

Aylesford	(A) 572839 157850	3 August 2012	(A) TM/12/02439/OA
Aylesford	(B) 572821 158052		(B) TM/12/02443/OA
	(C) 572821 158052		(C) TM/12/02444/FL

Proposal: (A) Outline Application for residential development (about 36 dwellings on four sites) together with new road to Area R1 and improvements to memorial gardens
(B) Outline Application: Residential development of about 208 dwellings (including about 68 affordable units) together with new roads, play areas and informal open space following demolition of existing hospital buildings. Conversion of Preston Hall for residential use.
(C) Alterations and construction of new internal roads serving existing residential and health uses and proposed residential development. Alterations to existing car parking areas serving Heart of Kent Hospice, Gavin Astor House and Churchill Centre

Location: (A) Royal British Legion Village London Road Aylesford Kent ME20 7NF
(B) Preston Hall London Road Aylesford Kent ME20 7NJ
(C) Preston Hall And Royal British Legion Village London Road Aylesford Kent ME20 7NJ

Applicant: (A) Royal British Legion Industries
(B) South East Coast Strategic Health Authority For Sec Of State
(C) South East Coast Strategic Health Authority For Sec Of State

1. Description:

- 1.1 This report covers the three applications which, when viewed together, form the overall masterplan for the development of the site in line with its allocation for residential development under Policy H3 of the Development Land Allocations Development Plan Document.
- 1.2 The three applications that have been submitted comprise two outline proposals for residential development and a full application for alterations to the internal road network across the RBLI and NHS owned land.
- 1.3 The first outline application proposes 36 units across four separate sites on land owned by the Royal British Legion, together with works undertaken to restore the memorial garden. The 36 units are indicated as comprising 11 houses to the southern end of the site adjacent to the A20; of the other 25 units, 8 are proposed south of Gavin Astor House at the northern end of London Road East, and the remaining 17 on the western edge of the site to the north of the Capel Morris Centre.

- 1.4 The second outline application proposes approximately 208 units spread over 6 sites on land owned by the NHS. The majority of these would be located within the area covered by the existing ward blocks (approximately 135) and within the conversion of the Grade II Listed Preston Hall (approximately 36). The remaining areas of development are indicated to be to the south of Preston Hall and to each side of the access drive from the A20.
- 1.5 The final application that forms part of the overall masterplan is a full application for alterations to the road network and associated infrastructure within the site.
- 1.6 The masterplan does not include the land owned by Housing 21 that is primarily the housing stock to the south and west of the site – no housing development is proposed in the Housing 21 locations.
- 1.7 The applications do not provide details of the specific housing development proposed as the submissions are to set development areas in the form of a masterplan rather than the actual form of the resultant buildings. These details will be submitted at the detailed design stage and would be subject to full consultation and reporting.
- 1.8 The applications indicate all accesses to remain as present with traffic using the existing entrances off the A20 and Hall Road. The application does not propose the opening up of any other routes *into* the site. The proposal envisages a road link between the east and west areas of the site running to the south of Preston Hall itself
- 1.9 The applications do not provide specific details of the conversion of Preston Hall to apartments. It is acknowledged that this is a Grade II Listed Building. However, as the purpose of this application is to seek approval of the masterplan, it is not necessary to draw up specific plans at this stage. The detailed works to achieve conversion will be very important in due course.

2. Reason for reporting to Committee:

- 2.1 The applications are reported due to the nature of the developments and the general public interest in them.

3. The Site:

- 3.1 Preston Hall and the Royal British Legion Village are located within the settlement boundary of Aylesford, to the south west of junction 5 of the M20, with the slip road to that junction forming the overall site's eastern boundary. The Coldharbour roundabout, which joins the slip road to the A20, is situated at the south eastern edge of the site. It is bounded by the A20 to the south and Hall Road to the west.
- 3.2 It abuts various administrative and industrial buildings serving both the Royal British Legion and Royal British Legion Industries (RBLI) to the north. The M20

runs to the north of these buildings and is further separated from the site by additional commercial buildings with access off Hall Road. Woodland separates the site from the motorway to the eastern part of the site.

