

Urgent update on Land North of Bicknor Wood

15/509251

1. Representations

Since drafting report a number of further objections have been received, summarise below:

Local Residents

- Highways impacts: amount of traffic, narrowness of existing roads, road safety and rat running;
- Lack of school place and other of local services
- Loss of Otham village identity
- Damage to wildlife, loss of hedgerows
- Poor state of repair of roads and inadequate footways
- Inadequate bus services
- Poor drainage
- Negative impact on listed buildings and the conservation area.
- Loss of agricultural land
- Inadequate infrastructure.
- Need for a holistic approach to all housing sites
- Premature to determine in advance of the new local plan
- Opening up future development potential .
- Should the scheme be approved it should only be accessed via Imperial Park

Otham Parish Council had the following additional objections:

- Should the scheme be approved it should only be accessed via Imperial Park
- Skylarks are nesting on the site and should be protected.

Officer Response

The proposal to access the development exclusively from Imperial Park would not conform with the Submitted Draft Local Plan Policy H1 (7) and H 1(8) in seeking to widen Gore Court Road between the new road and White Horse Lane. Such a suggestion is not considered conducive to good design as it would create an isolated enclave separated from surrounding roads. It would also mean that existing traffic would continue to use the narrow pathless Gore Court Road rather than the 5.5 metre new road which includes 2 metre wide footways.

The other points raised above have been addressed in the Committee report, but it may be helpful to highlight some relevant issues below:

- The Conservation Officer has not objection to the proposal;
- The highways apportionment table seeks to ensure all local housing sites contribute to the necessary infrastructure.

Lead Local Flood Authority (LLFA) made the following comments:

The key points for consideration at the site are:

1. No discharge point/connection has been identified that has been demonstrated to be feasibly delivered
2. Infiltration rate assumption has implications for the amount of area allocated for surface water management.

With the present information submitted, the concern is that the indicative layout would not be able to accommodate any additional requirements for surface water attenuation or provide any space for a pumping station if connection to another surface water sewer was needed.

It is possible that a connection with a surface water sewer is not available at all. If that was the case I am not sure what mitigation would be available as a “Plan B” has not been identified by the applicant.

Officer Response

The LLFA objection is discussed in section 7.72 of the main report. In the recommendation it is proposed that the resolution of drainage issues is dealt with via condition at an early stage in order to ensure that no development is carried out without mitigation. If inadequate mitigation were proposed, planning permission for the reserved matters application would be withheld and the development would not be permitted to commence.

Helen Whately MP has raised serious concerns regarding this application being decided in advance of the examination in public of the submitted Maidstone Local Plan.

Officer Response

It is considered that it would be wholly unreasonable for the Council to refuse to determine this application on the basis of waiting for the Local Plan to be examined. Nor is there considered to be grounds for the application to be refused on the basis of a decision being ‘premature’ in advance of the examination. Following NPPG advice on the matter, the site is allocated within the submitted Local Plan and is an integral part of the Plan. As such, this application would not undermine the plan-making process from the Local Planning Authority’s perspective.

2. Typographical errors and amendments

Correct typo in Application Proposal from ‘up to’ to ‘a minimum of’

2.06 Add to first bullet point: “of a width of 15m”

7.21 Replace first bullet point with “The introduction of an additional landscape buffer of a minimum of 15m in width for the entire western edge of the site excluding the access road and associated footway”.

7.40 *10. Widening of Gore Court Road between the new road and White Horse Lane.* This is proposed as part of the application and therefore does not require a planning condition.

7.66 Add “Mitigation of the proposal includes measures such as bus priority junctions where buses can move to the front of the traffic queue at a traffic light junction; increasing road capacity through road widening and improvements to bus shelters, access and information in line with Policy T2.”

