental noise during both the daytime and the night-time periods due to road traffic noise from the M2 motorway*”.

The report recommends an appropriate noise mitigation scheme for the new dwelling. This would should provide sufficient noise attenuation to meet the required internal acoustic criteria and fully protect the amenity of future residents. The report also concludes that the existing noise climate is within the required external noise criteria outlined in the WHO Guidance, BS 8233 :2014 and the ProPG guidance document for any private amenity spaces.

On this basis, the proposal will provide an adequate acoustic environment for future occupants pf the dwelling. The proposal would comply with the requirements of Policy LPRSP15 of the Maidstone Borough Local Plan Review (2024) which jointly seek protection of residential amenity for all existing and future occupiers of buildings.

No change to the officer recommendation