- 3.3 The site is dominated visually by the imposing form of Preston Hall, a Grade II Listed Building. This became a hospital complex in 1914 for the treatment of soldiers wounded in the First World War. It was acquired by the Royal British Legion Industries in 1919 along with the surrounding village, and became a centre for the treatment, training and rehabilitation of ex-servicemen and their families.
- 3.4 Since the inception of the NHS in 1948, the main hall and hospital buildings have been run by the NHS, while the RBLI has developed the village to provide support for the Armed Forces, disabled and disadvantaged communities.
- 3.5 The whole site slopes down from the south and has been the subject of historic terracing and levelling to create the topography that is present today, with Preston Hall itself set considerably higher than the single storey ward blocks to the north and east.

4. Planning History:

- 4.1 There have been numerous applications over the years across the sites for a variety of works but none of these are of direct relevance to the development of the site as proposed.

5. Consultees:

- 5.1 PC: Wish to make the following objections and reservations regarding the three applications:-
 - The roads in the RBLV are narrow and busy, particularly at the junction of Admiral Moore Drive and Bentley Drive including the Doctor's surgery access which in itself is already dangerous.
 - The proposed through route through the site will be used as a rat run despite whatever measures are in place to discourage through traffic.
 - Vehicles belonging to new residents (most homes having two cars) and their visitors will be moving around the Village at all times increasing noise levels, air pollution, parking issues and possibility of accidents particularly at the junction of Admiral Moore Drive and Bentley Drive.
 - Lack of leisure facilities for all ages. The proposed small play area is not sufficient to serve the likely number of children moving into the area. There are no facilities planned for older children to use bikes, skateboards and ball games. There is no additional allotment space allocated. Current British

Legion and Parish Council allotment sites are fully occupied and have lengthy waiting lists already.

- The local Doctors and other medical services are already working at full capacity. There are also proposed developments at the old Somerfield site (Station Road Aylesford) and development on the Maidstone side of the Strategic Gap nearby and at Bunyards Farm. These pressures on local amenities - schools, doctors etc – also need to be considered as well as the Preston Hall/RBLI masterplan.
- Loss of green infrastructure on green field areas.
- Likely increase in noise and litter.
- Potential for more anti-social behaviour in memorial garden.
- Loss of wildlife with the removal of trees and shrubs and concern at possible loss of old established trees.
- Additional traffic and shoppers using the retail park, particularly Sainsburys which is already very busy and congested at peak times.
- Hall Road traffic already causes concern to residents of Duchess of Kent Court. Speeding, noise and pollution will increase.
- Where are the employment opportunities for all these new residents?

5.2 Maidstone Borough Council: No objection subject to informative regarding highway improvements for the London Road/Hermitage Lane junction as proposed in the MBC draft Integrated Transport Strategy 2012.

5.3 KCC Highways: Consider that given the historic use of the site the traffic generation would not significantly affect the volume of traffic movements in the area although it is noted that the flows are likely to be in the opposite directions in peak periods. Is aware of the concerns regarding increase in traffic through the site however this is not borne out in traffic studies. There are existing through routes within the site that are required for management purposes and the closure of such routes would increase traffic on the surrounding road network. Alterations to the Hall Road/A20 junction are not possible due to the existing traffic light phasing.