7.67 Add “*KCC Highways fails to demonstrate by reference to relevant and reliable evidence*

that granting permission for the amended proposal would cause any adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal and that the residual cumulative impacts of development are severe. Even if the 'as developed' scenario would potentially be 'materially worse', it does not follow that permission should necessarily be refused as the assessment must balance any worsening of the already severe conditions against the benefits of the proposal. In this case, the Council is satisfied that the applicant has submitted reliable evidence to demonstrate that the 'as developed' mitigated scenario would be 'no worse' or 'no materially worse' than the existing scenario and cannot therefore be considered to be severe. As such, it is considered that the proposal would accord with paragraph 32 of the NPPF. "

8.2 Add before the last sentence, "As highlighted in 7.72, The LLFA object but this would be addressed by condition."

9.3 Replace "Heath care" with "Health Care" , to be spent at one of the following Wallis Avenue Surgery; Mote Medical Practice; Northumberland Court ; Downwood Surgery ; Grove Park Surgery

3. Recommendation:

DELEGATED POWERS be given to the Head of Planning and Development to grant permission SUBJECT TO the conditions contained in the Urgent Update(s) AND the completion of a suitably worded legal agreement ensuring the delivery of the highway improvements, together with all other Heads of Terms set out in the Urgent Update, to be negotiated and agreed upon in conjunction with the Head of Mid Kent Legal Services.

4. Conditions

PROPOSAL: Outline application for a minimum of 250 residential dwellings with associated vehicular, pedestrian and cycle access, and associated works, including provision of public open space. (All matters reserved for future consideration with the exception of access).

RESERVED MATTERS

1.The development shall not commence (excluding any demolition, ground works, site investigations, site clearance) for each phase or sub-phase of the development until approval of the following reserved matters has been obtained in writing from the Local Planning Authority before a development within that phase or sub-phase :-

- a. Layout
- b. Scale
- c. Appearance
- d. Landscaping

The details pursuant to condition 1 a) shall show the provision of satisfactory facilities for the storage of refuse.

Reason: No such details have been submitted and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

TIME LIMITS

2. The first application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission with the last application for approval of reserved matters to be made to the LPA within 4 years from the date of this permission.

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved;

Reason: No such details have been submitted and in accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

LANDSCAPING

3. The development shall not commence (excluding any demolition, ground works, site investigations, site clearance) for the relevant phase until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, using indigenous species which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and long term management. The landscape scheme shall be designed using the principles established in the Council's adopted Landscape Character Assessment and Landscape Guidelines and provide for the following:

- a) High quality detailed and structural landscaping located within the application site.
- b) Retention and enhancement of boundary vegetation (excluding the openings required for access points).
- c) The provision of a 15m wide protective buffer zone along the entire western boundary of the site, excluding the access road, visibility splays and associated footways.
- d) The provision of a 15m wide protective buffer zone along the entire southern boundary of the site, adjacent with Bicknor Wood, excluding footways.
- e) The provision of a largely 40m wide minimum protective buffer zone along the entire eastern boundary of the site.
- f) The provision of a protective buffer zone along the entire northern boundary of the site, excluding the access road, sight lines, and associated footways.
- g) Means of enclosure including the positions, design, materials and type of boundary treatment to be erected;
- h) Proposed finished floor levels and contours
- i) Works to necessary Public Rights of Way;
- j) Car parking layouts;
- k) Other vehicle and pedestrian access and circulation areas;
- l) Hard surfacing materials;
- m) Written planting specifications;
- n) Schedules of plants (noting species, plant sizes and proposed numbers/densities where appropriate);
- o) Minor artefacts and structures - including street furniture, refuse or other storage units, signs, lighting etc and including a specification of Play Areas including their long term management and maintenance
- p) Implementation programme.

The works shall be carried out strictly in accordance with the approved details unless otherwise agreed in writing.

Reason: To ensure a satisfactory development in the interests of amenity.

4. All hard and soft landscape works submitted and approved pursuant to condition 1 (d) for each phase or sub phase of the development shall be carried out in accordance with the approved details for that phase or sub phase.. The works shall be carried out prior to the occupation of any part of the development on that phase/sub phase or in accordance with a programme previously agreed in writing with the Local Planning Authority; and any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The play areas shall not thereafter be used for any other purpose other than as play areas.

Reason: To ensure a satisfactory development in the interests of amenity.