5.4 KCC Heritage: No objections in principle subject to conditions.

5.5 EA: No objections in principle subject to conditions.

5.6 Natural England: No objections in principle subject to conditions proposed by standing advice.

- 5.7 Kent Wildlife Trust: Wish to register a holding policy objection pending the submission of a biodiversity enhancement strategy for the whole site (both NHS and RBLI). The strategy should demonstrate a comprehensive and coordinated green infrastructure and investment programme and incorporate a commitment to an on-going management regime that is responsive to periodic habitat and species monitoring.
- 5.8 DHH: Principal issues are noise, air quality and land contamination. Given the outline nature of these applications and the adopted site allocation it is considered that these issues can adequately be addressed by planning conditions.
- 5.9 Private reps: 538/0S/38R/0X + site and press notice. 38 letters received in total on all three applications raising the following concerns:-
- Concern that exact number of dwellings is not known.
 - No thought given to existing residents.
 - Overdevelopment of the area and in Aylesford in general.
 - Traffic generation from the development would exacerbate existing traffic congestion in the area.
 - Concerns regarding through traffic going through the site to get to Hall Road through an area with a large concentration of elderly residents.
 - Bottlenecks at entrance and exit points from the site and increase in traffic on the already congested retail park.
 - Internal site road network is not suitable for the through traffic proposed.
 - Impact on availability of services such as doctors, schools etc.
 - Lack of local employment and recreational opportunities not addressed in the proposal.
 - Issue of mixing ex-servicemen with social housing residents
 - Cumulative impact of this with other permissions for residential developments in the area.
 - Impact on noise and air quality.
 - Loss of open green areas that provide a haven of tranquillity.
 - Welcome the proposed upgrading of the memorial garden but do question who will police the area to protect it from anti social behaviour.

- Loss of old trees dating back to the building of Preston Hall.
- Loss of habitats for numerous types of animals.
- Open space behind East Park Road will bring additional noise to a quiet area that is too close to the Hospice.
- Impact on water supply as there are already issues of low pressure in the area.
- Access to all buildings and facilities on the site should not be disrupted by any construction works.
- Preston Hall should not be ruined by being turned into apartments.

6. Determining Issues:

6.1 The Preston Hall site was originally included as a firm housing allocation in the Medway Gap Local Plan 1994. This allocation was retained in the Tonbridge and Malling Borough Local Plan 1998. The site is now covered by Policy H3 of the Development Land Allocations DPD which forms part of the Tonbridge and Malling Local Development Framework. The site has therefore formed part of the Borough's Strategic Housing Land Allocation for over 18 years.

6.2 Policy H3 of the DLA DPD states the following:

The site at Preston Hall and Royal British Legion Village, Aylesford, as shown on the Proposals Map, is considered appropriate for mixed-use, but predominantly residential, development with a capacity in the order of 180 dwellings. It should be developed in accordance with an approved Master Plan which should aim to maximise the opportunities for development, taking into account the following considerations and any other general policy requirements including any necessary contributions towards the provision of education and other community and cultural facilities, pursuant to Core Policy CP25:

- a) the provision of affordable housing in accordance with Core Policy CP17 (1);*
- b) respect for the character and setting of the grade II Listed Building, which should be guided by an historic buildings and archaeological assessment;*
- c) achievement of a satisfactory noise climate in accordance with saved Policy P3/17 (or its successor Policy) having regard to noise from nearby roads and motorway;*
- d) consideration of traffic impact on the A20/Hermitage Lane and A20/Hall Road junctions, the Coldharbour roundabout and junction 5 of the M20 with provision for any necessary mitigation measures including junction*

improvements (subject to the preservation of the Lodge), the possible provision of a secondary point of access onto Hall Road and a contribution towards the M20 multi-modal improvement scheme;

- e) provision of adequate open playing space within the site, footpaths, and cycle routes linking with the A20 cycle route;*
- f) respect for the landscape of the site, including the retention of important mature trees and, in particular, the avenue approach to the Listed Building, which should be informed by a landscape assessment and tree survey;*
- g) respect for the wider setting of the site including views to and from the surrounding countryside. A scheme of positive landscape management will be required for land within the Strategic Gap adjacent to the Master Plan area which should include landscape enhancement and reinforcement;*
- h) investigation and remediation of any land contamination; and*
- i) consideration of the potential impact of air quality close to the A20 and M20 on the design and layout of development.*

6.3 The applications are supported by documents to cover the aspects of the potential development listed above. The approximate number of units proposed is greater than the indicative number set out in the policy. This is thought to be expected, as the applicants have carried out greater detailed studies of developable areas available. This overall number of units, when the interplay of both housing applications is considered, is also considered to be acceptable in principle taking into account the approach adapted in the masterplan, and will be achievable without having an adverse impact on the setting of the RBLI village, Preston Hall itself or views into and out of the area. I am satisfied that the anticipated overall numbers of dwellings will not create any adverse impacts

6.4 The matter of greatest concern that has been expressed by respondents to consultation is one of traffic generation, the impact on the surrounding road network and also the impact of the proposed internal private road network within the village itself. The applications are supported by a number of traffic reports, which have been developed and updated/revised during the life of the applications in light of these expressed concerns. The studies indicate that the overall impact of the development would not lead to an unacceptable rise in vehicle movements in the area. This conclusion acknowledges that the traffic flows would be reversed from when Preston Hall was in full NHS operation (i.e. instead of staff arriving at the site in the morning and leaving at the end of the day, the residential development would have the morning peak traffic now *leaving* the site and the evening traffic returning). The traffic modelling has been carried out in accordance with appropriate industry standard methods for such projections and standards that KCC Highways (in respect of the majority of roads) and the Highways Agency

(in respect of motorway M20/J5) recognise as appropriate. The modelling addressed in particular the ways in which the main Preston Hall access point to the A20 and the Hall Road/A20 junctions will function with the proposed development all in place. In light of the responses to consultation, a further study of the functioning of the proposed east-west internal private road link and the effect on the two site accesses was also required. This set of study work does not indicate any unacceptable change in vehicle movements either on the A20 London Road access or the Hall Road/A20 junction.

- 6.5 The junction of the A20 London Road and Hall Road has also been reviewed by KCC to see if there are opportunities to create wider pedestrian footways on the western side of the road and an additional pedestrian crossing leg across the north side of the junction. Following KCC investigation of the junction it is, however considered that there is no scope to add a further red phase to the existing traffic lights without having a detrimental impact on traffic flow and capacity. The request received from MBC to seek contributions towards junction improvements as a result of its draft Integrated Transport Strategy is noted but premature, for the majority of the development in the MBC area is the subject of early possibilities in a series of consultation documents but not in any submitted, tested or substantive forward plan. Indeed the Integrated Transport Study is not itself endorsed. By contrast the current applications are in accordance with a TMBC adopted allocation made following the Public Examination of the Core Strategy and have also been tested to show no adverse impact on the surrounding road network. It is not appropriate to seek contributions as sought by MBC.
- 6.6 A number of changes are proposed to the internal road network. It is proposed to enhance the existing network to provide dedicated road access to the different existing elements of the site and to separate the traffic generated by the new residential areas. The overall benefit of this is the provision of proper footways to the side of the roads, as at present pedestrians share the carriageway in some locations. There would also be the benefit of removing the one way traffic system that currently serves the Hospice and Gavin Astor House. The enhancements to the road and footway network would enhance pedestrian safety and security by creating fully segregated paths through the site.
- 6.7 The local concerns regarding the opening up of a more formal route through the site than that which currently exists can be understood. In light of the further study work, KCC Highways considers that this should not result in an increase in 'rat running' through the village as a whole, as the road layout is designed in such a way that it will not be possible to see a physical link through from outside. The majority of the internal road network, and the new east-west link would remain in private ownership and it is possible to require that the use of the road network be monitored so that if there is an issue with adverse impact arising from the development when it has been in place and fully operational for a reasonable period, it would be possible to revisit the layout and potentially close it, if justified. The design of the internal road network would also enable traffic calming if

required at the junctions to reduce the speed of the traffic flow. Both the monitoring of the traffic usage on the proposed new internal road and the details of traffic calming can be secured by condition.