PLANTING

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation;

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

PHASING

6. A phasing plan for the development shall be submitted to the Local Planning Authority as part of the first reserved matters application, and approved in writing by the Local Planning Authority showing the boundary of each phase. The development shall be carried out in accordance with the approved phasing plan unless agreed otherwise in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

ECOLOGY

7. Prior to the commencement of development of each phase or sub phase (including any demolition, ground works, site clearance) a method statement for the mitigation of ecological impacts (including reptiles, great crested newts, nesting birds and retained habitats including the stream and hedgerows) shall be submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) Purpose and objectives for the proposed works, including risk assessment of potentially damaging construction activities;
- b) Practical measures (both physical measures and sensitive working practices) to avoid, reduce and/or mitigate impacts and achieve stated objectives;
- c) Extent and location of proposed measures, including identification of 'biodiversity protection zones' shown on appropriate scale maps and plans;
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) Times when specialist ecologists need to be present on site to oversee works;

f) Persons responsible for implementing the works, including role and responsibilities on site of an ecological clerk of works or similarly competent person.

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

Reason: To protect and enhance biodiversity.

8. Prior to the commencement of development of each phase or sub phase an ecological design and management strategy (EDS) addressing habitat creation, management and enhancement, has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives, including the creation of an appropriately sized nature conservation area, a buffer zone to the stream and green corridors across and around the site.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long term management and maintenance.
- i) Details for monitoring and remedial measures.
- j) Swift bricks and bat boxes integral to buildings, wildlife friendly gullies, and retention of cordwood on site.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter unless otherwise agreed in writing.

Reason: To protect and enhance biodiversity.

9. No development shall take place (including ground works, vegetation clearance) on each phase or sub phase, until a Construction Environmental Management Plan (CEMP:Biodiversity) which shall be informed by the ecological design strategy (EDS) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of "biodiversity protection zones" clearly depicted on a map
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The roles and responsibilities on site of an ecological clerk of works (EcoW) or similarly competent person;
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Detailed protective species mitigation strategies.

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

Reason: In the interests of ecological preservation.

10. If the development hereby approved does not commence (or having commenced, is suspended for more than 12 months) within 18 months from the date of the reserved matters planning consent, the ecological measures are set out in the Section six of the Bicknor Green, Land North of Bicknor Wood, Maidstone, Kent Ecological Appraisal (Ref:ECO4320.EcoApp.vf shall be reviewed and where necessary amended and updated. The review shall be informed by further ecological surveys commissioned to identify any likely ecological impacts that might arise from any changes. The further surveys shall be submitted to the Local Planning Authority for approval.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed, the original ecological measures will be revised and new or amended measures and a timetable for their implementation, will be submitted to, and approved in writing by, the Local Planning Authority. The amended details shall be incorporated into the Landscape and Ecological Management Plan (LEMP) and Construction Environmental Management Plan (CEMP:Biodiversity) which shall be submitted to the Local Planning Authority and shall be carried out in accordance with the approved details and timetable.

Reason: In the interests of biodiversity protection.

LIGHTING

11. Details of a "lighting design strategy for biodiversity" for each phase of the site shall be submitted to and approved in writing by the local planning authority prior to occupation of the relevant phase of the development. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and in which lighting must be designed to minimise disturbance, and;
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.
- c) Include measures to reduce light pollution and spillage.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Reason: In the interest biodiversity protection and visual amenity.

TREES

12. The development shall not commence for the relevant phase until an Arboricultural Method Statement in accordance with BS5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

13. No development shall commence on any phase or sub-phase until a full Arboricultural Implications Assessment (AIA) which shall be informed by the Landscape and Ecology Management Plan (LEMP) and the construction environmental management plan (CEMP:Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. Such study shall consider the exact relationship between the proposed development and the existing trees on the site and any areas identified for new planting including buffer zones, in line with the recommendations of BS 5837:2012 (Trees in Relation to design, demolition and construction - Recommendations).

The AIA should include survey data on all trees on the site, with reference to the British Standard and assess all interfaces between the development and trees, their root zones and their crowns and branches, i.e.:-

- Protection of trees within total exclusion zones;
- The location and type of protective fencing;
- The location of any main sewerage and water services in relation to trees;
- The location of all other underground services, i.e. gas, electricity and telecommunications;
- The locations of roads, pathways, parking and other hard surfaces in relation to tree root zones;
- Provision of design and engineering solutions to the above, for example, thrust boring for service runs; the use of porous surfaces for roads etc. and the remedial work to maintain tree health such as irrigation and fertilisation systems; the use of geotextile membranes to control root spread;
- Suggested locations for the site compound, office, parking and site access;
- The replacement planting necessary to compensate for any necessary losses.

Drawings should also be submitted to show the location of any protective fencing, site compounds, means of access etc. and the study should contain a method statement for arboricultural works which would apply to the site. The development shall be implemented in accordance with the approved AIA unless otherwise agreed in writing by the LPA.

Reason: To ensure the proposed development is satisfactorily integrated with its immediate surroundings and provides adequate protection of trees.

HEDGE PROTECTION

14. All existing hedges shall be retained unless removal has been agreed in writing prior to their removal, or as specified in approved plans.

Reason: in order to maintain existing landscaping and wildlife habitat.

MATERIALS

15. The development, above ground level for the relevant phase or sub-phase, shall not commence for the relevant phase or sub-phase until, written details and samples of the materials to be used in the construction of the external surfaces of any buildings and hard surfaces 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.

ARCHAEOLOGY

16. The development shall not commence for the relevant phase or sub phase until a programme of archaeological work in accordance with a written specification and timetable has been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

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

SLAB LEVELS

17. The development above ground level shall not commence for the relevant phase or sub phase until details of the proposed slab levels and ridge heights of the buildings and the existing site levels have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure a satisfactory form of development.

CONTAMINATION

18. The development shall not commence for the relevant phase or sub phase until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

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

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

4) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in (3). This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved unless otherwise agreed in writing by the LPA.

Reason: In the interests of public safety and pollution prevention.

HIGHWAYS AND ACCESS

19. No construction above DPC level of each phase or sub phase of the development hereby permitted shall take place until details of the following highways, cycle route and footway improvements have been made in full. Full details shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highways Authority and then the approved works shall be carried out in full prior to first occupation of any dwelling:

- a) the treatment of the White Horse Lane between Gore Court Road and the new access road;
- b) the closure of Gore Court Road between the edge of the site and Sutton Road and replacement with PROW including footway and cycleway.
- c) Closure of Gore Court Road at its junction with A274.
- d) Closure of White Horse Lane between Gore Court Road and the approved site access, and replacement with PROW including footway and cycleway.
- e) on-site footways (shall be constructed before the dwellings to which they serve are first occupied), including the provision of a PROW to the Bicknor Farm site to the south west. At no time shall development take place that would preclude this accesses being opened up.
- f) all footways, cycle routes and highways on site shall be constructed before the dwellings to which they serve are first occupied.

Reason: In the interests of good accessibility and sustainable travel.

CONSTRUCTION

20. No development of the site, phase or sub phase shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:

- i) working hours on site;
- ii) the parking of vehicles of site operatives and visitors;
- iii) the loading and unloading of plant and materials;
- iv) traffic management, including delivery times, lorry routing, traffic control and construction access, as necessary;
- v) the storage of plant and materials used in constructing the development;
- vi) the erection and maintenance of hoarding or fencing necessary for public safety, amenity and site security;
- vii) wheel washing facilities;
- viii) measures to control the emission of dust and dirt during construction;
- ix) measures to control noise and vibration during construction;
- x) a scheme for the recycling or disposal of waste resulting from construction works.
- xi) Code of Construction Practise.

JUNCTION IMPROVEMENTS

21. The access shall be constructed in accordance with the approved plan 10-T007 47A at the time of the development. Signalisation of the junction of A274 and Imperial Park, shall be carried out prior to occupation of any dwelling in accordance with details which have first been submitted to and approved in writing by the local planning authority in consultation with Kent Highways

Reason: In the interests of highway safety.

RENEWABLE ENERGY

22. The development shall not commence above ground level until details of 10% renewable energy production placed or erected within the site have been submitted to and approved in writing by the Local Planning Authority. The work so approved shall be carried out in accordance with the approved details at the time of development.

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

NUMBER OF DWELLINGS

23. The number of dwellings shall not be more than 250.

Reason: In order to ensure satisfactory design and residential amenity.

DRAINAGE

24. No infiltration of surface water drainage into the ground at this site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reasons: To prevent pollution of controlled waters and comply with the NPPF.