- 6.8 It is important to ensure adequate and appropriate standards of air quality and noise, both for existing residents and also the proposed new dwellings. Both issues have been the subject of initial studies that have been subsequently updated at TMBC's request. The development areas, especially to the north of Preston Hall, are in a position where there is likely to be an impact from road traffic noise. Following the analysis of the studies, which are executed to industry standards, it is considered that it is possible to achieve acceptable internal noise levels through appropriate design methods. The outdoor noise climate would be harder to control but, as this would be influenced more by the layout of the blocks of housing and how they are positioned and orientated and the possibility of some works around the sites, this matter would need to be considered in detail when the actual design of the layout is known - to do this, a condition is proposed requiring relevant details.
- 6.9 With regard to the issue of air quality, it is acknowledged that part of the application site is within an AQMA. This matter has been subject to considerable study and it is considered that the housing areas/units themselves would be unlikely to fall within an area that is subject to the AQMA. To ensure that no incursion takes place into any AQMA it is proposed that a condition should be attached controlling the extent of the developable areas to ensure that they fall outside the relevant limits for the AQMAs. This can, for the avoidance of doubt, be linked to a site plan with an appropriate definitional contour.
- 6.10 Given the historic uses of the site it is not anticipated that there should be significant contamination issues. It is therefore considered appropriate to require the submission of full contamination details by condition prior to the actual commencement of development.
- 6.11 The applications have been supported by a number of documents setting out the landscape and ecological reports. Some consultee responses, although *not* the national body Natural England, have suggested that further information and studies should be sought prior to the determination of these applications. However it is considered that it is appropriate to seek these further details by condition.
- 6.12 The submitted masterplan documents indicate a number of areas of open space to be provided on site. Of these, formal play areas are indicated as being provided within the NHS housing areas around Preston Hall. In the process of preparing the applications the opportunity has arisen for the RBLI to take control of the open area of land to the east of the Heart of Kent Hospice and Gavin Astor House. This is important for the long term future of this land and it is proposed that the RBLI will manage this area as a multi-purpose recreation ground for the benefit of all residents and visitors to the village. Details of the management of this area and

the provision of play areas within the site as a whole can be controlled by condition in accordance with policy. Whilst concerns have been expressed regarding the potential for noise and disturbance to residents of the Hospice and Gavin Astor

House, it is not considered that this would be to such a level as to cause an issue but can be taken into account in the detailed laying out and use of the adjoining open space

- 6.13 With regard to the provision of affordable housing in accordance with Core Strategy policy CP17 as part of the development the indicative number of units proposed for the NHS element of the site would achieve the required 40 percent affordable housing. In light of the publication of NPPF since CP17 was adopted, it is considered that the actual nature and tenure of this stock should not be considered at this stage but a condition should be attached requiring the submission of an affordable housing scheme for the provision of 40% affordable housing from the NHS site.
- 6.14 Given the specialist nature of housing provided by the RBLI it is not considered appropriate to seek a conventional provision of affordable housing. The homes to be provided by the RBLI would be specialist accommodation and, given this fact the normal requirements of a private developer to provide affordable housing would not be appropriate here. An alternative approach is to attach a condition that seeks a degree of control on the housing stock to ensure that it meets the aims of the RBLI.
- 6.15 With regard to the other issues raised during consultation, it is not considered that there is a need to enhance school provision in the area and it has been confirmed by KCC Education that there is adequate capacity in the vicinity. Potential anti-social behaviour and issues with regard to the mixing of ex-servicemen with social housing residents are matters that relate more to site management and security and the RBLI is aware of these matters from the analysis of the responses to consultations. Water and sewerage matters are for any future developer to address with the relevant service provider.
- 6.16 Concerns have been raised regarding the retention of access to buildings during development. Whilst access during the construction phase of a development is not specifically a planning matter, it is something that the applicants and any future developer would have to take into consideration when detailing the programme of construction – this will be conveyed to the applicants through informatives.
- 6.17 Overall these applications accord with the allocation in the Core Strategy and the aspirations of Policy H3. They would result in the bringing forward of one of the Council's adopted key housing land allocations and are therefore considered to be acceptable subject to conditional controls dealing with matters identified above.