25. Development shall not begin (with the exception of a haul road) until a detailed sustainable surface water drainage design for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage design shall demonstrate that:

- i. Surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100yr storm) can be accommodated onsite before being discharged at an agreed rate to the receiving watercourse.
- ii. Measures to prevent silt, mud and other pollutants from entering the downstream watercourses during construction.
- iii. Appropriate allowances for climate change have been incorporated into design.

26. No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

FOUL WATER

27. The development shall not commence (excluding a haul road) until a drainage strategy detailing the proposed means of foul water and surface water disposal and an

implementation timetable, has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker.

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.

The development shall be carried out in accordance with the approved schemes and timetable.

Reason: In the interest of pollution and flood prevention.

SUSTAINABLE TRAVEL

28. A **Sustainable Travel Statement** must be submitted to and approved from KCC Highways and the Local Planning Authority. It will include, as a minimum, the following measures, to be implemented prior to occupation:

Welcome Pack

1. A Welcome Pack available to all new residents as a booklet, containing information and incentives to encourage the use of sustainable transport modes from new occupiers, including:
2. Maps showing the site in relation to walking, local buses, cycle routes, cycle stands, the nearest bus stops, and rail stations
3. Approximate time it takes to walk or cycle to various local facilities
4. Site specific public transport information including up to date public transport timetables
5. Links to relevant local websites with travel information such as public transport operator information, cycling organisations and the Council
6. Details of local 'Car Share' and 'Car Club' schemes, including links to County & District Councils sponsored schemes.
7. Information on public transport season tickets and offers
8. Information on specific incentives including "Walk to Work" or "Cycle to Work" initiatives
9. Information on the health, financial and environmental benefits of sustainable travel
10. Discounted tickets for local buses and/or vouchers for bike maintenance/parts at local shops, to be negotiated.

Car Club

At least one parking bay to be allocated to a residential or publically accessible car club vehicle, available for use on occupation. A successful car club scheme will require dedicated marked and signed car parking spaces for vehicle(s) to be provided ideally available also to members not living in the development. Developer contribution shall include:

- i. Traffic Regulation Orders and Associated road markings/signage
- ii. Incentives for new residents to join the car club (£30 free driving credit per dwelling)
- iii. Lease of the vehicle(s) for the first 6 months.

Plug-in and low emission charging infrastructure

Domestic: Dwellings with dedicated off-street parking to be provided with charging points for low-emission plug-in vehicles.

Publicly Accessible (in development including 10 or more flats with no dedicated off-street parking): at least one publicly accessible double charging point (22kW or faster) for plug-in

vehicles to be installed within the development prior to its occupation and maintained for at least the following five years (specifications to be agreed with the LPA and KCC).

Reason: In the interests of sustainable transport and the avoidance of pollution.

PROVISION OF BUS FACILITIES AND ACCESS

29. Prior to construction of the development reaching DPC level, full details of provision of new bus shelters and pedestrian crossing points along Sutton Road including details of public footpaths connecting the site to surrounding pedestrian routes, bus stops and local services and facilities shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to occupation of the first dwelling.

Reason: To ensure the development is fully connected to pedestrian routes and the surrounding area and to improve quality and access to bus services along the A274 Sutton Road.

LIFETIME HOMES

30. No development shall take place until details of the provision of a minimum of 10% of the properties hereby permitted shall be provided to a Lifetime Homes standard.

Reason: In the interests of good design.

DESIGN PRINCIPLES STATEMENT

31. No construction of the development above ground level hereby permitted shall take place until a Design Principles Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring high quality design

APPROVED DRAWINGS

32. The development hereby permitted shall be carried out in accordance with the following approved plans/documents: Drawing 15042 - S101 - Site Location Plan; Drawing 15042 - C09A - Development Parameter Plan; Drawing 10-T007 47A - Proposed Highway Alignment; Drawing 10-T007 63B - Proposed Footway Arrangement.

Reason: For the purposes of clarity and to ensure the quality of the development is maintained.

PUBLIC ACCESS TO OPEN SPACE

33. The open areas within the residential development site shall remain open and available for public access and no fences, gates or other means of enclosure shall be placed or erected to preclude access to these areas at any time without the prior approval of the Local Planning Authority.

Reason: In the interests of permeability throughout the site, and to maintain the character and appearance of the landscaped areas.

CRIME PREVENTATION

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

Reason; In the interest of security and crime prevention

EXTERNAL APPEARANCE

35. No external meter cupboards, vents, or flues shall be installed on any external elevation without the prior agreement in writing of the Local Planning Authority.

Reason: To secure a high standard of design.

INFORMATIVES:

Construction As the development involves demolition and / or construction, I would recommend that the applicant is supplied with the Mid Kent Environmental Code of Development Practice. Broad compliance with this document is expected.

Noise and Vibration transmission between properties

Attention is drawn to Approved Document E Building Regulations 2010 “Resistance to the Passage of Sound” – as amended in 2004 and 2010. It is recommended that the applicant adheres to the standards set out in this document in order to reduce the transmission of excessive airborne and impact noise between the separate units in this development and other dwellings.

Refuse Storage and disposal (Maidstone)

The applicant should have regard to the Environmental services guidance document “Planning Regulations for Waste Collections” which can be obtained by contacting Environmental Services. This should ensure that the facilities for the storage and disposal of waste and recycling generated by this development as well as the site access design and arrangements for waste collection are adequate.

Gas safety Informative

Please note there is a low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure

system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

Safe digging practices, in accordance with HSE publication HSG47 “Avoiding Danger from Underground Services” must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas plant.

Informative Waste to be taken off site Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at <https://www.gov.uk/government/organisations/environment-agency> for more information.

5. Section 106 Heads of terms

<u>Health Facilities</u> - contribution of contribution of £244,584 (actual figure to be confirmed) towards health at at one of the following Wallis Avenue Surgery; Mote Medical Practice; Northumberland Court ; Downswood Surgery ; Grove Park Surgery	£978.34 Per dwelling
<u>Primary Education</u> - Langley Park Primary School construction: £964,000; - Langley Park Primary School site acquisition: £651,092;	£6,460 per dwelling
<u>Open Space Mitigation</u> £68,000 towards existing offsite facilities at Senacre Recreation ground	£272 per dwelling
Provision of <u>30% affordable housing</u> with a 60/40 tenure split in favour of Affordable Rent including 2 Wheelchair Accessible Homes	
Provision of a minimum <u>5.8 hectares of public open space</u>	
<u>Secondary education:</u> £568,711 towards the third phase of the expansion of the Cornwallis School	£2274.84 per dwelling
<u>Community learning</u> £7,674 (Toward the refurbishment required at St Faiths Adult Education Centre in Maidstone to provide additional capacity to meet the needs of the additional attendees);	£30.70 per dwelling
<u>Youth Services</u> £2,121 (Towards additional equipment required to support the additional attendees at the Fusion café Youth project nearby	£8.49 per dwelling
<u>Library bookstock</u> £12,003 (Towards additional bookstock required to mitigate the impact of the new borrowers from this development)	£48.02 per dwelling

<u>Social Care</u> £13,470 (Towards cost of providing additional services for this proposed development, namely: accessibility improvements to a Community Building local to the development where social care services are delivered by KCC or a third party.	£53.88 per dwelling
<u>Landscape and Ecological Management Plan, to include:</u> a) Description and evaluation of features to be managed. b) Aims and objectives of management. c) Management prescriptions for achieving aims and objectives. d) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period). e) Details of the body or organisation responsible for implementation of the plan. f) Details of on-going species and habitat monitoring; and g) Provision for remedial measures. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.	
<u>TOTAL (excluding highways)</u>	£10,126.27per dwelling

Appendix A of the report seeks to demonstrate apportionment of highways mitigation works across the draft strategic site allocations in South East Maidstone, in order to provide a comprehensive package of highways mitigation measures which meet the CIL Regulation 122 and 123 tests. This table demonstrates how officers have sought to apportion the necessary contributions on a **pro-rata** basis (with schemes that mitigate their own impacts to be dealt with via Grampian condition). This is a dynamic process and as a consequence it is requested that delegated authority be granted to the Head of Planning to agree any subsequent amendments to the apportionment table to ensure the delivery of strategic South East Maidstone highways mitigations works.

Significant highways and transport improvements, namely:

(please note these elements are subject to further negotiations)

Highway contributions

- £736,250 as a part contribution towards A274 Sutton Road / Willington Street / Wallis Avenue junction improvements
- £337,500 towards bus prioritisation measures from the Willington Street junction to the Wheatsheaf junction.