7. Recommendation:

(A) TM/12/02439/OA:

7.1 Grant Outline Planning Permission in accordance with the following:

Conditions

(Final detailed wording to be delegated to Director of Planning, Transport and Leisure in liaison with Chief Solicitor.)

- 1 Approval of details of the layout and appearance of the development, access to and within the site, the landscaping of the site, and the scale of the development (within the upper and lower limits for the height, width and length of each building stated in the application hereby approved) (hereinafter called the “reserved matters”) shall be obtained from the Local Planning Authority.

Reason: No such approval has been given.

- 2 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

- 3 The development hereby permitted shall be carried out substantially in accordance with the submitted masterplan.

Reason: To accord with the submitted application.

- 4 No development shall take place until details and samples of materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality.

- 5 The details submitted in pursuance of Condition 1 shall include a contoured site plan and indicate the level of the ground floor of any building proposed to be constructed.

Reason: To enable the Local Planning Authority to assess adequately the impact of the development on visual and/or residential amenities.

- 6 The area shown on the approved plan as open space and play areas shall be laid out and made available for use within three months of the completion of the development.

Reason: To ensure the availability suitable areas for the recreational needs of the residents.

- 7 The details submitted in pursuance of condition 1 shall be accompanied by a scheme of landscaping and boundary treatment, for the relevant development plot, which shall include a tree survey specifying the position, height, spread and species of all trees on the site, provision for the retention and protection of existing trees and shrubs and a date for completion of any new planting and boundary treatment. The scheme as approved by the Authority shall be implemented by the approved date or such other date as may be agreed in writing by the Authority. Any trees or plants which within 10 years of planting 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 Authority gives written consent to any variation.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- 8 No development shall be commenced until:

(a) a site investigation has been undertaken to determine the nature and extent of any contamination, and

(b) the results of the investigation, together with an assessment by a competent person and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority. The assessment and scheme shall have regard to the need to ensure that contaminants do not escape from the site to cause air and water pollution or pollution of adjoining land.

The scheme submitted pursuant to (b) shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking of the development hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority of the presence of any such unforeseen contamination.

Prior to the first occupation of the development or any part of the development hereby permitted

(c) the approved remediation scheme shall be fully implemented insofar as it relates to that part of the development which is to be occupied, and

(d) a Certificate shall be provided to the Local Planning Authority by a responsible person stating that remediation has been completed and the site is suitable for the permitted end use.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity and public safety.

- 9 No development shall be commenced on any individual housing unit hereby approved until full details of a scheme of acoustic protection of habitable rooms within that unit having windows that will be exposed to a level of road traffic noise in Noise Exposure Categories B, C or D as set out in Policy SQ6 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document have been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than 30 LAeq dB in bedrooms and 40 LAeq dB in living rooms with windows closed. Additionally, where the internal noise levels will exceed 40 LAeq dB in bedrooms or 48 LAeq dB in living rooms with windows open the scheme of acoustic protection shall incorporate appropriate acoustically screened mechanical ventilation. Mechanical ventilation shall also be provided to bedrooms having openings into facades that will be exposed to a level of road traffic noise in excess of 78 L_{Amax} (Slow) time weighting. The approved scheme shall be implemented prior to the first occupation of the dwelling to which it relates and shall be retained at all times thereafter.

Reason: To safeguard the aural amenity of the occupiers of the dwelling(s) hereby approved.

- 10 The details submitted in pursuance of Condition 1 shall show land, reserved for parking or garaging in accordance with the adopted version the TMBC approval of Interim Guidance Note 3. None of the relevant buildings shall be occupied until this area has been provided, surfaced and drained in accordance with the approved details. Thereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown (other than the erection of a private garage or garages) or in such a position as to preclude vehicular access to reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking.

- 11 At the time of the submission of the first set of details pursuant to Condition 1 an Affordable Housing Scheme shall be submitted demonstrating how the housing hereby permitted will contribute to the provision of specialist housing by Royal British Legion Industries in accordance with its aims.

Reason: To ensure that the housing hereby permitted meets the broad aims of TMBC Core strategy Policy CP17.

- 12 The details submitted in pursuance of condition 1 shall be accompanied by a scheme, in respect of air quality for the relevant development, to demonstrate that no dwelling is located in an area where the level of NO₂ exceeds 36 mg/m³.

Reason: To ensure that the housing hereby permitted meets the aims of TMBC MDEDPD Policy SQ4.

- 13 At the time of the first submission of details submitted pursuant to Condition 1 a scheme shall be submitted detailing responses to ecological and nature conservation issues.

Reason: to ensure no unacceptable impact as a result of the development.

(B) TM/12/02443/OA:

7.2 **Grant Outline Planning Permission** in accordance with the following:

Conditions

(Final detailed wording to be delegated to Director of Planning, Transport and Leisure in liaison with Chief Solicitor.)

- 1 Approval of details of the layout and appearance of the development, access to and within the site, the landscaping of the site, and the scale of the development (within the upper and lower limits for the height, width and length of each building stated in the application hereby approved) (hereinafter called the “reserved matters”) shall be obtained from the Local Planning Authority.

Reason: No such approval has been given.

- 2 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

- 3 The development hereby permitted shall be carried out substantially in accordance with the submitted masterplan.

Reason: To accord with the submitted application.

- 4 No development shall take place until details and samples of materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality.

- 5 The details submitted in pursuance of Condition 1 shall include a contoured site plan and indicate the level of the ground floor of any building proposed to be constructed.

Reason: To enable the Local Planning Authority to assess adequately the impact of the development on visual and/or residential amenities.

- 6 The area shown on the approved plan as open space and play areas shall be laid out and made available for use within three months of the completion of the development.

Reason: To ensure the availability suitable areas for the recreational needs of the residents.

- 7 The details submitted in pursuance of condition 1 shall be accompanied by a scheme of landscaping and boundary treatment which shall include a tree survey specifying the position, height, spread and species of all trees on the site, provision for the retention and protection of existing trees and shrubs and a date for completion of any new planting and boundary treatment. The scheme as approved by the Authority shall be implemented by the approved date or such other date as may be agreed in writing by the Authority. Any trees or plants which within 10 years of planting 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 Authority gives written consent to any variation.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- 8 No development shall be commenced until:

(a) a site investigation has been undertaken to determine the nature and extent of any contamination, and

(b) the results of the investigation, together with an assessment by a competent person and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning

Authority. The assessment and scheme shall have regard to the need to ensure that contaminants do not escape from the site to cause air and water pollution or pollution of adjoining land.

The scheme submitted pursuant to (b) shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking of the development hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority of the presence of any such unforeseen contamination.

Prior to the first occupation of the development or any part of the development hereby permitted

(c) the approved remediation scheme shall be fully implemented insofar as it relates to that part of the development which is to be occupied, and

(d) a Certificate shall be provided to the Local Planning Authority by a responsible person stating that remediation has been completed and the site is suitable for the permitted end use.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity and public safety.

- 9 No development shall be commenced on any individual housing unit hereby approved until full details of a scheme of acoustic protection of habitable rooms within that unit having windows that will be exposed to a level of road traffic noise in Noise Exposure Categories B, C or D as set out in Policy SQ6 of the Tonbridge and Malling Managing Development and the Environment Development Plan Document have been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than 30 LAeq dB in bedrooms and 40 LAeq dB in living rooms with windows closed. Additionally, where the internal noise levels will exceed 40 LAeq dB in bedrooms or 48 LAeq dB in living rooms with windows open the scheme of acoustic protection shall incorporate appropriate acoustically screened mechanical ventilation. Mechanical ventilation shall also be provided to bedrooms having openings into facades that will be exposed to a level of road traffic noise in excess of 78 L_{Amax} (Slow) time weighting. The approved scheme shall be implemented prior to the first occupation of the dwelling to which it relates and shall be retained at all times thereafter.

Reason: To safeguard the aural amenity of the occupiers of the dwelling(s) hereby approved.

- 10 The details submitted in pursuance of Condition 1 shall show land, reserved for parking or garaging in accordance with the adopted version the TMBC approval of Interim Guidance Note 3. None of the relevant buildings shall be occupied until this area has been provided, surfaced and drained in accordance with the approved details. Thereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown (other than the erection of a private garage or garages) or in such a position as to preclude vehicular access to reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking.

- 11 At the time of the submission of the first set of details pursuant to Condition 1 an Affordable Housing Scheme shall be submitted demonstrating the provision of 40% affordable housing. The scheme shall provide details of the range and nature of tenancy types and unit sizes to reflect the provisions of the:

- National Planning Policy Framework
- TMBC Core strategy Policy CP17
- TMBC Supplementary Planning Document on Affordable Housing

Reason: To ensure that the housing hereby permitted meets the requirements and aims of TMBC Core strategy Policy CP17.

- 12 The details submitted in pursuance of condition 1 shall be accompanied by a scheme, in respect of air quality for the relevant development, to demonstrate that no dwelling is located in an area where the level of NO₂ exceeds 36 mg/m³.

Reason: To ensure that the housing hereby permitted meets the aims of TMBC MDEDPD Policy SQ4.

- 13 At the time of the first submission of details pursuant to Condition 1 a scheme shall be submitted identifying opportunities for influencing the effect on the outdoor noise climate of the key noise sources of A20/M20, by use of detailed site layout, building forms, acoustic facilities and other possible measures.

Reason: To ensure that all potential opportunities are taken to ensure the most beneficial of outdoor noise climate.

At the time of the first submission of details submitted pursuant to Condition 1 a scheme shall be submitted detailing responses to ecological and nature conservation issues.

Reason: To ensure no unacceptable impact as a result of the development.

(C) TM/12/02444/FL:

7.3 Grant Outline Planning Permission in accordance with the following:

Conditions

(Final detailed wording to be delegated to Director of Planning, Transport and Leisure in liaison with Chief Solicitor.)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

- 2 No development shall take place until details and samples of materials to be used have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality.

- 3 The details submitted in pursuance of Condition 1 shall include a contoured site plan and indicate the level of the ground floor of the roads proposed to be constructed.

Reason: To enable the Local Planning Authority to assess adequately the impact of the development on visual and/or residential amenities.

- 4 No development shall be commenced until:

(a) a site investigation has been undertaken to determine the nature and extent of any contamination, and

(b) the results of the investigation, together with an assessment by a competent person and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority. The assessment and scheme shall have regard to the need to ensure that contaminants do not escape from the site to cause air and water pollution or pollution of adjoining land.

The scheme submitted pursuant to (b) shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking of the development hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority of the presence of any such unforeseen contamination.

Prior to the first occupation of the development or any part of the development hereby permitted

(c) the approved remediation scheme shall be fully implemented insofar as it relates to that part of the development which is to be occupied, and

(d) a Certificate shall be provided to the Local Planning Authority by a responsible person stating that remediation has been completed and the site is suitable for the permitted end use.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity and public safety.

- 5 Prior to the opening of the east-west link to the south of Preston Hall a scheme shall be submitted to, and approved in writing by the Local Planning Authority showing a monitoring regime of the use of that road in light of the development and occupation on dwellings on the site of Planning Permission TM/12/02443/OA.

Reason: In order to ensure that the use of this road will not create adverse traffic conditions within the RBLI site as a whole.

Contact: Robin Gilbert